

## Minutes for April 2, 2007

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**066686 THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **April 2, 2007 at 9:00 a.m.** Chairman Greg Partch, G.R. Finch and Michael Largent, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

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

Present: Sharron Cunningham.

**066687 1.** The item discussed was Whitcom IGC/ING use. No action taken.

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

Present: Bob Reynolds and Joe Smillie.

**D066687A 2. Motion** by Commissioner Largent to accept the consent agenda. Motion **seconded** by Commissioner Finch and **carried**.

**066688 3.** Claims/Payroll warrants numbered **201906-202015** for **\$247,122.68** approved.

FUND	FUND NAME	AMOUNT
001	Current Expense	67,123.74
102	Building & Development	69.78
103	Countywide Planning	109.14
104	Developmental Services	792.36
110	County Roads	7,819.32
118	Inmate Welfare	179.11
127	Drug Enforcement-Quad City	5,666.24
129	House Bill 3900-CASA	93.13
135	Prosecutor's Stop Grant	109.75
138	Federal Equitable Sharing	3,213.00
144	Emergency Communications-144.260.001	1,316.83
400	Solid Waste	3,617.13
501	Equipment Rental & Revolving	1,672.76
513	Communications Revolving	2,440.55
660	Whitcom-General-660.911.000	69,432.71
660	Whitcom-Grant Funding-660.911.001	72,062.43
690	CAC Agency Svc.-690.026.010	11,404.70

**066689 4.** March 26, 2007 minutes approved.

**BOCC MINUTES-04/02-07**

**066690-066694** 5. Personnel board orders approved.

**066694A** 6. Bob Reynolds submitted Phase 3 of the carpet project for Superior Court. Proposals were solicited through the small works roster process with the lowest bidder being Saunder's Interiors for \$13,125.20 with tax including sound dampening materials and moldings. Commissioner Finch reminded Mr. Reynolds not to submit the final payment until after a final inspection and after the project is totally completed. Mr. Reynolds noted a power communication line would be added in the center of the courtroom near the lawyers' tables enabling him to continue on with that side of the project. Commissioner Finch **moved**, Commissioner Largent **seconded** the motion and it **carried** to accept this bid for the Phase 3 carpeting project for Superior Court and to move forward.

**066695** 7. Commissioner Finch **moved**, Commissioner Largent **seconded** the motion and it **carried** to direct the Chairman to sign "Form G" certification for the Emergency Shelter and Assistance Program grant.

**10:10 a.m.** - Corrine Slood.

**066696** 8. Commissioner Finch **moved**, Commissioner Largent **seconded** the motion and it **carried** to publish a notice for the April 17<sup>th</sup> rural residential development hearing to be held at 6 p.m.

**066697** 9. Commissioner Largent **moved**, Commissioner Finch **seconded** the motion and it **carried** to accept the Solid Waste Advisory Committee's (SWAC) recommendation for appointments as presented; appointing Al Sorensen to a 3-year unexpired term ending 05/31/09 and reappointing Judy Dunn-Gray and Keith Oney to 3-year terms expiring 12/31/10.

**066698** 10. Pursuant to County Code regarding delegation of purchase orders, claims and payroll responsibilities, an authorization form was received from the Prosecutor's Office, signed by the Board and forwarded to the Auditor's office. **Motion** by Commissioner Largent **seconded** by Commissioner Finch and **carried**.

**066699** 11. An executed copy of Teamsters Local #690 memorandum of understanding for Correction Officers/Support Staff was received.

**066700** 12. Commissioners' pending list reviewed.

**10:20 a.m.** - Gordon Forgey/**Recess**.

**10:30 a.m.** - **2007-2008 Legal Printing Bids.**

Present: Gordon Forgey, Corinne Slood and Joe Smillie.

**066701** The following bid for 2007-2008 legal printing received, opened and read aloud.

BIDDER	AMOUNT
Whitman County Gazette/Moscow-Pullman Daily News	\$9.28 per column inch

Commissioner Largent **moved**, Commissioner Finch **seconded** the motion and it **carried** to accept the combined bid from the Whitman County Gazette/Moscow-Pullman Daily News as presented (\$9.28 per column inch).

10:40 a.m. - Recess.

11:00 a.m. - Mark Storey, Public Works Director.

Present: Phil Meyer, Corrine Sloat and Joe Smillie.

**ACTION ITEMS**

**Engineering Division:**

066702 1. Commissioner Finch **moved**, Commissioner Largent **seconded** the motion and it **carried** to publish the notice of call for bids for crushing at the Doneen Quarry.

066703 2. Commissioner Largent **moved**, Commissioner Finch **seconded** the motion and it **carried** to publish the notice of call for bids for crushing at the Bauer Quarry.

**Solid Waste:**

066704 3. Commissioner Finch **moved**, Commissioner Largent **seconded** the motion and it **carried** to publish the NO SPRAY notice for 2007.

11:05 a.m. - Brad Johnson.

**Maintenance Division:**

D066704A 4. Phil Meyer reported crews are working on grading dirt roads.

11:15 a.m. - Denis Tracy and Mark Bordsen.

**Planning Division:**

D066704B 5. Mark Bordsen stated Denis Tracy, Mark Storey and he are working on simplifying language for Rural Residential while retaining the intent. Based on the current draft, Mr. Tracy said there are no obvious constitutional flaws and the document would likely withstand any legal challenge. Overall, the document passes legal review. According to Mark Bordsen, the document will be ready for the Board and public's review 04/05/07.

11:35 a.m. - Brad Johnson, WRIA 35.

Present: Mark Storey, Corrine Sloat and Joe Smillie.

**D066704C** Mr. Johnson noted the WRIA 35 Phase 3 Watershed Plan is getting close to the final draft plan. Before they can move forward to Phase 4, the county commissioners must approve Phase 3. A meeting will be held April 12<sup>th</sup> to review obligations and other documents. On April 26<sup>th</sup> the consultant will be in Pomeroy to present the final draft plan for distribution and review. If there are too many technical issues that can't be resolved in a short amount time, they may not be able to complete the draft plan before the start of the new biennium (July 1, 2007). He believed all issues in Whitman County are consistent with issues raised by constituents, landowners and commissioners on the other side of the river.

With the assistance of Senator Schoesler, they talked about doing groundwater studies and postponing well exemption decisions for now. They want to be able to see rural counties in southeast Washington experience growth.

Commissioner Largent said he posed the question to Department of Ecology (DOE) asking while they wait to do these studies what does that mean for Whitman County growth potential? At this point in time for Whitman County, the tough decisions in Phase 3 are being postponed until they have more information. In the interim, he didn't want to limit reasonable opportunity for an exempt well in that portion of Whitman County covered by WRIA 35 and he will pursue this until he gets a definite answer from DOE.

Brad Johnson said Senator Schoesler wants WRIA 35 to stand firm on the permit domestic exempt wells that DOE wants to limit. DOE recommends a reservation they say will protect us because when we set the flows, the reservation can go against the instream flow. This was never voted on. Mr. Johnson could understand a reservation in a county where 1000 wells are drilled/year, but we are talking about 1000 wells in the entire WRIA. It appears Whitman County would get less than 1 well/year for the next 20 years. That doesn't support growth. This plan is designed to support growth and protect fish and water quality. DOE recommended 26 wells over the next 20 years for Asotin Creek. A total of 15 wells were drilled in the last 5 years for livestock exclusion and this number would go against the reservation number. Senator Schoesler said if DOE wants to regulate permit exempt domestic wells they need to go to the legislature. That is where the issue was left. DOE has asked for a counter number, but WRIA 35 does not want to limit exempt wells.

As a member of WRIA 35, Commissioner Largent is looking to preserve growth and opportunities where he can. His job is to represent the people of Whitman County and lean that direction, whereas, DOE's job is to lean in the direction of environment. Hopefully, there will be a nice balance as they continue this debate.

With regards to instream flows in Whitman County, Commissioner Largent said the Planning Unit is not planning any instream flows. By not doing so, it also closes down opportunity. He wrote DOE suggesting although he may not

be entirely happy with not doing instream flows, over the long run he would like opportunities such as in Wawawai Canyon, to do an agricultural project in the microclimate that occurs in that canyon. He would like a chance to create an environment for opportunities in those areas. No one is talking about surface water withdrawals because the uses are not there. He wondered if we went down into the aquifer could we drip irrigate a vineyard in Wawawai Canyon for example. So he is still looking at that thin line for opportunities to create reservations in those instream flows that allows for a different use of land base than we currently have. We must have economic diversity, while understanding resource limitations. The commissioners' job is to open opportunities in this county. Part of that is what is happening with the watershed. If possible, Commissioner Largent would like to have a choice.

Commissioner Finch said he has asked DOE what constitutes a stream or drainage. He wondered if DOE has made the distinction in Eastern Washington that some of these waterways are nothing more than drainage ditches like the one near his own property.

According to Brad Johnson, DOE wrote stating they wanted WRIA 35 to set instream flows on Asotin Creek and 10-Mile Creek and to close all the other systems because there are no instream flows. However, WRIA 35 disagreed. WRIA 35 said they would delay rule-making so they could gather information.

The problem is many of these systems, like the one that runs by Commissioner Finch's property does not have a gauge on the bottom of it. In order to set future instream flow they must have gauge data to apply some type of science to base their decision.

On the flip side Mr. Johnson said we don't want to just close it. The bottom line is DOE and Fish and Wildlife will probably say there are no future surface water withdrawals. WRIA 35 will argue saying if there is water that could be, there could be water for both. The bigger question is the groundwater issue and the reason a study must be done so they are not closing the door on any future use.

Commissioner Largent said in our particular area, it is more appropriate to have groundwater withdrawals. In order for DOE to close it to any future use for groundwater withdrawals, even projects that are highly efficient in water use and small in nature that provides a return on water investment is much higher than alfalfa. He didn't see surface water being as big an issue.

Commissioner Partch indicated the Board made it clear to Commissioner Largent they want him to be at the table and asking the hard questions because this is a very critical issue. In addition, Whitman County has two other major WRIA's with their own issues.

**BOCC MINUTES-04/02-07**

Commissioner Largent expressed his appreciation to Brad Johnson, Mark Storey, DOE and all others that have helped to bring him up to speed on these issues.

Mark Storey mirrored Commissioner Largent's comments about not limiting the number of exempt wells in rural Whitman County that would impact economic growth. Exempt wells are the key to any development in the Whitman County agricultural zone. These wells don't add up to much when you look at the bigger picture of water withdrawals.

Commissioner Largent pointed out aspects of concern to him in WRIA 34, 35 and 56 as being: 1) the opportunity for managed growth and 2) diversification of our land base. He will push for entrepreneurs that would like to start a business utilizing our land base in a different, unique and innovative way.

Mr. Johnson said using Whitman County as an example, for less than one permit exempt well per year for the next 20 years is what got Senator Schoesler's attention. The Planning Unit felt the people living in WRIA 35 know what is needed and they have heard a resounding, "We don't need DOE to tell us how many permit exempt wells we need. We feel that the current statute on permit exempt wells is pretty clear". They also agree they need to look at instream flows and its impacts.

Commissioner Largent felt our citizens in general are not yet apprised of the implications this process will have on their everyday lives, their investment and hopes in the future. Commissioner Partch agreed adding, "We have to be informed for our people."

**12:10 p.m. - Recess.**

**1:35 p.m. - Mike Berney, Greater Columbia Behavioral Health (GCBH).**

**066705** 1. Outcomes of the March 1, 2007 Board meeting included:

- GCBH Regional Office Director
- Litigation update
- Employee Handbook
- State Auditor's report
- DSHS/GCBH contract amendment

**D066705A** 2. Revision of the Quality Manager's Job Description: Mr. Berney had suggested the Executive Committee review the GCBH organizational chart, especially the vacant positions. The chart was created during a time in which the environment was much different than it is now. There seems to be support from other Executive Committee members. With the County Commissioners permission, Mr. Berney will continue with this effort.

**BOCC MINUTES-04/02-07**

**D066705B 3.** Review of GCBH policies: There are 5 policies listed on the next GCBH Board agenda slated for discussion/adoption. Most of the changes involve cleaning up wording and consolidation when feasible. Some minor concerns remain but Mr. Berney assumed those could be worked out. Whitman County supported adoption of the new/revised policies.

**D066705C 4.** Inpatient usage in Benton and Franklin Counties: Nothing new to report.

**D066705D 5.** Review of the GCBH funding formula is about to begin.

**D066705E 6.** Placement of Programs for Assertive Community Treatment (PACT) Teams: Proposals were due back to the GCBH Regional Office March 16<sup>th</sup>. One proposal was received that has been reviewed by a special stakeholder committee. The committee should be making a recommendation to the Board of Directors at the April meeting. Assuming the committee recommends accepting the proposal, Mr. Berney believes some will want assurances that the system in Benton and Franklin Counties will make the adjustments they need to in order to bring their hospitalization rates into line with the rest of the Regional Support Network. Mr. Berney requested and was given the flexibility to withhold Whitman County's support if the needed assurances are not made.

**066706 7.** The Director presented written comments regarding Whitman County's 3<sup>rd</sup> quarter Chemical Dependency report.

**D066706A 8.** Additional payments from GCBH: Inpatient savings and a special allocation received.

**2:00 p.m. - Scott Road Overlay Project.**

Present: Mark Storey, Phil Meyer and Jeff Williams.

**066707** The following bids for the Scott Road Overlay project were received, opened and read aloud. Public Works will review the bids and make a recommendation for award on April 9<sup>th</sup> at 11 a.m.

<b>BIDDER</b>	<b>AMOUNT</b>
Poe Asphalt, Clarkston/Pullman, WA	\$301,396.75

**2:05 p.m. - Recess.**

**2:15 p.m. - Board Business Continued/BOCC Workshop.**

Present: Mark Storey, Mark Bordsen and Maribeth Becker.

**D066707A 13.** Items discussed included "Pondering the Palouse" and the Outdoor Amusements ordinance. No action taken.

**4:40 p.m. - Scott Road Overlay Project.**

Present: Mark Storey and Phil Meyer.

**D066707B** Due to an oversight, a bid submitted by Transtate of Walla Walla (received 03/30/07) was inadvertently overlooked at the scheduled 2:00 p.m. bid opening. As soon as the oversight was discovered the bid was immediately opened and read aloud as follows:

<b>BIDDER</b>	<b>AMOUNT</b>
Transtate, Walla Walla, WA	\$256,114.00

**4:00 p.m. - Adjournment.**

**D066707B** Commissioner Finch **moved** to adjourn the **April 2, 2007** meeting. Motion **seconded** by Commissioner Largent and **carried**. The Board will meet in regular session, in their Chambers', in the Whitman County Courthouse, Colfax, Washington, on **April 9, 2007**. The foregoing action made this **2nd** day of **April 2007**.

ss/ G.R. FINCH, Commissioner  
ss/ MICHAEL LARGENT, Commissioner

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MARIBETH BECKER, CMC  
Clerk of the Board

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GREG PARTCH, CHAIRMAN  
Board of County Commissioners