

Minutes for June 3rd, 2002

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059726 THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **June 3, 2002 at 10:00 a.m.** Greg Partch, Chairman, and Jerry Finch, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

10:00 a.m. - Board Business.

D059726A 1. Call to Order/Pledge of Allegiance.

Present: Chris Anderson.

D059726B 2. Motion by Commissioner Finch to approve the Consent Agenda with the deletion of item #1. Motion **seconded** by Commissioner Partch and **carried**.

059728 3. May 28, 2002 minutes approved.

059729-059732 4. Personnel board orders approved.

10:10 a.m. - Fran Martin.

059733 5. Motion by Commissioner Finch **seconded** by Commissioner Partch and **carried** to establish a housing trust fund.

RESOLUTION NO. 059733

BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS

WHEREAS, the Board of County Commissioners for Whitman County, State of Washington, met in regular session on June 3, 2002; and,

WHEREAS, the Board of County Commissioners for Whitman County, State of Washington, recognize that to comply with Substitute House Bill 2060 there is a need to establish a new fund; and,

WHEREAS the Board of County Commissioners understands that a separate dedicated fund needs to be set up to administer funds collected to support building operation and maintenance costs of housing projects per Substitute House Bill 2060 in Whitman County.

NOW, THEREFORE, BE IT HEREBY RESOLVED that a new fund number 141.010.000 named the Washington Housing Bill 2060 Fund be hereby created to properly account for the deposit and expenditures of surcharge monies collected in Whitman County; and,

BE IT FURTHER RESOLVED that the Board recognizes Judy Allen, Executive Director of Community Action Agency, as the individual who will solicit

approval from the cities/towns within Whitman County, as well as the county, to enter into an interlocal agreement for the use of funds created through this legislation.

PASSED, APPROVED, AND, ADOPTED this 3rd day of June 2002.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Greg Partch, Chairman

ATTEST:

Jerry Finch, Commissioner

Maribeth Becker, CMC
Clerk of the Board

Les Wigen, Commissioner

059734 **6. Motion** by Commissioner Finch **seconded** by Commissioner Partch and **carried** correcting resolution 059701 pertaining to the Public Health Billing and Collection Procedures.

RESOLUTION NO. 059734

BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS

WHEREAS, the Board of County Commissioners for Whitman County, State of Washington, met in a regular session on June 3, 2002; and,

WHEREAS, an error was detected in Resolution **#059701** pertaining to Whitman County Public Health Billing and Collection Procedures adopted May 20, 2002 as follows:

Paragraph 4 currently states:

"A 1% per month will be added to the account or a minimum of \$.50".

Paragraph 9 currently states:

"Past due, a 1% Finance Charge has been added".

WHEREAS, the following language is proposed to correct the error.

Paragraph 4 should state:

"A 1% per month or 12% per annum Finance Charge will be added to the account or a minimum of \$.50".

Paragraph 9 should state:

"Past due, a 1% per month or 12% per annum Finance Charge has been added".

NOW, THEREFORE, BE IT RESOLVED by the Whitman County Commissioners that the above noted Billing and Collection Procedures corrections be adopted and implemented as of May 20, 2002.

ADOPTED this 3rd day of June 2002.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Greg Partch, Chairman

ATTEST:

G. R. Finch, Commissioner

Maribeth Becker, CMC
Clerk of the Board

Les Wigen, Commissioner

Billing Procedures

Whitman County Health Department

	<ul style="list-style-type: none">• Every effort will be made to collect fees, medical coupons, purchase orders, vouchers, or Medicare authorization at the time of service.
	<ul style="list-style-type: none">• Fees are to be paid at time of service. If fees are not collected at the time of service, the client will be billed within ten (10) working days.
After 30 days	All bills will state that they are due within thirty-days (30) of receipt of the statement.
After 60 days	If no payment at the end of thirty-days (30) days, a new statement will be issued. "A 1% per month or 12% per annum Finance Charge will be added to the account or a minimum of \$.50. Please remit or contact our office."
After 90 days	If no payment or payment plan has been completed in the next thirty-days (30) (total 60 days out since service), a 1 % per month or 12% per annum finance charge will be added and the repeat of the past due statement. Personal Health Services Fees (i.e. Children's Immunes and/or Communicable Disease Testing) that are mandated by Department of Health will not be sent to collections but will be collected to the best of the ability of the Department. Fees that are eligible to be sent to collections include:

	<p>Adult Immunizations All Environmental Health Fees</p> <p>Past Due Accounts that are in the category that are eligible to be sent to collections will have the following statement:</p> <p>"Past Due, a 1% per month or 12% per annum Finance Charge has been added. Please remit or contact our office immediately. If we do not hear from you within 15 days this account will be turned over to the Valley Empire Collection, 11707 E Montgomery, Spokane Washington 99206."</p>
<p>Adopted this 3rd day of June 2002.</p>	
<p>Chairman</p>	<p>Date: June 3, 2002</p>
<p>Board of Health</p>	<p>Date: June 3, 2002</p>
<p>Board of Health</p>	<p>Date: June 3, 2002</p>

059735 7. Motion by Commissioner Finch **seconded** by Commissioner Partch and **carried** to sign an interagency agreement between Whitman County and Whitman Hospital and Medical Center for reduced inmate medical fees.

059736 8. A letter forwarded to Cleve Pinnix, Director of the Washington State Parks and Recreation Commission, regarding the expense of renaming parks that the state plans to close in 2003.

059737 9. Information received from the Chief Deputy Prosecuting Attorney concerning transfer of a van from the State to the Council on Aging and Human Services.

059737A 10. Information pertaining to the Washington State Parks and Recreation budget reduction and lease cancellations received.

D059737B 11. Commissioners' pending items reviewed.

10:25 a.m. - Recess.

10:35 a.m. - Dane Dunford, Public Works Director.

Present: Mark Storey.

Engineering Division:

D059737C 1. According to Mr. Dunford, paving of the Green Hollow Road should be completed today. At the north end of the project there were problems in four areas where the clay underneath the gravel is not holding up to the sheer repetition of the paving company's numerous trucks traveling on the road every six minutes for four days. These areas will have to be repaired and repaved. Once the road is completed there won't be that kind of traffic and the road will be fine. Otherwise, the contractor has done a very good job. Mr. Storey clarified there would be some additional paving of approaches in another week or two.

D059737D 2. The Director informed the commissioners that the DeAtley crushing project outside of Colfax would not be happening. The state project has ended and DeAtley did not crush any rock for the county after completing their state project.

DeAtley bid the county job making an assumption that the WSDOT would allow them to crush for the county in the state quarry. They signed a contract with the county to supply the gravel prior to receiving approval from WSDOT. The state will not allow DeAtley in their quarry for this purpose. Therefore, DeAtley is walking away from their contract with the county.

Mr. Dunford said had the county seriously needed the rock he would be willing to legally pursue the issue, but that is not the case. There was no bond requirement in the bid specifications because of the county's willingness to give a local businessman the opportunity to bid on the project. The county will rebid this project in a couple weeks for fall rock and he will be adding the bonding requirement back into the bid specifications.

Building Division:

D059737E 3. Mr. Dunford commented in response to a conversation with a board member, the Building Inspector has demolition and asbestos educational materials in his office to assist the people in St. John.

D059737F 4. The Lamont communication tower is now completed and meets all engineering requirements. There will be a bill for approximately \$2,000.

Planning Division:

D059737G 5. The Harrington/Rodeen issue will be before the Board of Adjustment on June 6.

10:55 a.m. - Kelli Shrope.

Administration Division:

D059737H 6. Motion by Commissioner Finch to go into Executive Session with Mr. Dunford and Ms. Shrope for discussion of personnel matters until 11:15 a.m. **Seconded** by Commissioner Partch and **carried**.

11:15 a.m. - Return to Open Session/Recess.

11:30 a.m. - E911 Ordinance Hearing.

Present: Bob Lothspeich.

059738 The Chairman convened the E911 Ordinance hearing for a proposed revision to increase the excise tax on the use of radio access lines from \$.25 per line to \$.50 per line and other miscellaneous revisions.

Mr. Lothspeich was in favor of the revision because it will enable the county to work towards E911, which is critical in this day and age.

There being no further comments, the hearing was closed.

Motion by Commissioner Finch **seconded** by Commissioner Partch and **carried** to adopt the revised E911 ordinance as presented.

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

IN THE MATTER OF AMENDING) **ORDINANCE NO. 059738**
THE ENHANCED 911 EXCISE TAX ON)
THE USE OF RADIO ACCESS LINES) **Title 3, Chapter 3.50**

WHEREAS, emergency services communications systems, including enhanced 911 systems, are currently funded with revenue from state and local excise taxes imposed on the use of switched and radio access lines; and

WHEREAS, the volume of 911 calls by users of cellular communications systems and other similar wireless telecommunications systems continues to increase; and

WHEREAS, the 2002 legislature found that statewide enhanced 911 has proven to be a lifesaving service and that routing a 911 call to the appropriate public safety answering point with a display of the caller's identification and location should be available for all users of telecommunications services, regardless of the technology used to make and transmit the 911 call. The legislature also found that it is in the best public interest to ensure that there is adequate ongoing funding to support enhanced 911 services.

WHEREAS, the 2002 legislature amended R.C.W. Chapter 82.14B to allow county legislative authorities to increase an excise tax of twenty-five (25) to fifty (50) cents per month on each radio access line to fund the emergency services communications system.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF WHITMAN COUNTY COMMISSIONERS that Whitman County Code Chapter 3.50 is hereby amended as follows:

Section 1:

3.50.010 Definitions.

(A) The definitions contained in R.C.W. Chapter 82.14B of the terms "emergency services communication system," "enhanced 911 telephone system," "switched access line," "local exchange company," "radio access line," "radio communications service company" and "private telecommunications system" are hereby adopted by reference for the purposes of this chapter.

(B) "Subscriber" means any individual person, estate, trust, partnership, association, company, corporation or other entity that contracts for and receives telephone services including the emergency services communication system from a local exchange company or radio communications service company.

(C) "Collection month" means the calendar month that the local exchange company or radio communications service company bills the subscriber.

Section 2:

3.50.020 Excise Tax.

(A) In accordance with the provisions of R.C.W. Chapter 82.14B there is hereby levied an excise tax in the amount of fifty (50) cents per month on the use of switched access line by subscribers within Whitman County. The amount of tax shall be imposed on any subscriber having the use of the switched access line at the time of billing by a local exchange company.

(B) There is also hereby levied an excise tax in the amount of fifty (50) cents per month on the use of radio access lines located within Whitman County.

(C) In the event that the tax or any portion thereof imposed by Subsection 2 is ordered to be refunded by final judgment of a court of record, the County shall, upon presentation of a certified copy of the final judgment, pay to each radio communications service company the portion of the ordered refund attributable to tax collected by the company, in trust for the benefit of the end user from whom the tax was collected. Each company is required to promptly remit, to each end user who paid tax for which refund was ordered, the duly allocable portion of the refund held in trust. To the extent end users entitled to refund cannot be identified or located by the company with the exercise of due diligence within three (3) months of the date refund is received by the company, the company shall return the undistributed trust funds and accumulations to the County, together with the last known names and addresses of each person entitled thereto, and the portion to which each is entitled.

Section 3:

3.50.030 Use of Proceeds.

The proceeds of these taxes shall be used for an "enhanced 911 telephone system," as defined in RCW Chapter 82.14B.020 (2), which system shall be implemented no later than December 31, 1998.

Section 4:

3.50.040 Special Fund Created--Purposes Enumerated.

There is created a special fund known as the "Whitman County Enhanced 911 Telephone System Fund" (Fund 139). All taxes levied herein shall be placed in said fund for the purpose of paying all or any part of the cost of all expenses related to the planning, acquisition, installation, addition, improvement, replacement, repair, maintenance, or operation of an enhanced 911 telephone system. Reimbursements shall be paid from this fund to the local exchange companies and radio communications service companies for actual costs of administration and collection of these taxes. This reimbursement shall not exceed five (5) percent of the total tax each company collects.

Section 5:

3.50.050 Collection by Local Exchange Company or Radio Communications Service Company.

(A) Collection of these taxes shall be made by the local exchange companies or radio communications service companies providing the access line. The local exchange company or radio communications service companies shall state the amount of the tax separately on the billing statement, which is sent to the subscriber.

(B) Local exchange companies or radio communications service companies shall pay the tax to the County based on the net amount billed for the tax during the preceding calendar month. The net amount billed for the tax shall equal the gross amount billed for the tax less adjustments for uncollectible accounts, refunds, incorrect billings and other appropriate adjustments.

(C) The due date for remittance of the tax payable shall be thirty (30) days following the collection month.

Taxes payable under this chapter shall be remitted to the Whitman County Treasurer, on or before the due date, by bank draft, personal check, or wire.

Section 6:

3.50.060 Record Keeping.

Every local exchange company or radio communications service company liable for collecting the tax from subscribers shall keep records reflecting the names of subscribers, number of switched or radio access lines, amounts billed, numbers of exempt switched or radio access lines, and such other information as may reasonable be necessary to administer billing and collection and verification of the tax, and shall supply any such information to the County when requested.

Section 7:

3.50.070 Effective date of tax--Notice to local exchange companies.

The effective date of the tax herein imposed shall be April 1, 1992, and notice of the tax shall be provided by the County to all local exchange companies serving in the county at least sixty (60) days in advance of the date on which the first payment is due.

Section 8:

3.50.080 Effective date of tax--Notice to radio communications service companies.

(A) The effective date of the tax herein imposed shall be June 1, 1997, and notice of the tax shall be provided by the County to all radio communications service companies in the County at least sixty (60) days in advance of the date on which the first payment is due.

(B) The effective date of the adjusted excise tax on the use of radio access lines to fifty (50) cents shall be January 1, 2003. Radio communications service companies shall continue to collect the twenty-five (25) cents excise tax as imposed as of June 1, 1997 through December 31,

2002. The effective date of the additional twenty-five (25) cent increase shall then become effective January 1, 2003. Notice of the tax shall be provided by the County to all radio communications service companies in the County at least sixty (60) days in advance of the date on which the first payment is due.

Section 9:

3.50.090 Severability.

If any section, subsection, clause, phrase, or word in this ordinance or any provision adopted by reference herein is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or any provision adopted by reference herein.

Done this 3rd day of June 2002.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Greg Partch, Chairman

ATTEST:

G. R. Finch, Commissioner

Maribeth Becker, CMC
Clerk of the Board

Les Wigen, Commissioner

059739 12. Motion by Commissioner Finch **seconded** by Commissioner Partch and **carried** to sign the interlocal cooperation agreement between Whitman County, its 16 cities/towns, and the Community Action Center for the Emergency Shelter Assistance Program.

059740 Not used.

059741 13. Motion by Commissioner Finch **seconded** by Commissioner Partch and **carried** to publish the revised E911 ordinance.

11:40 a.m. - Recess.

1:30 p.m. - Karl Johanson, Council on Aging & Human Services (COA&HS).

Present: Dane Dunford and Jennifer Snead.

059742 1. Due to the Washington State Department of Transportation's (WSDOT) release of the Dodge Caravan purchased with the 1997-1999 Washington State Rural Mobility grant funds and matching funds provided by Fairfield Good Samaritan for COAST, Mr. Johanson questioned the process needed to transfer the van to the Fairfield Good Samaritan Center.

It was the Public Works Director and Chief Deputy Prosecuting Attorney's opinion that the county simply acted as a pass through agency to activate the grant and the county's small works roster was used to obtain the van. Whitman County never intended to own the van. At the end of the van's useful life, according to WSDOT, the van would become the property of COAST. It is now up to Mr. Johanson to apply for a new title in the name of Council on Aging & Human Services and then transfer the vehicle to Fairfield Good Samaritan Center.

D059742A 2. Mr. Johanson explained Whitman County received a 2001-2003 Rural Mobility grant on behalf of COAST for operating assistance and to purchase a small bus. A report for the first six months of the grant is now due totaling \$7,000-\$8,000 in expenditures. There also needs to be a contract drawn so that COAST can be reimbursed for expenses incurred during the first six-month period and second six-month report if need be. Those expenses include staff time, insurance, and renovation of an older small school bus. Mr. Johanson agreed to prepare the necessary report(s) for the state and to contact Mr. Shirley about drafting a contract between COAST and Whitman County. The new Administrative Director will handle the grant administration.

1:55 p.m. - Bob Reynolds, Palouse Empire Fair Manager.

059743 Mr. Reynolds reported that two quotes were received from the 8 inquiries made for the printing of the 2002 Palouse Empire Fair Premium Book (112 pages). Cougar Graphics quoted \$6,159.40 and WSU Printing quoted \$9,300. **Motion** by Commissioner Finch **seconded** by Commissioner Partch and **carried** to accept Cougar Graphic's quote of \$6,159.40.

Mr. Reynolds is working with the County Web Committee in an attempt to take over ownership of the premium book through the copyright process and incorporating it on the county's website.

Other items briefly discussed included ways to reduce/recoup some of the costs for the premium book, increasing gate fees, Fairgrounds restrooms and kitchen remodeling update, internet access to the 4-H, Display, Community, and Sale Barn Buildings, the RV Camping area, and political parameters and guidelines at the Fairgrounds.

2:30 p.m. - Recess.

4:00 p.m. - BOCC Workshop.

Present: Mark Bordsen, Mark Storey, and Dane Dunford.

059744 Items discussed included Corridor related issues. No action taken.

5:00 p.m. - Recess.

D059744A THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **June 4, 2002 at 10:00 a.m.** Greg Partch, Chairman and Jerry Finch, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

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

Present: Steve Tomson, Fran Martin, and Bob Ingalls.

059745 Items discussed included the Inmate Welfare Fund and the Pullman-Moscow Airport Law Enforcement agreement, Basic Health medical plan legislation for long-term inmates, contracted jail beds, jail accident reporting, and the rescheduling of the methamphetamine meeting. No action taken.

12:00 p.m. - Adjournment.

D059745A Commissioner Finch **moved** to adjourn the **June 3 and 4, 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 **June 10, 2002**. The foregoing action made this **3rd** day of **June 2002**.

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

MARIBETH BECKER, CMC
Clerk of the Board

GREG PARTCH, Chairman
Board of County Commissioners