

## Minutes for April 8<sup>th</sup>, 2002

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**059502 THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **April 8, 2002 at 10:00 a.m.** Greg Partch, Chairman, Jerry Finch and Les Wigen, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

**10:00 a.m. - Board Business.**

**D059502A 1. Call to Order/Pledge of Allegiance.**

Present: Jennifer Snead.

**D059502B 2. Motion** by Commissioner Wigen to approve the Consent Agenda. Motion **seconded** by Commissioner Finch and **carried**.

**059503 3.** April 1, 2002 minutes approved.

**059504-059505 4.** Personnel board orders approved.

**059506 5. Motion** by Commissioner Finch **seconded** by Commissioner Wigen and **carried** to authorize an interfund loan for the County lighting project.

### **RESOLUTION NO. 059506**

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

WHEREAS, the Board of County Commissioners for Whitman County, State of Washington, met on Monday, April 8, 2002; and

WHEREAS, the Capital Projects Infrastructure Fund (300.010.002) will be used to pay for the 2002 County Lighting Project; and,

WHEREAS, the Capital Projects Infrastructure Fund (300.010.002) needs an Interfund loan of \$150,000.00 to complete the total payment for this project; and

WHEREAS, the interfund loan will be repaid with an interest rate equal to the monthly average of the current market for the month immediately preceding the month during which the interfund loan is authorized; and

WHEREAS, the interfund loan of \$150,000.00 plus interest will be repaid in two (2) equal payments; one payment each year for two years; first payment due by December 31, 2003 and the final payment due December 31, 2004.

NOW, THEREFORE BE IT RESOLVED AND IT IS ORDERED that an interfund loan of \$150,000.00 be transferred from the Solid Waste Fund (400.400.000) to the

Capital Projects Infrastructure Fund (300.010.002) to be repaid as stated above.

PASSED, APPROVED AND ADOPTED this 8th day of April 2002.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

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Greg Partch, Chairman

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G. R. Finch, Commissioner

ATTEST:

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Maribeth Becker, CMC  
Clerk of the Board

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Les Wigen, Commissioner

**059507**     **6.** Commissioner Finch said it was brought to my attention that the language deleted last week relative to the Highway/Waterway amendment, Section 19.22.040(3) - Yard Requirements should have been left in. If removed, the ordinance becomes inconsistent with the setback requirements. Therefore, Commissioner Finch said this item should be reinstated.

**Motion** by Commissioner Finch **seconded** by Commissioner Wigen and **carried** to adopt the Highway/Waterway Commercial Land Use amendments to the Comprehensive Plan and Zoning Ordinance that establish a new Chapter 19.22, which creates Highway/Waterway Commercial District zoning potentials, as now referenced in this ordinance and to re-insert the previous deletion from the Zoning Ordinance, under Section 19.22.040(3)-Yard Requirements.

**ORDINANCE NO. 059507**

AN ORDINANCE AMENDING THE WHITMAN COUNTY COMPREHENSIVE PLAN and ADDING SECTION 19.22 TO THE WHITMAN COUNTY ZONING ORDINANCE, as described in the attached documents, as amended by the Board.

First, the Board received Recommendations and Findings of Fact from the Whitman County Planning Commission. Prior to making a decision on that proposal, the Board heard public comment that caused the Board to consider changing these proposed amendments.

Second, the Board met with planning staff and directed certain changes to be made.

Third, after review, the Board directed further changes.

Fourth, when the Board was satisfied that the amendments were ready to present to the public, the Board held their own public hearing. (State law required this public hearing because the Board modified the document presented to them from the Planning Commission's public hearing and action.)

Fifth, after the Board's public hearing, the Board found that the amendments were acceptable.

NOW, THEREFORE, BE IT ORDAINED and enacted by the Board of County Commissioners of Whitman County, State of Washington, it having been determined by the Board that these proposed Comprehensive Plan and Zoning Ordinance amendments should be accepted. Because these Whitman County Comprehensive Plan and Zoning Ordinance amendments were developed simultaneously, the Zoning Ordinance amendment is consistent with the Comprehensive Plan.

PASSED AND APPROVED by the Board of Whitman County Commissioners of Whitman County, Washington, on the 8th day of April 2002.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

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Greg Partch, Chairman

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G. R. Finch, Commissioner

ATTEST:

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Maribeth Becker, CMC  
Clerk of the Board

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Les Wigen, Commissioner

Full text of the amendment is available upon request.

**059508** 7. A copy of a letter of appreciation sent to Fran Martin was received from Bruce R. Wright, MD, WSU Environmental Health Director, concerning the efforts of the Whitman County Public Health personnel in responding to the recent case of meningococcal meningitis occurring to a WSU student.

**059509** 8. A memo was received from Dane Dunford regarding a possible \$24,000 unforeseen expenditure. This is the result of sales tax being improperly charged to the county since 1999 by Busch Distributors.

**059510** 9. The Chairman signed an application for FY 2002 Emergency Shelter grant.

**059511** 10. A letter was forwarded to the Governor in regard to DSHS Secretary Braddock's response for hiring additional staff after the Governor's hiring freeze was imposed.

**059512** 11. A letter was sent to Representative Nethercutt concerning pesticide regulations in schools.

**059513** 12. A follow up letter was sent to the Sheriff and Bruce Grass regarding Mr. Grass' concern about his personal data entry in the Spillman Data System.

**059513A** 13. Letter acknowledging receipt of the county's agricultural burning delegation order appeal was received from the Environmental Hearings Office.

**D059513B** 14. Mr. Berney notified the Board (via the Clerk) of an estimated \$25,000 Chemical Dependency repayment he will be submitting in the near future through the claims process.

**D059513C** 15. Commissioners' pending items reviewed.

**10:30 a.m. - Bev Welch, Information Services Director.**

Present: Travis Anderson.

**D059513D** 1. Ms. Welch introduced Travis Anderson, Computer Support Technician.

**059514** 2. Ms. Welch discussed the request by the Prosecutor's office and recommended an estimated \$2,400-\$2,600 expenditure from the Asset Acquisition fund for a personal computer upgrade and an additional laptop computer. The Chairman reminded those present that a letter was sent to the Prosecutor in October requesting he convert from Microsoft Work Perfect to Microsoft Word, consistent with all other departments. He noted the Board never received a response to their letter. Therefore, he was not in favor of proceeding with the request until the Prosecutor visits with the Board and the other members voiced their concurrence.

Ms. Welch commented that the Prosecutor's office objection in the past was based on the numerous forms they use that are set up in Word Perfect. All the forms would have to be reformatted to MS Word. She offered the assistance of Information Services to assist with the transition. Travis Anderson will assess what it will take to make the changes. The commissioners approved the request with the provision that the Prosecutor's office converts to MS Word.

**10:50 a.m. - Recess.**

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

Present: Mark Storey and Bob Anderson.

**Action Items:**

**059515** 1. **Motion** by Commissioner Wigen **seconded** by Commissioner Finch and **carried** to publish the notice for small works roster vendors.

**059516** 2. **Motion** by Commissioner Finch **seconded** by Commissioner Wigen and **carried** to publish the notice for professional services roster vendors.

059517 3. Motion by Commissioner Wigen **seconded** by Commissioner Finch and **carried** to reappoint Dorothy Swanson, Gene Patterson, Devon Felsted, and Mary Carol Sauve to 3-year terms on the Solid Waste Advisory Committee.

**Solid Waste Division:**

D059517A 4. Spring clean up began today and will conclude April 27th.

**Engineering Division:**

D059517B 5. Darden Bridge bids will be opened April 29<sup>th</sup>; survey continues on the Endicott Road Phase IV project.

**Maintenance Division:**

D059517C 6. Gravel screening is taking place at the Winona Gravel Pit; crews are cleaning ditches.

**Building Division:**

059518 7. The 1<sup>st</sup> quarter activity report for the Building Department was received from and reviewed by Mr. Anderson.

**Administrative Division:**

D059518A 8. Mr. Dunford reviewed the proposal from the Port of Whitman County concerning paving the access road to Whitman County Memorial Airport. His main concern was funding the project. He thought .08 economic development funds would be the most logical funding source. Otherwise, the only other source is to take one-fourth of the cost from the three road supervisors and bridge supervisors' budgets because this particular road does not qualify for state funding. He also suggested a change to the proposed language that says, "Whitman County is more than willing to sit down and visit about paving this road or getting it paved" rather than "when there are 10 jobs (at the Industrial Park), we are going to pave it". The Chairman said Mr. Dunford's concerns would be brought up at the joint meeting with the Port tomorrow.

**11:10 a.m. - Board Business Continued.**

059519 16. Claims/Payroll warrants numbered **133555-133608** and **133628-133665, 133680-133769** for **\$713,711.20** approved.

FUND #	FUND NAME	AMOUNT
001	Current Expense	\$ 5,670.95
102	Building & Development	683.37
103	Countywide Planning	219.27
110	County Roads	4,306.57
139	"911" Emergency Service	58,264.08
400	Solid Waste	2,570.86
410	Solid Waste Reserve	148.54
501	Equipment Rental & Revolving	8,058.69
690	Clearing & Suspense	257,563.51
ET	Electronic Transfer	376,225.36

**11:30 a.m. - Rita Konzal, Marlynn Markley and Doug Robinson.**

**D059519A** Ms. Konzal explained in 2001 legislation was passed that provides a mechanism, if certain requirements are met, for district court convictions to be vacated. The District Court, Probation, Prosecutor, and Sheriff's offices have been working together to develop a packet to satisfy all the requirements. This won't take a major amount of time for any one person but collectively each application will take 1-2 hours. Ms. Konzal asked the Board if they would be willing to pass a resolution authorizing District Court to collect an application fee of \$100 for processing these vacations?

Ms. Markley indicated the fee collected would go to the general fund, but she suggested a separate BARS Code for tracking purposes. District Court is currently receiving 2-3 applications per week. In addition, several years ago, there was some confusion at all levels concerning an individual's right to a vacation or expungement. District Court was directed to forward these requests to the state over the past 5-7 years. Then the state realized the law did not allow for this action and hold held the requests. She now has hundreds of old vacates that need to be processed.

Judge Robinson briefly explained the process involved.

Commissioner Finch said as a result of the 2002 legislature, the county couldn't continue giving services away. He thought additional staff would be needed in the future to fulfill yet another unfunded state mandate. Ms. Konzal said she didn't foresee that happening in the Sheriff's office. It is no different than what she is doing everyday when processing gun permits and criminal history requests from District Court. She said this will not be a major addition to the Sheriff's Office, but it may impact the county system overall.

After discussion, it was agreed the application fee should be established at \$150 and reviewed again at the end of the year.

Ms. Konzal offered to draft the necessary resolution for the Board's signature at a later date.

**12:00 p.m. - Recess.**

**1:20 p.m. - Chad Connors, Juvenile Services Administrator.**

**059520** Mr. Connors reviewed a federal pass-thru grant application (Whitman County Regional Program Development Unit) through the Governor's Juvenile Justice Advisory Committee in the amount of \$7,500 for the period 07-01-02 to 06-30-03. **Motion** by Commissioner Finch **seconded** by Commissioner Wigen and **carried** to authorize the Chairman to sign the grant application.

**1:35 p.m. - Tom Miller, Facilities Management.**

**059521** Due to some unforeseen electrical safety issues at the Public Service Building, Mr. Miller presented a \$9,000 change order including sales tax for the lighting project. Harrison Electric has agreed to split the cost of the change order since they are using their old building (now owned by the county) as a storage area for the lighting fixtures. **Motion** by

Commissioner Finch **seconded** by Commissioner Wigen and **carried** to approve the change order with Harrison Electric.

**1:45 p.m. - Recess.**

**2:05 p.m. - Ron Shirley, Chief Deputy Prosecuting Attorney.**

Present: Jim Kaufman.

**059522** Mr. Shirley said the Office Administrator advised him that the Board authorized a new personal computer and laptop with a proviso they don't understand. "Only authorized if Prosecutor will convert to MS Word format on all in-office PC's to be in line with rest of the county". Their concern is that it implies they can no longer use Word Perfect.

Two computers within the Prosecutor's office must use Word Perfect because the state purchased these computers and communicates with the Prosecutor's office using Word Perfect software. One other computer does not have the hard drive space to accommodate MS Word.

All others computers in the Prosecutor's office are equipped with both MS Word and Word Perfect software. It has been left up to the author to determine which program he/she chooses to use. Mr. Shirley was unaware of any other county office having a problem communicating with the Prosecutor's office through email no matter which system is used.

**2:10 p.m. - Bev Welch.**

In order to fulfill the commissioners' requests, the Prosecutor's office would have to reformat all the state forms, court forms, processing forms, etc. They can do that, but it will take an extraordinary amount of time to complete the conversion.

Mr. Shirley asked if it was the Board idea the Prosecutor's office should only use the MS Word program? Ms. Welch interjected that the issue seems to be intra-county office communications.

Commissioner Finch felt the Board was under the impression all offices had made the transition except the Prosecutor's office.

Chairman Partch said in the Board's letter of October 1, 2001 to the Prosecutor it stated the commissioners were advised that the Prosecutor's office was the only office not using MS Word. However, they were never advised that the office is receiving communication from the State in the Word Perfect format. The Prosecutor did not respond to their letter therefore they thought this was another opportunity to talk about this.

Mr. Shirley said the County Administrator and he previously discussed this same issue. The Administrator's concern dealt with the money issue more than anything else. He wondered why the Prosecutor's office was purchasing Word Perfect software when the County provides MS Word software.

**2:25 p.m.** - Travis Anderson, Dan Brown and Bob Lothspeich.

Mr. Shirley asked if there was any problem if the Prosecutor's office continued using Word Perfect and Mr. Anderson said only when transferring documents between computers.

Commissioner Partch asked what the cost is to continue Word Perfect updates and Ron Shirley replied \$300. The Board needed more information last fall when they sent the letter. They didn't know the Prosecutor's office already had MS Word on most of their computers. They also weren't aware of the dedicated state programs. Chairman Partch wasn't sure there was a problem, but they did need this dialogue to discuss the issue. It was suggested that the Prosecutor's staff be advised to send documents to other county offices in MS Word.

**2:45 p.m.** - **Bob Lothspeich, County Treasurer.**

**D059522A** Mr. Lothspeich informed the commissioners one of his full time employees has tendered her resignation. He has been redistributing some of the tasks of the full time position to 62.5% position. He would like to reduce the full time position to 75% and increase the 62.5% position to 75%, creating an overall net savings of 12.5% between the two positions. The Treasurer was authorized to proceed as requested.

**2:50 p.m.** - **Recess.**

**3:00 p.m.** - **BOCC Workshop.**

**059523** Items discussed included the Island Street Building (Weed Department) and the County Administrator position. No action taken.

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

**D059523A THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met at the Port of Whitman County Offices, Colfax, Washington for **April 9, 2002 at 2:00 p.m.** Greg Partch, Chairman, Jerry Finch and Les Wigen, Commissioners attended.

**2:00 p.m.** - **Reconvene/Port of Whitman County Commissioners.**

Present: John Love, Dan Boone and Bob Gronholz.

**059524** Items discussed included Whitman County Memorial Airport related issues and economic development issues. No action taken.

**3:45 p.m.** - **Adjournment.**

**D059524A** Commissioner Finch **moved** to adjourn the **April 8 and 9, 2002** 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 15, 2002**. The foregoing action made this **9th** day of **April 2002**.

ss/ JERRY FINCH, Commissioner  
ss/ LES WIGEN, Commissioner

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MARIBETH BECKER, CMC  
Clerk of the Board

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GREG PARTCH, Chairman  
Board of County Commissioners