

## Minutes for May 8, 2006

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**065423 THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **May 8, 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: Marlynn Markley (9:40 a.m.).

**065424 1.** Items discussed included a District Court position vacancy. No action taken.

**9:30 a.m. - Recess.**

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

Present: Kelly Olsen.

**D065424A 2. Motion** by Commissioner Wigen to approve the consent agenda. Motion **seconded** by Commissioner Partch and **carried**.

**065425 3.** Claims/Payroll warrants numbered **190030-190062, 190086-190116, 190132, 190136-190141, and 190144-190255** for **\$955,104.81** approved.

FUND	FUND NAME	AMOUNT
001	Current Expense	16,073.95
102	Building & Development	116.37
103	Countywide Planning	233.66
104	Developmental Services	3,068.38
110	County Roads	1,240.61
114	Bulk Purchasing	656.42
118	Inmate Welfare	262.04
123	Paths & Trails	160.00
127	Drug Enforcement-Quad City	46.72
300	Capital Projects Asset Acq.-300.010.001	277.21
300	Capital Projects Computer-300.010.003	613.18
400	Solid Waste	2,892.53
501	Equipment Rental & Revolving	87,288.52
510	Photocopier Revolving	441.45
513	Communications Revolving	1,028.45
660	Whitcom-General-660.911.000	62,662.88

660	Whitcom-Grant Funding-660.911.001	132,213.75
690	Clearing Fund 690.002.000	305,454.90
690	CAC Agency Svc.-690.026.001	2,623.86
ET	Electronic Transfer	377,627.18

065426 4. May 1, 2006 minutes approved.

065427-065439 5. Personnel board orders approved.

065440 6. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to publish the 2006 BOE meeting dates.

10:05 a.m. - Nikkie Pfaff and Thinh Nguyen.

065441 7. Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to publish a notice for budget amendment #2.

065442 8. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to proclaim Safe Boating Week.



Recreational boating is fun and enjoyable, and we are fortunate that we have sufficient resources to accommodate the wide variety of pleasure boating demands. However, our waterways can become crowded at times and be a place of chaos and confusion. While being a marvelous source of recreation, boating, to the unprepared, can be a risky sport. Not knowing or obeying the Navigation Rules or the nautical "Rules of the Road," drinking alcohol or taking drugs while operating a boat, or choosing not to wear your life jacket when doing so is clearly NOT the smart thing to do, are all examples of human error or a lack of proper judgment. One particular behavior that can reduce the number of boaters who lose their lives by drowning each year by approximately 80% is the wearing of a life jacket. It is a simple task that has the potential to reduce terrible loss in lives.

Knowledge and skills are important in reducing human error and improving judgment. If people are aware of the risk, they are likely to take the precautionary measures to protect themselves and their friends and family. That is why we must continue to spread the messages of boating safety not only during National Safe Boating Week but also throughout the entire year.

**Whereas**, on average, 700 people die each year in boating-related accidents in the U.S.; nearly 70% of these are fatalities caused by drowning; and,

**Whereas**, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors; and,

**Whereas**, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and,

**Whereas**, modern life jackets are more comfortable, more attractive, and more wearable than styles of years past and deserve a fresh look by today's boating public.

**Now, Therefore**, the Whitman County Commissioners do hereby support the goals of the North American Safe Boating Campaign and proclaim May 20-26, 2006, as National Safe Boating Week in Whitman County and the start of the year-round effort to promote safe boating.

**In Witness Thereof**, we urge all those who boat to **"Boat Smart, Boat Safe, Wear It"** and practice safe boating habits.

Dated this 8<sup>th</sup> day of May 2006.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
G.R. Finch, Chairman

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Greg Partch, Commissioner

ATTEST:

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Maribeth Becker, CMC  
Clerk of the Board

\_\_\_\_\_  
Les Wigen, Commissioner



**065443 9.** Commissioner Partch **moved** and Commissioner Wigen **seconded** the motion to sign a proclamation recognizing the Council on Aging & Human Services 30 years of service. Motion **carried**.

**P R O C L A M A T I O N**

WHEREAS, the Council on Aging & Human Services is celebrating its 30<sup>th</sup> year of serving seniors in Whitman County; and,

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WHEREAS, they started out 30 years ago with only one paid staff person, one van, a budget of less than \$25,000 and a very large vision; and,

WHEREAS, today they employ approximately 35 people (11 full time, 24 part-time), own 12 vans and have the privilege of working with over 200 volunteers; and,

WHEREAS, along the way they have added other programs such as the Medicaid brokerage, which also serves Asotin and Garfield counties; and,

WHEREAS, they are a private, not-for-profit organization that has the goal of enhancing lives and strengthening communities; and,

WHEREAS, through their care management services, information and assistance, food banks, mobile meals, meal sites, commodities, respite, family caregiver support groups, regular shopping trips and other transportation services they have been able to help a growing number of elderly and Medicaid-eligible citizens; and,

WHEREAS, according to Tricia Grantham, Director of Operations at the agency for the last 27 years, "After three decades of carrying out our mission, we are no longer "Whitman County's best kept secret. The Council on Aging & Human Services has come a long way in 30 years and want to take this opportunity to thank our communities for their continued support and belief in what they do".

NOW, THEREFORE, the Whitman County Commissioners hereby celebrates the Council on Aging and Human Services 30 years (1976-2006) of providing services to our senior population.

Proclaimed this 8<sup>th</sup> day of May 2006.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
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

**065444** 10. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve the Older Americans Month proclamation as read.



P R O C L A M A T I O N

WHEREAS, Whitman County is home to 4,800 older adults; and,

WHEREAS, the older adults in Whitman County are among millions helping to redefine aging in America; and,

WHEREAS, older adults are entitled to live healthier lives through a combination of independence and choice; and,

WHEREAS, older citizens need the assistance of their communities to thrive, including the understanding and support from their friends and family; and,

WHEREAS, coordinated efforts to provide support on issues as diverse as housing, transportation, and health care can be vital to healthy aging and long-term living; and,

WHEREAS, the aging population is growing and offering more wisdom to succeeding generations than ever before.

NOW THEREFORE the Whitman County Commissioners do hereby proclaim the month of May 2006 as Older Americans Month.

Dated this 8th day of May 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

Ms. Olsen thanked the Board for their support and noted Aging & Long Term

Care of Eastern WA does serve many people and she is very proud to be a representative from Whitman County to serve on the Planning and Management Council. The commissioners thanked Ms. Olsen for her service.

10:15 a.m. - Bob Reynolds.

065445 11. Nikkie Pfaff stated Rosalia Park & Recreation District #5 is requesting a \$15,000 loan from Current Expense to pay maintenance and operation costs for the 2006 season. The loan would be payable in 2 installments May 2007 and November 2007 after taxes are received. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve the \$15,000 loan for Park & Recreation District #5.

**RESOLUTION NO. 065445**

**BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS**

WHEREAS, the Board of Whitman County Commissioners met in regular session on the 8th day of May 2006; and,

WHEREAS, Rosalia Parks and Recreation #5 has requested an interfund loan to cover General Fund expenses; and,

WHEREAS, this request complies with R.C.W.'s regarding loan agreements and debt limitations; and,

WHEREAS, the interfund loan will be repaid in two payments payable on May 30<sup>th</sup> 2007 and November 30<sup>th</sup>, 2007 at an interest rate equal to the monthly average of the Local Government Investment Pool (LGIP) of the State of Washington for the month immediately preceding the month during which the interfund loan is authorized.

NOW, THEREFORE, BE IT HEREBY RESOLVED that an interfund loan of \$15,000.00 is loaned to Rosalia Parks and recreation #5 from the Whitman County Current Expense Fund, to be repaid as stated.

PASSED, APPROVED AND ADOPTED this 8th day of May 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

Les Wigen, Commissioner

**065446**     **12.** Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to appoint David Nails to the Blue Ribbon Advisory Task Committee.

**13.** Upon **motion** by Commissioner Partch **seconded** by Commissioner Wigen and **carried** the commissioners signed the following grant data application forms for the Prosecutor's Office:

- 065447**     Child Support - \$73,930 total grant
- 065448**     Support Enforcement - \$33,830 total grant
- 065449**     VAWA - \$30,000 total
- 065450**     Prosecutor's Salary - \$37,674 total grant

**065451**     **14.** A \$47.38 request for Veterans Relief funds was received and forwarded to the Auditor for processing.

**065452**     Not used.

**065453**     **15.** A letter of appreciation for award of .08 funds was received from E.R. Dixon, Vice President of the Uniontown Community Development Association.

**065454**     **16.** A letter was received from Public Hospital District #2 and King Rockhill with regards to the .08 funds presentation process. Commissioner Partch indicated he contacted members of the BRATC upon receipt of the letter and went on to talk about some of his concerns.

**065455**     **17.** Notice of an annexation north of Terre View Drive and west of SR 27 to the City of Pullman was received.

**065456**     **18.** A letter was received from the Washington State Board of Health and its connection with the local Boards of Health.

**10:30 a.m. - Bob Reynolds, Fair/Facilities Management.**

Present:   Thinh Nguyen.

**065457**     **1.** As is done each year, a request for proposals for printing the Palouse Empire Fair exhibitor's handbooks was sent to 6 vendors on the small works roster. Cougar Graphics submitted the only quote of \$3,295.62 for 2,250 handbooks including tax. Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to award the quote to Cougar Graphics for \$3,295.62 with tax. The handbook can also be accessed on line.

**D065457A 2.** Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to go into executive session with Bob Reynolds until 11:00 a.m. for personnel matters.

**11:00 a.m. - Return to Open Session.**

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

Present: Mark Storey, Tim Davis and Thinkh Nguyen.

**ACTION ITEMS**

**Administration Division:**

**065458 1.** Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to publish an ad for the Professional Services roster.

**065459 2.** Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to publish an ad for the small works vendor list.

**Solid Waste Division:**

**D065459A 3.** Tim Davis, Transfer Station Operations Manager reported on Spring Cleanup as follows:

<u>2006</u>	<u>2005</u>
277	290 tons of material
575	468 vehicles
67	31 tons of appliances/scrap metal equating to
15	7 truck loads to Lewiston

The residents are very appreciative of the reduced rates and many communities hold community events during Spring Cleanup. Staff was so busy the second weekend of Spring Cleanup that next year they will be considering some type of in and out traffic control.

**D065459B 4.** The week following Spring Cleanup the contractor ground 700 tons of yard/wood waste collected between October 2005 and April 2006. This equated to 28 chip truckloads hauled to Potlatch Corporation in Lewiston where it is burned as hog fuel in their steam plant.

**D065459C 5.** Part of the 2-year non-matching community litter grant Mr. Davis administers funds the Sheriff's litter crew. Some of these funds go back to the Department of Ecology (DOE) for the Ecology Youth Corp program that employs 6 local teens for one month each summer. Mr. Davis participated in the interviews on May 1<sup>st</sup>. Three 3 males and 3 female teens were hired. DOE will run this program from July 26-August 22, provide supervision, a van, equipment and will pay these youths with grant funds. DOE also coordinates with the Sheriff's litter crew so they are not duplicating efforts. The youth crew will primarily work on unadopted state routes.

D065459D 4. A report on Tire Amnesty Day is forthcoming in 1-2 weeks.

**Maintenance Division:**

D065459E 5. Maintenance crews are continuing their crack sealing program.

**Administrative Division:**

D065459F 6. Chairman Finch presented the Director with the 2005 certificate of good practice awarded by the County Road Administration Board. The Engineer applauded his staff and the Financial Division for the work they do to achieve this award each year. Director Dunford pointed out Public Works takes this very seriously. The entire year is based on the fact they receive this certificate.

**11:30 a.m. - State Environmental Policy Act (SEPA)/Conditional Use Permits (CUP) Ordinance Hearing.**

Present: Denis Tracy, Dane Dunford, Mark Storey, Mark Bordsen, Thinkh Nguyen and Michelle Dupler.

D065459G The Chairman convened the hearing for proposed revisions to Whitman County Code, Chapters 9 and 19 as they pertain to the SEPA and Conditional Use Permits.

Denis Tracy suggested this is a combined hearing for revisions to both proposed Whitman County Code Chapters 9.04 governing SEPA and 19.06 for how the Board of Adjustment considers CUP.

On April 12<sup>th</sup> or prior, the Board referred these proposed changes to Planning Commission who conducted a public hearing, reported back to the Board through their findings of fact, conclusions and endorsement of the proposed changes for both Whitman County Code 9.04 and 19.06.

Currently, under County Code 9.04, SEPA administrative decisions by the Planning Director are appealed to and heard by the County Commissioners. In the context of a proposed development involving a conditional use permit issue, issuance of that permit is governed by County Code 19.06.

State law now requires administrative appeals of a SEPA decision and the original CUP be heard and decided at one hearing by one body. The proposed changes are designed to comply with state law and will now make the body that hears the administrative SEPA appeal the same body that hears the underlying governmental action. In the case of a CUP application, that would be the Board of Adjustment.

In addition, there is some general updating and cleanup to 9.04 with references to WAC numbers. In 19.06 the Board of Adjustment and conditional use processes are also changed by allowing for a hearings examiner to hear

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CUP applications in the event a Board of Adjustment quorum is not immediately available. In that case, if an applicant agrees to pay the cost for a hearings examiner, then the applicant's CUP application will be heard by a hearings examiner rather than the Board of Adjustment.

The county commissioners received the Planning Commission's formal findings of fact on April 25<sup>th</sup> containing the particular changes to the ordinances. Today the Board can attach the findings of fact and adopt them as your own based on the Planning Commission's minutes formally making those documents a part of today's hearing record.

- 065460** 9.04 State Environmental Policy Act and
- 065461** 19.06 Board of Adjustment (conditional use permits)
- 065462** April 24, 2006 minutes of the Planning Commission hearing.

The Chairman called for comments from those in favor of the proposal.

Prosecutor Tracy felt the proposed changes were good, they bring the County Code in alignment with state law and provides for a new method to hear conditional use permit applications without delay if there is no Board of Adjustment quorum available. This is a benefit to the county, applicant and even those individuals that might be opposed to any particular development.

No comments heard against the proposal.

Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to accept the Planning Commission's findings of fact.

Chairman Finch closed the hearing.

Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to adopt the ordinance.

Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to allow for signature of the ordinance at a later time. The Prosecutor will return with the revised document.

**11:45 a.m. - Recess.**

**11:55 a.m. - Reconvene/SEPA/CUP Revisions.**

Present: Mark Bordsen, Denis Tracy, Thinh Nguyen and Michelle Dupler.

**065463** Commissioner Partch **moved**, Commissioner Finch **seconded** the motion and it **carried** to sign the ordinance to amend Whitman County Code Chapters 9.04 and 19.06.

Commissioner Wigen said this was a great day for him personally. This action provides an opportunity for growth in the corridor and he looks forward to development between Pullman and Moscow. As he has said before, 30% of the people working at WSU and SEL live in Latah County and take their money out of Whitman County. His goal is to see people live and work in Whitman County. This is a real plus for the Pullman-Moscow corridor region and a great opportunity to expand our tax base and growth. He was excited when he signed the Pullman-Moscow Corridor ordinance, he is excited to sign this document and he will be excited when he sees development between Pullman and the state line.

Commissioner Partch clarified today's action revises County Code for state compliance and streamlining. This will save time and money and is another step towards development.

Chairman Finch concurred with his fellow commissioners adding this will be a great opportunity for Whitman and Latah County, Pullman and Moscow. He hoped for the spirit of cooperation.

**ORDINANCE NO. 065463**

AN ORDINANCE AMENDING THE WHITMAN COUNTY CODE, CHAPTER 9.04 (re SEPA) AND CHAPTER 19.06 (re Board of Adjustment and Conditional Use Applications), as described in the attached documents.

WHEREAS the Board of County Commissioners initiated consideration of these proposed changes to the County Code, by referring the changes to the County Planning Commission; and

WHEREAS the Board of County Commissioners received Recommendations and Findings of Fact from the County Planning Commission, endorsing the proposed changes, following the Planning Commission's public hearing; and

WHEREAS the Board of County Commissioners held a public hearing on the proposed changes to the County Code; and

WHEREAS 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, that the Whitman County Code Chapter 9.04 and Chapter 19.06 are hereby amended in accordance with the attached amendments, effective immediately.

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

**ATTACHMENT**

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

**1:00 p.m. - Superior Court Judge David Frazier, District Court Judge Douglas Robinson and Marlynn Markley.**

Present: Tinh Nguyen.

**D065463A 1.** Chairman Finch noted the county is in the process of receiving RFP's for the hearing impaired equipment.

**D065463B 2.** Judge Robinson expressed a need for new microphones in District Court. The Judge was asked to visit with the Facilities Management Director regarding this request.

**D065463C 3.** Discussion was held pertaining to the formal establishment of a trial court improvement account ordinance. The next step in the process is to set a date for hearing. That date is May 30<sup>th</sup> at 1 p.m. Judge Robinson agreed to draft the ordinance.

**065464** The commissioners signed a board order authorizing a notice of hearing for the proposed ordinance.

**065465 2.** Judge Frazier indicated the public defense attorneys have submitted a request for an increase based on the contract and caseload. He is in the process of comparing the figures but noted Superior Court may need a budget amendment.

**1:40 p.m. - Recess.**

**1:45 p.m. - Board Business Continued.**

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Present: Gary and Valerie Hunt and Kelli Campbell.

**D065465A 19.** Commissioner Partch **moved**, Commissioner Finch **seconded** the motion and it **carried** to go into executive session with the above individuals until 2:45 p.m. for negotiation matters.

**2:45 p.m. - Return to Open Session/Recess.**

**3:00 p.m. - Board Business Continued/BOCC Workshop.**

Present: John Love, Dan Boone and Bob Gronholz.

**D065465B 20.** Updates by both entities included ISR, biodiesel, Pullman-Moscow Corridor, SR 270 project and SEPA/CUP revisions and an executive session pertaining to property matters. No action taken.

**5:00 p.m. - Adjournment.**

**D065465C** Commissioner Partch **moved** to adjourn the **May 8, 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 **May 15, 2006**. The foregoing action made this **8th** day of **May 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