

076590 THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, May 4, 2015 at 9:00 a.m.** Chairman Dean Kinzer, Arthur D Swannack 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, Bob Reynolds, Chris Nelson and Bill Spence.

076591 1. Items discussed included:

- Fair/Facilities Updates
- Susan Fagan's Resignation
- Veteran Services
- SEWEDA Update
- Shoreline Mgmt./Marijuana
- Incident Team
- WCAA Conference Summary
- Building Dept. Complaints
- Transfer Station Pavement
- PWD Indirect Cost Allocation
- ASTR Team

No action taken.

10:00 a.m. - Recess.

10:30 a.m. - Flag Salute.

Present: Gary Petrovich, Bill Spence and Garth Meyer.

D076591A 2. Pledge of Allegiance.

Consent Agenda:

D076591B 3. Motion by Commissioner Largent to accept the consent agenda. Motion **seconded** by Commissioner Swannack and **carried**.

076592-076593 4. General Claims/Veterans' Relief/Payroll warrants numbered **316471-316547** for \$696,857.45 approved.

076594 5. April 20, 2015 minutes approved.

076595-076602 6. Personnel change orders approved.

10:40 a.m. - Paul Spencer.

076603 7. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to accept the 2015 recommendations of the Blue Ribbon Advisory Task Committee as presented for Public Facilities (.09) awards.

076604 8. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to adopt the 2016 Whitman County budget calendar.

076605 9. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to authorize publishing a notice of hearing for proposed revisions to Whitman County Code Title 15, On-Site Sewage Disposal Systems.

076606 10. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to sign the agreement between Whitman County and the Whitman County Gazette/Moscow-Pullman Daily News for 2015-2016 legal printing.

076607 11. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to sign a letter of support to the Washington State Secretary of Transportation for improvements to US 195/SR26 intersection.

076607A 12. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to publish a notice of a joint meeting for selecting a 9<sup>th</sup> Legislative District Representative to the position vacated by Susan Fagan. (Later determined to be unnecessary and was superseded by the 24-hour special meeting requirement.)

**CORRESPONDENCE:**

D076607B 12. The following correspondence was received:

076608 12A. A letter was received from the Washington State Department of Transportation regarding the 2014 non-discrimination agreement and annual update and accomplishment report.

076608A 12B. Information pertaining to revised determinations and Flood insurance Rate Map and Flood Insurance Study report for Whitman County was received from the Federal Emergency Management Agency.

076608B 12C. Notice of an application to use non-recourse revenue bond financing for a project in Whitman County was received from the Washington State Housing Finance Commission.

076608C 12D. A request for certification/designation of the 2015-17 Whitman County Associate Development Organization was received from the Department of Commerce.

076609 13. Commissioners' pending list reviewed.

D076609A 16. Approved documents signed.

D076609B 17. No Need for the Tuesday, May 5, 2015, 9:00 a.m. workshop.

10:55 a.m. - Recess.

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

Present: Phil Meyer, Alan Thomson, Bill Spence, Garth Meyer and Paul Spencer.

**ACTION ITEMS:**

076610 14. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve the recommendation to publish the "No Spray" legal advertising.

**DIVISION UPDATES:**

D076610A 15. The following division updates provided by Public Works staff.

**Planning Division:**

D076610B 15A. The Planner inquired if the Board preferred to include marijuana in the definitions of the Shoreline Master Plan as an agricultural crop. It was the opinion of the Board not to include marijuana as an agricultural crop in the Shoreline Master Plan.

D076610C 15B. Mr. Thomson also spoke about the need for revising the code to include winery, brewery and distillery.

**Engineering Division:**

076611 15B. The 2015 Certificate of Good Practice approved by the County Road Administration Board was presented by the Chairman to the Public Works Director/Engineer.

11:35 a.m. - Recess.

**1:30 p.m. - Reconvene/BOCC Workshop.**

Present: Gary Petrovich, Marlynn Markley and Lyndsey Stovall.

**076612 18.** The item discussed was:

- District Court 1<sup>st</sup> trimester budget performance report.

No action taken.

**2:00 p.m. - Recess.**

**3:00 p.m. - Reconvene/BOCC Workshop (Port of Whitman).**

Present: John Love, Dan Boone, Tom Kammerzell, Debbie Snell and Gary Petrovich.

**076613 19.** Items discussed included:

- POWBAC Runway Project
- SEWEDA Strategic Plan May 12<sup>th</sup>
- SEWEDA/Lead for RTPO
- PRTPO Overview
- Heavy Hall Corridor Legislation
- Central Ferry Expansion
- .09 Statement of Intent
- Pullman-Moscow Airport Project
- Colfax US 195/SR 26 Project Letter
- Snake River Dams/Opponents
- Columbia River Treaty/Biological Salmon Opinion

No action taken.

**4:05 p.m. - Recess.**

**D076613A THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Tuesday, May 5, 2015 at 1:00 p.m.** Chairman Dean Kinzer, Arthur D Swannack and Michael Largent, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

**076614 20.** Tuesday, May 5, 2015, 9:00 a.m. workshop cancelled.

**10:00 a.m. - Recess.**

**1:00 p.m. - Reconvene/Board Business Continued/BOCC Workshop.**

Present: Gary Petrovich and Chris Nelson.

**076615 21.** Items discussed included.

- BOCC Project Team

No action taken.

**2:40 p.m. - Recess.**

D076615A THE 9<sup>TH</sup> LEGISLATIVE DISTRICT BOARDS OF COUNTY COMMISSIONERS met in the Auditorium of the Public Service Building, Colfax, Washington for a **Special/Joint** meeting on **Friday, May 8, 2015 at 2:00 p.m.**

**2:00 p.m. - Special/Joint Meeting.**

076616 In compliance with the State Constitution, an official letter submitting three names, in ranked preference order (Richard Lathim, Mary Dye and Patrick Guettner) for appointment to the Office of State Representative, Position 1 for the 9<sup>th</sup> Legislative District was received from the Washington State Republican Central Committee, thereby requiring a special/joint meeting comprised of the 9<sup>th</sup> Legislative District county commissioners.

**PRESENT:**

**County Commissioners Representing the 9<sup>th</sup> Legislative District in Attendance:**

Adams County: John M Marshall, Roger L Hartwig, Jeffrey W. Stevens  
Asotin County: Brian Shinn, Jim Fuller, Jim Jeffords  
Franklin County: Brad Peck, Rick Miller  
Garfield County: Robert K Johnson, Justin Dixon (2:12 p.m.), Wynne McCabe  
Spokane County: Shelly O'Quinn, Al French, Todd Mielke (Via Conference Phone)  
Whitman County: Dean Kinzer, Arthur D Swannack, Michael Largent

**County Commissioners Representing the 9<sup>th</sup> Legislative District Not in Attendance:**

Franklin County: Robert E Koch.

**Nominees:**

Richard W Lathim: Pasco, Franklin County, WA  
Mary L Dye: Pomeroy, Garfield County, WA  
Patrick Guettner: Pasco, Franklin County, WA

**Elected Officials/Staff:**

Joe Schmick: 9<sup>th</sup> Legislative District Representative, Position 2  
Lisa Fenton: House of Representatives, Chief of Staff Republican Caucus  
Denis Tracy: Whitman County Prosecutor  
Ginna Vasquez: Spokane County Clerk of the Board  
Maribeth Becker: Whitman County Clerk of the Board  
Tim Myers: Whitman County Parks/Developmental Services (Timer)

**General Public Including Media:**

Approximately 23 individuals were in attendance.

**1. Welcome/Introductions.**

Welcome and introductions by Whitman County Commission host Chairman Dean Kinzer.

**2. Special/Joint Meeting Convened.**

At 2:10 p.m. the 9<sup>th</sup> Legislative District Special/Joint county commissioners meeting was convened by host Chairman Kinzer followed by the Pledge of Allegiance and general meeting information.

It was noted Commissioner Justin Dixon would be arriving momentarily and Commissioner Todd Mielke was on the phone and would like to participate. As the rules were originally prepared, voting takes place by a paper ballot. That issue will be addressed later.

**3. Nominations and Election of Special/Joint Meeting Chairperson.**

**Motion** by Brian Shinn **seconded** by Bob Johnson and carried to nominate Dean Kinzer as the joint meeting Chairman.

**4. Review, Discuss and/or Amend the Proposed Agenda and Meeting Rules and Procedures.**

Commissioner Brad Peck said while he was not opposed to participation by phone it was unclear how the voting procedure would be handled. Chairman Kinzer explained a phone call took place earlier today with the Spokane and Whitman County Prosecutors and Commissioner Todd Mielke concerning the mechanism that might be used in order that Commissioner Mielke could vote. One option would be for Commissioner Mielke to private relay his nominee preference to the Spokane County Clerk of the Board who would then transfer that information to Commissioner Mielke's ballot. Commissioner Peck indicated that method would be acceptable to him.

Issues before the membership include:

- Commissioner Mielke's voting mechanism
- Length of time for nominees presentations
- Number of recesses
- Number of recesses each member can request

Commissioner Shelly O'Quinn **moved** to strike items #5a-g (later corrected to #5a-f) of the rules and to forego paper ballot and use "ayes" or a "show of hands" for voting. Motion **seconded** by Commissioner Al French. The Chairman called for discussion.

Commissioner Swannack questioned the legality of that method. Prosecutor Tracy indicated it would be a legal method but each individual commissioner would need to be identified and who he/she voted for.

Commissioner Al French thought oral voting would take less time.

Commissioner Jeffrey Stevens appreciated Commissioner Mielke's desire to participate. This having been Commissioner Stevens' 7th time to appoint an elected official, past practice has been paper ballots and they have never been offered the opportunity to participate by telephone for this particular type of meeting. It would have been more convenient had that been an option and part of the rules. Commissioner Stevens recommended continuing the past practice of using paper ballots and only those in attendance be allowed to vote.

Commissioner Brad Peck said the method by which commissioner Mielke is proposing (oral vote) gives him the advantage of being handed the autonomy of process until the votes are read. With respect to the motion on the floor for a method other than a written vote, he would be willing to do that provided Franklin County votes last otherwise he would be opposed.

Commissioner Shelly O'Quinn talked about the voting method used in another joint county appointment that seemed to work well, but was in favor of selecting the method that worked best for this meeting.

Commissioner Mielke spoke about the importance of getting this done expeditiously and that the procedure meet the Open Public Meeting Act requirement and that he be permitted to vote either orally or by paper ballot via the Spokane County Clerk of the Board.

Commissioner Michael Largent said based on the motion on the floor and Franklin County's request to vote last, both issues would be resolved by allowing Commissioner Mielke to relay his vote to the Spokane County Clerk of the Board and that she mark his ballot.

Commissioner Shelly O'Quinn was not opposed to either method of voting.

Commissioner John Marshall respected Commissioner Mielke's position and thought he should be permitted to vote but it be done by paper ballot.

The Chairman called for the vote to strike item #5a-f of the proposed Rules and Procedures. Motion **failed**.

**Motion** by Commissioner Largent to allow Spokane County Commissioner Todd Mielke to transmit his vote to the Spokane County Clerk of the Board and that she mark his ballot. Motion **seconded** by Commissioner Al French and **carried**.

**5. Adoption of Proposed Agenda, Meeting Rules and Procedures.**

Commissioner Largent **moved** adoption of the rules and procedures as amended. Motion **seconded** Commissioner Brian Shinn and **carried**.

Commissioner Jim Jeffords **moved** Commissioner Brian Shinn **seconded** the motion and it **carried** to adopt the proposed agenda as presented.

Commissioner John Marshall questioned the order of names as submitted by the State Republican Central Committee and thought he understood from the Precinct Committee Officers meeting May 6<sup>th</sup> that the names would be submitted in random order. Commissioner Arthur Swannack said he remembered the situation differently and was under the impression the names would be submitted in order of preference and not randomly. Commissioner Rick Miller concurred with Commissioner Swannack. **Motion** by Commissioner Largent, **seconded** by Commissioner Swannack and **carried** that the order for Agenda item #6 is correct.

**6. Nominees Presentations.**

Five (5) minute presentations were given to the commissioners by each nominee in the order received from the Washington State Republican Central Committee.

- a. Richard W Lathim
- b. Mary L Dye
- c. Patrick Guettner

**2:52 p.m. - Motion** by Commissioner Brad Peck **seconded** by Commissioner Rick Miller and **carried** to take a 3 minute county recess. Motion **carried**.

**2:55 p.m. - Special/Joint Meeting Reconvened by Chairman Kinzer.**

**7. Commissioners Questions and Answer Period for Nominees.**

<b>Order of Speakers:</b>	<b>(Issue)</b>
• Brian Shinn Lathim, Dye, Guettner	(Personal background problems that may arise)
• Michael Largent Lathim, Dye, Guettner	(WSAC sustainability initiative)
• Brian Shinn Lathim, Dye, Guettner	(State Taxes)
• Brad Peck Lathim, Dye, Guettner	(Funding for education)
• Shelly O'Quinn Lathim, Dye, Guettner	(Transportation funding packages)
• Rick Miller Guettner, Dye, Lathim	(Criminal Justice)
• Al French Lathim, Dye, Guettner	(State balancing budget on backs of cities/counties)
• Shelly O'Quinn Lathim, Dye, Guettner	(Effectiveness in Olympia)
• Al French Lathim, Dye, Guettner	(Remaining informed about entire 9 <sup>th</sup> District)

**3:50 p.m. - Recess.**

**BOCC MINUTES-05/04/15**

Commissioner Peck **moved** Commissioner Dixon **seconded** the motion and it **carried** to recess for 10 minutes.

**4:00 p.m. - Special/Joint Meeting Reconvened by Chairman Kinzer.**

**8. Final Remarks.**

Two (2) minute final remarks given by each nominee in the order received from the Washington State Republican Central Committee.

- a. Richard W Lathim
- b. Mary L Dye
- c. Patrick Guettner

**9. Motion** made Commissioner Brad Peck, **seconded** by Commissioner Robert Johnson and **carried** to forego another recess at this time.

**4:10 p.m. - Executive Session.**

Commissioner Shelly O'Quinn **moved** to go into executive session for 10 minutes in accordance with RCW 42.30.110(1)(h) (review qualifications of candidates for appointment to an elected office). Motion **seconded** by Commissioner Arthur Swannack and **carried**. At 4:20 p.m. the executive session was extended 5 minutes.

**4:25 p.m. - Special/Joint Meeting Reconvened by Chairman Kinzer.**

**10. Vote on House Nominees.**

Ballot "A" distributed, votes cast, ballots collected, results read aloud by Chairman Kinzer as follows:

<b>COUNTY COMMISSIONERS</b>	<b>BALLOT NUMBER</b>	<b>NOMINEE LATHIM</b>	<b>NOMINEE DYE</b>	<b>NOMINEE GUETTNER</b>
Adams County Commissioner John N Marshall	1-A		X	
Adams County Commissioner Roger L Hartwig	2-A			X
Adams County Commissioner Jeffrey W Stevens	3-A		X	
Asotin County Commissioner Brian Shinn	4-A		X	
Asotin County Commissioner Jim Fuller	5-A		X	
Asotin County Commissioner Jim Jeffords	6-A		X	
Franklin County Commissioner Brad Peck	7-A	X		
Franklin County Commissioner Robert E Koch	8-A	ABSENT	ABSENT	ABSENT
Franklin County Commissioner Rick Miller	9-A	X		
Garfield County Commissioner Robert K Johnson	10-A		X	
Garfield County Commissioner Justin Dixon	11-A		X	
Garfield County Commissioner Wynne McCabe	12-A		X	
Spokane County Commissioner Todd Mielke	13-A		X	
Spokane County Commissioner Shelly O'Quinn	14-A		X	
Spokane County Commissioner Al French	15-A	X		
Whitman County Commissioner Arthur D Swannack	16-A		X	
Whitman County Commissioner Dean Kinzer	17-A		X	
Whitman County Commissioner Michael Largent	18-A		X	
<b>TOTALS REPORTED BY CHAIRPERSON KINZER</b>		<b>3</b>	<b>13</b>	<b>1</b>

**11. Chairman declares 9<sup>th</sup> Legislative District House of Representatives, Position 1 appointee.**

Chairman Kinzer declared and congratulated Mary Dye as the newly appointed member of the 9<sup>th</sup> Legislative District House of Representatives, Position 1 and signed the official certification of appointment.

**12. Adjournment.**

At 4:33 p.m. the convention of county commissioners was adjourned by Chairman Kinzer after motion by Commissioner Brian Shinn seconded by Commissioner Jim Jeffords and carried.

**13. Swearing In Ceremony/Oath of Office.**

Immediately following the special meeting, newly appointed 9<sup>th</sup> Legislative District Representative, Mary Dye was administered the Oath of Office by Superior Court Judge David Frazier. The signed certification of appointment and oath of office were forwarded on 05/08/15 via email and USPS to the House of Representatives Chief Clerks Office in Olympia.

**D076616A THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, May 11, 2015 at 10:00 a.m.** Chairman Dean Kinzer, Arthur D Swannack and Michael Largent, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

**10:00 a.m. - Reconvene/Board Business Continued.**

**D07616B 22.** Approved documents signed.

**076617 22A.** General/Veterans' Relief/Payroll warrants numbered **316567-316672** for \$321,695.09.

**076618-076622 22B.** Personnel change orders.

**D076622A 23.** Need for Tuesday, May 12, 2015 workshop.

**9:05 a.m. - BOCC Workshop.**

Present: Gary Petrovich, Mark Storey, Chris Nelson and Garth Meyer.

**076623-076624 24-25.** Items discussed included:

- Transfer Station Asphalt
- Road Base Stabilization Pilot Project
- 9<sup>th</sup> Legislative District Appointment
- 2016 Budget Goals and Priorities
- SEWEDA Meeting
- Ewan Water System
- 2016 Positional Budgeting
- Monitoring CDBG-PS Granting
- ATV's on County Roads

No action taken.

**11:00 a.m. - Recess.**



**D076624A THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Tuesday, May 12, 2015** at **9:30 a.m.** Chairman Dean Kinzer, Arthur D Swannack and Michael Largent, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

**9:30 a.m. - Reconvene/Board Business Continued/BOCC Workshop.**

Present: Jim Potts and Zach Kennedy.

**076625 26.** Items discussed included:

- Lobbyist Related Issues

No action taken.

**11:00 a.m. - Adjournment.**

**D076625A** Commissioner Largent **moved** to adjourn the **May 4, 5, 8, 11 and 12, 2015** meeting. Motion **seconded** by Commissioner Swannack and **carried**. The Board will meet in regular session, in their Chambers', in the Whitman County Courthouse, Colfax, Washington, on **May 18, 2015**. The foregoing action made this **12th** day of **May 2015**.

ss/ ARTHUR D SWANNACK, COMMISSIONER

ss/ MICHAEL LARGENT, COMMISSIONER

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MARIBETH BECKER, CMC  
Clerk of the Board

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DEAN KINZER, CHAIRMAN  
Board of County Commissioners