

BOCC MINUTES-04/17/17

078848 **THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, April 17, 2017** at **9:00 a.m.** Chairman Arthur D Swannack, Dean Kinzer 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: Gary Petrovich, Mark Storey (9:00 a.m.) and Bob Reynolds (9:20 a.m.).

078849 1. The following items were discussed but no action was taken.

- Snake River Family Festival
- Cathy McMorris-Rodgers Visit
- Dale Snyder Support Letter
- Parks/DS Restructuring
- 1st Quarter Budget Review
- CIP Process
- 2015 Solid Waste Loan Payment
- Web Committee Membership
- Pre-Paid E-Card Pilot Program
- Palouse Church/Paint Ball
- McKinstry Update
- Palouse RTPO
- Solid Waste Model
- Solid Waste Consultant Interviews
- Bridge Consultant
- Clear Creek Road Repairs

10:00 a.m. - Flag Salute.

Present: Chris Nelson, Paul Spencer and Kara McMurray.

D078849A 2. **Pledge of Allegiance.**

Consent Agenda:

D078849B 2A. **Motion** by Commissioner Kinzer **seconded** by Commissioner Largent and **carried** to accept the consent agenda.

078850 3. Treasurer's Wire Transfers and Check Report in the amount of **\$98,574.54** and General Claims numbered **\$328865-328998** for **\$215,628.83** approved.

078851 4. April 3, 2017 minutes approved.

078852-078863 5. Personnel change orders approved.

078864 6. **Motion** by Commissioner Kinzer **seconded** by Commissioner Largent and **carried** to reappoint Ken Jacobs and Ron Wachter to 4-year terms, expiring 12/31/20 on the Blue Ribbon Advisory Task Committee.

078865 7. **Motion** by Commissioner Kinzer **seconded** by Commissioner Largent and **carried** to authorize the Chairman to sign a letter of appreciation to Brad Hergert for his volunteer service on the Planning Commission.

10:05 a.m. - Bill Tensfeld.

078866 8. **Motion** by Commissioner Kinzer **seconded** by Commissioner Largent and **carried** to approve a letter of support be signed and forwarded to the Governor for his consideration of Dale Snyder for appointment to the Growth Management Hearings Board.

078867 9. **Motion** by Commissioner Kinzer **seconded** by Commissioner Largent and **carried** to authorize publishing a notice seeking applicants for appointment to the Whitman County Planning Commission.

078868 10. Motion by Commissioner Kinzer **seconded** by Commissioner Largent and **carried** to authorize the Chairman to sign the Boyer Park and Marina Special Occasion Liquor License request.

078869 11. Motion by Commissioner Kinzer **seconded** by Commissioner Largent and **carried** to approve the Public Health grant application data form for the WA Child Passenger Safety Program.

078870 12. Motion by Commissioner Kinzer **seconded** by Commissioner Largent and **carried** to authorize the Chairman to sign a WA Military Department contract amendment #E17-036A for Whitcom.

078871 13. Motion by Commissioner Kinzer **seconded** by Commissioner Largent and **carried** approval of the purchase of a Barracuda Backup 990 Server as detailed in the attached document.

10:15 a.m. - Gary Petrovich.

078072 14. Commissioner Kinzer **moved** Commissioner Largent **seconded** the motion and it **carried** to sign an intergovernmental incarceration services agreement between Whitman County and the City of Colfax.

078873 15. Motion by Commissioner Kinzer **seconded** by Commissioner Largent and **carried** to sign a resolution terminating the COA&HS agreement and dissolving the UTBA.

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

In the Matter of Terminating the)	RESOLUTION NO. <u>078873</u>
Transportation Program Agreement)	Terminating Transportation
and Dissolving the Unincorporated)	Program Agreement and
Transportation Benefit Area)	Dissolving Unincorporated
)	Transportation Benefit Area

WHEREAS, on October 19, 2009 the Whitman County Commissioners entered into a Transportation Program Agreement with the Council on Aging and Human Services to allow the Council on Aging & Human Services to acquire vanpool vehicles and operate the Whitman County Transit Program; and,

WHEREAS, on October 19, 2009 the Whitman County Commissioners also established an Unincorporated Transportation Benefit Area (UTBA) for the sole purpose of aiding in the purchase of subsidized vans for vanpool services through the Council on Aging and Human Services; and,

WHEREAS, in consultation with the Council on Aging and Human Services it has been determined the Transportation Program Agreement and the Unincorporated Transportation Benefit Area are no longer necessary.

NOW THEREFORE, BE IT RESOLVED that the Whitman County Commissioners do hereby terminate the Council on Aging & Human Services Transportation Program Agreement and in accordance with RCW 36.57A.160(1) do hereby dissolve the Unincorporated Transportation Benefit Area created October 19, 2009.

BE IT FURTHER RESOLVED that termination of the agreement and dissolution of the UTBA is effective as of April 17, 2017.

DATED this 17th day of April 2017.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Arthur Swannack, Chairman

Dean Kinzer, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Michael Largent, Commissioner

078874 **16.** Action on the lease agreement between Wired to Wireless/Moose Bytes, LLC and Emergency Communications to install radio equipment at their Malden site was postponed to May 1st.

CORRESPONDENCE:

D078874A **17.** The following correspondence was received:

078875 **17A.** Notice of liquor licenses due to expire 09/30/17 was received from the Washington State Liquor and Cannabis Board.

078876 **17B.** Notice of discontinued liquor sales and services at Dusty Country Store was received from the Washington State Liquor and Cannabis Board.

078877 **17C.** An executed copy of the 2017-18 delegation order #17AQ-E015 for agricultural burning was received from the Department of Ecology.

078878 **18.** Commissioners' pending list reviewed.

Present: Gary Petrovich, Mark Storey, Bill Tensfeld, Paul Spencer and Kara McMurray.

078879 **19.** Gary Petrovich summary the 1st quarter Current Expense budget report.

Revenues/Expenses Budget	\$15,460,502.00
Revenues To-Date	\$ 2,680,632.07
Expenses To-Date	\$ 3,524,660.83

According to Mr. Petrovich, Administrative Services and Superior Court expenses are above the 25% rate for the first quarter. Current Expense departments that have expressed the need for an amendment include: Assessor, Clerk, Prosecutor and Superior Court. The Clerk of the Board has set aside time on June 19th for budget amendment #1.

10:45 a.m. - Recess.

11:00 a.m. - Public Works.

Present: Mark Storey, Alan Thomson, Katrin Kunz, Dan Gladwill, David Nails, 4 bidders and Garth Meyer.

078880 **19A.** The following Public Works related issues approved/reviewed:

ACTION ITEMS:

078881 20. The following bids were received for the Contact Water and Fire Suppression Tank project.

BIDDER	AMOUNT
A&R Construction, Inc., Lewiston, ID	\$547,000.00
M.A. DeAtley, Clarkston, WA	\$543,000.00
ACI, Ferndale, WA	\$659,000.00

The commissioners will make an award at 2:00 p.m.

078882 21. The following bids were received for concrete wall Panel Replacement project.

BIDDER	AMOUNT
A&R Construction, Inc., Lewiston, ID	\$ 55,841.07
ACI, Ferndale, WA	\$120,000.00

The commissioners will make an award at 2:05 p.m.

078883 22. **Motion** by Commissioner Kinzer **seconded** by Commissioner Largent and **carried** to approve the resolution to establish a Sole Source purchasing contract for the Significant Maintenance of the Solid Waste baler.

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

In the Matter of establishing a sole source purchasing contract for Significant Maintenance of the Solid Waste Baler Carothers Road Solid Waste Facility, Whitman County, Washington)))))))	RESOLUTION NO. <u>078883</u> Establishing Sole Source Purchasing
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BEFORE THE BOARD OF COUNTY COMMISSIONERS of Whitman County, Washington in the matter of significant maintenance to the baler at the Solid Waste Facility located off Carothers Road, by the Public Works Department.

WHEREAS, it is recognized that the Public Works Department needs to achieve the best possible results for both the longevity and safe operation of the baler system at the Carothers Road Solid Waste Facility, and

WHEREAS, the Board of County Commissioners (BOCC) and Public Works management personnel have recognized that the baler, a Harris Baler, HRB 1020, is a critical piece of equipment to process recycled material, without which it would be extremely difficult to process, handle and market the single source recycled material received from the towns, cities, and unincorporated areas of Whitman County, and

WHEREAS, the Public Works management personnel have reviewed the possible ways in which the significant maintenance of the baler could be accomplished, and strongly believe that it is in the best interests of the County to require the maintenance be performed with Original Equipment Manufacturer (OEM) parts, and

WHEREAS, the Public Works management personnel have, in the past, authorized the use of aftermarket parts in the maintenance of this specific Harris baler in the past, with unfavorable results, and

WHEREAS, the Public Works management personnel have determined that the firm, Recycle Systems of Kirkland, Washington, is the only supplier in the region that has been identified

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as a factory authorized supplier, who uses OEM parts, which have the net effect of significantly extending the life of the equipment, and

WHEREAS, and Public Works management personnel believe that the better interests of Whitman County and its citizens would be served through conducting the maintenance through Recycle Systems,

IT IS HEREBY RESOLVED that the Whitman County Board of County Commissioners authorizes the Public Works Department to enter into a sole-source supply agreement with Recycle Systems of Kirkland, Washington to perform significant maintenance to the Harris Baler at the Solid Waste Facility.

ADOPTED this 17th day of April, 2017.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Arthur Swannack, Chairman

Dean Kinzer, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Michael Largent, Commissioner

078884 **23.** **Motion** by Commissioner Kinzer **seconded** by Commissioner Largent and **carried** to approve signing the Title VI Non-Discrimination Agreement.

078885 **24.** An official appeal for Thunder Eagle Zone Change was received from Katrin Kunz changing 22 acres from Agricultural District to Cluster Residential District. The Planning Commission voted 4 ayes and 1 nay. Five positive votes were necessary in order this the rezone to pass. Therefore, the applicant is appealing the Planning Commission's decision to the County Commissioners.

078886 **25.** **Motion** by Commissioner Kinzer **seconded** by Commissioner Largent and **carried** to set a public hearing to consider the appeal of the Planning Commission's denial of Thunder Eagle's zone change application, changing 22 acres from the Agricultural District to the Cluster Residential District to be held at 11:00 A.M. on May 1, 2017.

078887 **26.** The regular meeting was recessed and the hearing convened by the Chairman for the G & J Unlimited, LLC zone change.

Staff report provided by Katrin Kunz stating .06 acres is proposed to be removed from the Agricultural District to the Limited Heavy Commercial District pursuant to County Code Chapter 19.20.020(B) for a towing business. The property is located at 4522 SR 272, Colfax. The application does not propose to make any changes to the property other than fencing a storage and impound area. An access between the buildings will be removed and a new access established for better visibility.

The applicant mentioned removal of the access between the buildings will be a hardship for him. Mr. Thomson said that is a requirement of WSDOT and all permits/requirements by other agencies must be complied with otherwise the zone change goes back before the Planning Commission and County Commissioners. In response to Commissioner Swannack, requirements imposed by other agencies is an independent issue and does not affect the zone change itself.

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The hearing was opened to public comment. There being none, the hearing was adjourned and the regular meeting reconvened.

078888 **27. Motion** by Commissioner Kinzer **seconded** by Commissioner Largent and **carried** to approve the G & J Unlimited, LLC Rezone changing 0.6 acres from the Agricultural District to a Limited Heavy Commercial District.

ORDINANCE NO. 078888

AN ORDINANCE AMENDING THE WHITMAN COUNTY ZONING MAP TO CHANGE THE ZONING FROM AGRICULTURAL DISTRICT TO LIMITED HEAVY COMMERCIAL.

BE IT ORDAINED and enacted by the Board of County Commissioners of Whitman County, State of Washington, it having been determined by the Board after hearing the Recommendations and Findings of Fact of the Whitman County Planning Commission that these should be accepted and this action is consistent with the Whitman County Comprehensive Plan.

Change the zoning for G and J Unlimited, LLC for a 0.6 acre parcel from the Agricultural District to a Limited Heavy Commercial District for property located at 4522 SR 272, Colfax, WA 99111 in Section 4, Township 16 N., Range 44 E., W.M., Whitman County, Washington.

PASSED AND APPROVED by the Board of Whitman County Commissioners of Whitman County, Washington, on the 17th day of April, 2017.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Arthur Swannack, Chairman

Dean Kinzer, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Michael Largent, Commissioner

DIVISION UPDATES:

D078888A **28.** The following division updates provided by Public Works staff.

Building Division:

078889 **28A.** Dan Gladwill distributed and reviewed the 1st quarter Building report.

Maintenance Division:

078890 **28B.** The quote for crack seal materials for 2017 was awarded through the Small Works Roster process to White Cap Construction Supply in the amount of \$17,220.00.

Engineering Division:

D078890A **28C.** The contractor has begun installing guardrail on the Endicott-St. John Road as part of the Guardrail Safety project.

D078890B **28D.** Mr. Storey commented it is still a little too soon to resume construction on Sand Road.

D078890C **29.** Approved documents signed.

11:45 a.m. - Recess.

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1:30 p.m. - Reconvene/Board Business Continued.

Present: Mike Berney, Greater Columbia Behavioral Health (GCBH).

078891 30. Mr. Berney reviewed the regular meeting of the Greater Columbia Behavioral Health Organization (GCBH) Board of Directors held on April 6, 2017.

D078891A 30A. GCBH Executive Session:

A short Executive Session was held to update the Board regarding potential litigation.

D078891B 30B. GCBH Funding and Fiscal Operations Committee:

- There may not need to be a supplemental budget developed before the end of the fiscal year.
- Staff has begun working on a new biennial budget for review/recommendation by the Committee followed by the Board's review/approval prior to July 1, 2017.

D078891C 30C. GCBH Management Information Systems Committee:

Staff and contractors are doing a wonderful job as the State keeps changing its mind about data needs and support.

D078891D 30D. GCBH Regional Office:

- The Medicaid rate ranges have been set by DBHR. The legislature must still decide what funding levels will be applied to the Medicaid Program.
- The State Auditor's Office has completed their annual review. There were no findings or recommendations. The exit conference was attended by Commissioner Small (Board Chair).
- Rhonda Allenger, Clinical Director at Palouse River Counseling was appointed to the Regional Children's Long-Term Inpatient Committee (CLIP).
- Authorize the Chair to sign amendment #3 to the State Contract.
- Mental Health Block Grant contract tabled until May.

Whitman County voted to sign amendment #3 and the vote was unanimous.

D078891E 30E. GCBH Discussion Regarding 10 Bed Loan Request:

- The Spokane Behavioral Health Organization is requesting that Greater Columbia continue to loan them 10 beds at Eastern State Hospital during the next biennium. Commissioner Small and Mr. Wilson meet with Commissioner O'Quinn and Ms. Barrada prior to the April Board meeting. Ms. Barrada and a staff person were on the phone during the discussion of this agenda item which consumed the bulk of the meeting.
- The Board Chair established an Ad Hoc Committee to develop a variety of options for the Board to consider at their May meeting.

1:50 p.m. - Recess.

2:00 p.m. - Bid Award-Contact Water and Fire Suppression Tank.

Present: Mark Storey.

078892 31. The Director stated 2 of the 3 bids were responses. ACI's bid was rejected as non-responsive. M.A. DeAtley is the apparent low bidder but it is \$100,000 more than the Engineer's estimate. He requested more time to review the bids and the Board voiced no objection. This issue will come before the Board again on May 1st.

2:05 p.m. - Bid Award-Concrete Wall Panel Replacement.

Present: Mark Storey.

078893 32. The Director said both bids were responsive and recommended the bid be awarded to the apparent low bidder, A&R Construction. Commissioner Kinzer **moved**

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Commissioner Largent **seconded** the motion and it **carried** to award the bid for the Concrete Wall Panel Replacement project to A&R Construction Inc. in the amount of \$55,841.07.

D078893A 33. No need for 04/18/17 workshop.

2:30 p.m. - Reconvene/Board Business Continued/Executive Session.

Present: Kelli Campbell and Gary and Valerie Hunt.

078894 34. Commissioner Kinzer **moved** Commissioner Largent **seconded** the motion and it **carried** to go into executive session with the above individuals until 3:30 p.m. in accordance with RCW 42.30.140(4) (a) for matters related to negotiations.

2:15 p.m. - Return to Open Session/Recess.

078895 35. Tuesday, April 18, 2017 workshop cancelled.

D078895A THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, April 24, 2017 at 8:45 a.m.** Chairman Arthur D Swannack, Dean Kinzer and Michael Largent, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

8:45 a.m. - Reconvene/Board Business Continued.

Present: Jim Potts, Zak Kennedy (via phone).

078896 36. Lobbyist conference call held but no action was taken.

D078896A 37. Approved consent agenda items signed.

078897 38. Treasurers Wire Transfers and Check Report in the amount of **\$942,205.28** Payroll warrants numbered **328842-328848** for **\$523,317.19**, General and Veterans' Relief numbered **329031-329146** for **\$736,361.79**.

078898-078900 39. Personnel change orders.

9:05 a.m. - BOCC Workshop.

Present: Mark Storey, Bob Reynolds, Kelli Campbell (9:20 a.m.) Sharron Cunningham 10:00 a.m.

078901 40. The following items were discussed but no action was taken.

- Park Board Meeting
- Park/DS Reorganization
- McKinstry Project Update
- Capita Improvement Planning
- Fair Bathroom Update
- Latah/Whitman Meeting
- RTPO Lead Agency Change
- SEWEDA
- CAP Report
- Clear Creek Road Open
- Road/Bridge Rating
- Auditor's Update

11:00 a.m. - Adjournment.

D078901A Commissioner Kinzer **moved** to adjourn the **April 17 and 24, 2017** 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 **May 1, 2017**. The foregoing action made this **24th** day of **April 2017**.

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ss/ DEAN KINZER, COMMISSIONER
ss/ MICHAEL LARGENT, COMMISSIONER

MARIBETH BECKER, CMC
Clerk of the Board

ARTHUR D SWANNACK, CHAIRMAN
Board of County Commissioners