

## Minutes for April 10, 2006

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**065335 THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **April 10, 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: Janel Goebel (9:00 a.m.) and Fran Martin and Sharron Cunningham (9:30 a.m.).

**065336 1.** Items discussed included a website contract, regional quarterly breakfast review, WSU Terrell Library dedication, Water Conservancy Board membership and Public Health related issues. No action taken.

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

Present: Gary Kopf, Thinh Nguyen and Gordon Forgey.

**D065336A 2. Motion** by Commissioner Partch to approve the consent agenda. Motion **seconded** by Commissioner Wigen and **carried**.

**065337 3.** Claims/Payroll warrants numbered **189070-189096, 189126-189155** and **189173-189264** for **\$861,207.58** approved.

FUND	FUND NAME	AMOUNT
001	Current Expense	34,817.84
103	Countywide Planning	59.38
104	Developmental Services	143.40
110	County Roads	2,111.58
111	CETC Building	116.00
300	Capital Projects CIP-300.010.005	2,169.35
320	Cap. Project/Out. Sources (Bond)	164.90
400	Solid Waste	10,006.81
501	Equipment Rental & Revolving	6,310.75
510	Photocopier Revolving	355.21
690	Clearing Fund 690.002.000	261,451.68
690	Clearing Fund 690.005.000	163,360.23
ET	Electronic Transfer	380,140.45

**065338 4.** April 3, 2006 minutes approved.

**065339-065345 5.** Personnel board orders approved.

**10:05 a.m. -** Ed Schultz, Sherry Partch and Sharron Cunningham.

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**065346** 6. Commissioner Partch asked Gordon Forgey to provide lineage information based on the \$.27 per column inch increase. It is the Board's responsibility to look into keeping cost down. Commissioner Finch had conversations with Mr. Forgey on ways to reduce some of the costs, such as eliminating the county logo on each legal, using one logo at the top of the column and darkening the column border since all county notices run one after the other, reducing the verbiage in the legals and eliminating spaces between paragraphs.

Commissioner Partch said he would also like to include all county notices on the county's webpage in addition to legal advertising to gain a larger audience. Chairman Finch said after Gordon and he visited last week, he talked to the Prosecutor about the possible elimination of verbiage in the legal notices. By implementing some of the suggestive changes, he was confident the county could still do a good job for Whitman County and save money.

Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to award the 2006-07 legal printing contract to the Whitman County Gazette/Moscow-Pullman Daily News.

**D065346A** 7. The Chairman recognized Mr. Ed Schultz who has agreed to serve on the Whitman County Water Conservancy Board and is very much appreciated. Commissioner Wigen echoed the Chairman's words of appreciation. Commissioner Partch mentioned how critical this particular board is.

**065347** 8. A letter of comment concerning the rural residential zone was received from Ed Schweitzer.

**065348** 9. A letter was received from Hawkins Group attorney Samuel W. Plauche' stating they believe the appeal by the City of Moscow is without merit but they still are requesting the county withdrawal the mitigated determination of non-significance and prepare another more indepth SEPA determination.

**065349** 10. A letter and information on how to arrest the influx of methamphetamine in our community was received from Elias VanVradenburg, II. The information was forwarded to the Sheriff along with a letter of thanks to Mr. VanVradenburg.

**10:25 a.m.** - Don Nelson and Dennis Richmond.

**065350** 11. A proclamation designating April 9-15, 2006 as National Public Safety Telecommunications Week was received from the Governor's Office.

**065351** 12. A listing of liquor licenses due to expire July 31<sup>st</sup> was received from the Washington State Liquor Control Board.

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**D065351A 13.** Commissioners' pending list reviewed.

**D065351B 14.** An opportunity for questions/comments from those in the audience was permitted.

**10:30 a.m. - Fran Martin, Public Health/Emergency Management.**

Present: Gary Kopf, Thinh Nguyen, Don Nelson, Dennis Richmond, Sherry Partch, Sharron Cunningham, Ed Schultz and Denis Tracy.

**D065351C 1.** Ms. Martin reported WSU Office of Greek Life Administration is requesting Public Health perform inspections for all WSU sororities and fraternities. The purpose of the whole house inspection is to identify concerns and thereby allowing freshman to live off campus. The inspections are basic sanitary surveys covering the inside and outside of the houses. A checklist has been developed to insure all inspections are consistent. The proposed fee is \$125/house and is consistent with kitchen inspections. It includes an approximate 2-hour inspection, travel time and mileage.

**D065351D 2.** Ms. Martin also recommended adding a Venipuncture fee of \$10.00 to the public health fee schedule along with a Varicella Titer of \$27.00. The Director will present a resolution for consideration to revise the fee schedule at the next Board of Health meeting.

**D065351E 3.** A Public Health policy for waiving some fees was discussed. Public Health cannot deny TB testing or childhood immunization vaccines furnished by the Department of Health because of an individual's inability to pay for the service. The sliding fee schedule based on income is the same as the federal guidelines for the Women Infant Children (WIC) program and is revised every April. Hearing no objections from the Board, Ms. Martin will prepare a resolution to consider waiving fees for the next Board of Health meeting.

**10:45 a.m. - Recess.**

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

Present: Mark Storey, Maggie Breshears, Michelle Dupler, Thinh Nguyen, Gary Kopf, Don Nelson, Ed Schultz, Susan Fagan and Mia and Sherry Partch.

**ACTION ITEMS:**

**ER&R Division:**

**065352 1.** A bid tally sheet for one new ½ ton regular cab, short box 4x4 pickup was received from the Director recommending award to Jess Ford in Pullman.

**065353** Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** that the bid for one 2006, regular cab, short box pickup be

awarded to Jess Ford for a total bid amount of \$71,387.60 without tax. Commissioners signed the contract for the above purchase.

**Engineering Division:**

**065354** 2. Mark Storey stated the proposed establishment of Summit Road came before the Board last summer. This road is at the end of Orchard Street near Colfax. It is a short segment of an old vacated county road petitioned for reestablishment. The engineer's report was previously prepared and presented at the time of the hearing. The resolution establishing the road was tabled until Dennis Richmond, a landowner, could supply additional information including a survey of the road and right-of-way and completion of a short plat. Mr. Richmond was also required to obtain affected landowner deeds and signatures to transfer land for public right-of-way in order to establish the road. At this time, all requirements have been met. The Engineer then presented a listing of all cost to establish Summit Road and a resolution for the Board's consideration.

**065355** Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** that the resolution to establish Summit Road be signed as presented. Mr. Richmond thanked Public Works staff for their assistance.

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

In the Matter of the Petition to )  
Establish a Road located in the )  
NE¼ of Section 15, Township 16 ) **RESOLUTION NO. 065355**  
North, Range 43 East, W.M., in )  
Whitman County, Washington, to )  
be known as Summit Road ) **ORDER ESTABLISHING**

WHEREAS, the Whitman County Board of County Commissioners directed the County Engineer to investigate and prepare a report on the proposed establishment of Summit Road on the 11th day of July, 2005.

WHEREAS, the Whitman County Engineer has submitted a report, which indicates that said Summit Road is practicable.

WHEREAS, the Whitman County Board of County Commissioners held a public hearing, after proper public notice, on the 8th day of August 2005, and no objection was filed or presented.

WHEREAS, the Whitman County Board of County Commissioners finds that the establishment of Summit Road is in the best interest of the citizens of Whitman County.

WHEREAS, the petitioners, through Dennis Richmond, landowner, have provided the County with a survey map of the road as approved by the County Engineer, in accordance with R.C.W. 36.81.060, to his satisfaction,

IT IS HEREBY ORDERED that the proposed Summit Road shall be established as County Road No. 8455, Summit Road as platted in the "Richmond Orchard Short Plat No. 1", to be filed with the Auditor, with a right-of-way width of forty feet.

ADOPTED at Colfax, Washington, this 10<sup>th</sup> day of April 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

**065356** 3. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to publish the notice of day labor for 2005.

**Maintenance Division:**

**D065356A** 4. General maintenance work continues; weather permitting the department will begin crack sealing in May in anticipation of other asphalt work and seal coating in July.

**Solid Waste Division:**

**D065356B** 5. Spring Cleanup began today and extra staff has been put in place for this event.

**11:15 a.m. - Recess.**

**11:30 a.m. - John Henry, Colfax.**

Present: Gary Kopf, Think Nguyen, Don Nelson, Sherry Partch, Ed Schultz, Michelle Dupler, Maggie Breshears, Susan Fagan and Mia and Denis Tracy.

**D065356C** Mr. Henry joined the commissioner to talk about commissioners driving county vehicles, now a mute point, employees who drive county vehicles to/from home, commissioner's attending meetings outside of the county and commissioner accomplishments.

**12:05 a.m. - Denis Tracy, County Prosecutor.**

Present: Gary Kopf, Think Nguyen, Don Nelson, Sherry Partch, Ed Schultz, Michelle Dupler, Maggie Breshears, Susan Fagan and Mia.

**D065356D** Mr. Tracy was not quite prepared to make his presentation and asked the commissioners if he could return at a later time with some suggestive procedural changes to County Code Sections 9.04 and 19.06 to bring them in line with revised state statutes. The Prosecutor will return at 4 p.m.

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

**4:00 p.m. - Denis Tracy, County Prosecutor.**

Present: Tinh Nguyen.

**065356E** The Prosecutor said state laws cover State Environmental Policy Act (SEPA) and authorizes the county to establish procedures for conditional use permits (CUP) which has been done. After comparing the state law regarding SEPA and planning in general, it was his opinion the county ordinances need to be modified to bring them in line with the current status of state laws.

Mr. Tracy recommended the Board request the Planning Commission review suggestive changes to the county's ordinances regarding the CUP and possibly the SEPA processes. Tomorrow the Prosecutor planned to have a list of suggestive changes for the Planning Commission's consideration. The Planning Commission will have to advertise and hold one public hearing before taking action on the Board's request. Their decision can be to: 1) recommend the changes, 2) recommend against the changes or 3) take no position.

The county commissioners make the ultimate decision, but based on the current process in place, the commissioners should refer these suggestive changes to the Planning Commission for their consideration through the hearing process.

The changes Mr. Tracy was suggesting involve Whitman County Code Chapter 9.04 (SEPA) and Chapter 19.06 (Board of Adjustment hearing CUP's) as follows:

- The body to hear the appeal of a responsible officials decision will be the same body that is designated to hear the underlying governmental action.
- The County Code would also specify that a SEPA appeal hearing will be consolidated with and held at the same time in front of the same body as the body that is designated to hear the underlying governmental action. This body will hear the appeal of the initial SEPA determination by a responsible administrative official.
- Inserting a reference in Section 19.06 updating the reference to appeals to court process following the exhaustion of administrative efforts specifically removing references to writs and inserting a

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reference to the only available appeal to a court will be under the state's Land Use Petition Act.

- Inserting a reference in Section 19.06 for a new option to hear these issues. If a quorum were not available at the Board of Adjustment, there would be an option for a Hearings Examiner to hear both issues the CUP and SEPA appeal if there is one. State law allows this option but it is not an option in the County Code.

Mr. Tracy reiterated he is requesting the county commissioners refer these suggestive changes to the Planning Commission and asking them to hold a prompt hearing and provide a prompt reply. After that, this board can approve or reject whatever the Planning Commission refers to them.

Commissioner Partch **moved** to allow the Chairman to sign off tomorrow on a packet presented by the Prosecutor then forwarded to the Planning Commission requesting their prompt action. Motion **seconded** by Commissioner Wigen and **carried**.

In response to an inquiry by the Chairman, the Prosecutor confirmed that the gag order is still in effect for the commissioners with respect to the SEPA appeal until the County Code is changed because the commissioners are still the judges for the SEPA appeal.

**4:20 p.m. - Board Business Continued.**

**065357** 15. Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to sign the ASAP spray contract for the Bill Chipman Palouse Trail.

**4:25 p.m. - Adjournment.**

**D065357A** Commissioner Partch **moved** to adjourn the **April 10, 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 **April 17, 2006**. The foregoing action made this **10th** day of **April 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