

BOCC MINUTES-06/18/18

080308 THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, June 18, 2018 at 9:00 a.m.** Chairman Dean Kinzer, Arthur D Swannack, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended. Commissioner Michael Largent participated in the meeting from 10:15 a.m.-10:40 a.m. via telephone.

9:00 a.m. - Call to Order/Board Business/BOCC Workshop.

Present: Gary Petrovich, Mark Storey, Bill Tensfeld, Jill Whelchel (9:00 a.m.), Will DeMarco (9:05 a.m.) and Gary Libey (9:15 a.m.).

080309 1. The following items were discussed but no action was taken.

- Wawawai Road Internet
- Speed Studies
- Whitcom CIP Contrib.
- Purdue Pharma Lawsuit
- Small Works County Code
- E2SHB-1783
- Courthouse Vault
- Sand Road
- Solid Waste Cells Repairs
- New WSACE Director
- Fish Passage Removal
- Courthouse Security

10:00 a.m. - Recess.

10:15 a.m. - Flag Salute.

Present: Kelli Campbell, Gary Petrovich, Paul Spencer and Will DeMarco.

D080309A 2. Pledge of Allegiance.

D080309B 2A. Commissioner Swannack **moved** Commissioner Largent **seconded** the motion and it **carried** to amend the agenda by moving items #7 and #8 after item #27 and adding item #23A-speed study for Cache Creek Road.

Consent Agenda:

080310 3. Commissioner Swannack **moved** Commissioner Largent **seconded** the motion and it **carried** to accept the consent agenda as presented.

080311-080312 4. Treasurer's Wire Transfers and Check Report in the amount of **\$1,027,821.55** and General Claims/Veterans' Relief warrants numbered **336838-336953** for **\$227,237.22** approved.

080313 5. June 4, 2018 minutes approved.

080314-080324 6. Personnel change orders approved.

080325 7. See after item #23.

080326 8. See after item #23.

080327 9. Commissioner Swannack **moved** Commissioner Largent **seconded** the motion and it **carried** to sign an agreement between Whitman County and the Department of Commerce for the 2018-2019 CDBG-PS grant #18-62210-016 (06/30/19).

080328 10. Commissioner Swannack **moved** Commissioner Largent **seconded** the motion and it **carried** to approve the 2019 budget calendar.

080329 11. Commissioner Swannack **moved** Commissioner Largent **seconded** the motion and it **carried** to approve the 2019 budget goals and priorities.

BOCC MINUTES-06/18/18

10:20 a.m. - Bailey Wiedmer and Garth Meyer>

080329A 12. Commissioner Swannack **moved** Commissioner Largent **seconded** the motion and it **carried** to approve the 2018 County program agreement amendment with the Developmental Disabilities Administration County Services-DSHS agreement #1763-98149-01 (06/30/18).

080330 13. Commissioner Swannack **moved** Commissioner Largent **seconded** the motion and it **carried** to approve the Sheriff's grant application data form for the Edward Byrne Memoria Justice Assistance Grant in the amount of \$29,813 for the period 04/01/18-09/30/18.

080331 14. Commissioner Swannack **moved** Commissioner Largent **seconded** the motion and it **carried** to adopt the Teamsters MOU as presented.

080332 15. Commissioner Largent **moved** Commissioner Kinzer **seconded** the motion and it **carried** to enter into an attorney engagement & contingency fee agreement with Keller Rohrbach, LLP. Commissioner Swannack voted nay but the other members understood his position.

CORRESPONDENCE:

D080332A 16. The following correspondence was received:

080333 16A. Notice of approval for Boyer Park & Marina, Colfax, WA for a liquor license was received from the Washington State Liquor and Cannabis Board.

080334 16B. Notice of approval for Etta's Herbals, Pullman, WA for a marijuana processor license was received from the Washington State Liquor and Cannabis Board.

080335 16C. Notice of surplus state property was received from the Washington State Department of Transportation.

080336 16D. Notice of grant funds available grants from the Lewis-Clark Valley Healthcare Foundation. The information was passed onto Mike Berney and Troy Henderson.

080337 17. Commissioners' pending list reviewed.

080338 18. The regular meeting was recessed and the hearing convened by the Chairman for proposed budget amendment #1.

Present: Gary Petrovich, Paul Spencer and Garth Meyer.

Gary Petrovich reviewed the amendment requests for unanticipated expenses for court costs, insurance deductibles, insurance consultant, State Auditor and Sheriff's equipment.

Current Expense Funds amendment total net adjustment of \$62,959.

Non-Current Expense Funds amendment total adjustment of \$95,309.

The hearing was opened to public comment. There being no further comments the hearing was adjourned and the regular meeting reconvened.

080339 19. Commissioner Swannack **moved** Commissioner Largent **seconded** the motion and it **carried** to adopt the 2018 budget amendment #1.

RESOLUTION NO. 080339
OF
THE BOARD OF WHITMAN COUNTY COMMISSIONERS
FOR WHITMAN COUNTY, STATE OF WASHINGTON
2018 BUDGET AMENDMENT #1

WHEREAS, the Board of County Commissioners for Whitman County, State of Washington, met in regular session on Monday, June 18, 2018; and,

WHEREAS, any and all taxpayers appearing at the hearing held this date, to be heard for or against any part of the budget amendment have been given the opportunity to be heard; and,

WHEREAS, the Auditor estimates that these amendments are necessary for the operation of the specified funds.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the authorized appropriations for these funds of Whitman County for fiscal year 2018 be amended by the amounts indicated as attached; and,

BE IT FURTHER RESOLVED that the appropriate entries to the accounting records be made to reflect the aforementioned budget amendment.

PASSED, APPROVED AND ADOPTED this 18th day of June, 2018.

BOARD OF COUNTY COMMISSIONERS
 OF WHITMAN COUNTY, WASHINGTON

 Dean Kinzer, Chairman

 Arthur D Swannack, Commissioner

ATTEST:

 Maribeth Becker, CMC
 Clerk of the Board

 Michael Largent, Commissioner

CURRENT EXPENSE FUNDS	2018 Adopted Budget	BA #1 Revenues	BA #1 Expenses	2018 Amended Budget After BA #1
Admin Services	202,851			202,851
Assessor	435,977			435,977
Auditor	872,425			872,425
Child Support	126,056			126,056
Clerk	258,862	(5,100)	3,109	261,971
Commissioners	375,587			375,587
Coroner	190,556			190,556
District Court	795,755			795,755
Emergency Management	244,027			244,027
Extension	132,811			132,811
Facilities Management	678,521			678,521
Fair	365,212		12,000	365,212
General Government	4,145,596		44,250	4,189,846
Human Resources	222,433			222,433
Information Technology	234,497			234,497
Juvenile	643,024			643,024
Parks & Recreation	246,902			246,902
Prosecuting Attorney	679,935			679,935
Public Health	843,532			843,532

BOCC MINUTES-06/18/18

Sheriff	3,786,459	49,685	49685	3,836,144
Superior Court	189,361	1,500		189,361
Treasurer	387,349			387,349
Weed	104,101			104,101
Fund Balance Adjustment		62,959		
TOTAL	16,161,829	109,044	109,044	16,270,873
NON CURRENT EXPENSE FUNDS				
101 Self-Insurance	37,500	20,000	20,000	57,500
102 Building & Development	260,540			260,540
103 Countywide Planning	495,258			495,258
104 Developmental Services	953,074			953,074
106 Extension Publications	200			200
108 Veterans Relief	135,550			135,550
109 Homeless Housing Plan	300,000			300,000
110 County Roads	19,243,893			19,243,893
112 Public Facilities Improve	4,170,000			4,170,000
115 Hotel/Motel Tax	20,000			20,000
116 Domestic Violence	400	479	479	879
117 Boating Safety	106,600			106,600
118 Inmate Welfare	34,000			34,000
120 Historic Preservation/Program	45,500			45,500
122 Sheriff K-9 Unit	12,500			12,500
123 Paths & Trails	216,577			216,577
124 REET Technology	8,100			8,100
125 Donations & Planned Giving-Fair	5,029			5,029
125 Donations & Planned Giving-Parks	336,758			336,758
126 Treasurer O&M	15,000			15,000
127 Quad City Drug Task Force	407,948			407,948
128 Crime Victims/Witness	103,520			103,520
129 Juvenile Special Revenue	88,000	3,500	3,500	91,500
130 Inter-Local Drug Fund	18,000			18,000
132 Auditor's Document Preservation	272,900			272,900
133 Commissioners Special Revenue	230,000			230,000
134 Elections Reserve	100,400	15,000	15,000	115,400
135 Prosecutor STOP Grant	26,119			26,119
136 District Court Funds	41,240			41,240
138 Federal Equitable Sharing	250,500			250,500
141 WA Housing SHB 2060	36,000			36,000
143 Trial Court Improvement-Superior	-	63,902	63,902	63,902
143 Trial Court Improvement-District	156,284	(7,572)	(7,572)	148,712
144 Emergency Communication System	1,156,503			1,156,503
200 Debt Service-External	166,892			166,892
210 Debt Service-County-Inside	86,890			86,890
300 Capital Projects	1,423,215			1,423,215
310 Capital Projects-Fair	13,067			13,067
320 Capital Projects-Outside Source	129,794			129,794
400 Solid Waste	6,294,000			6,294,000
410 Solid Waste Reserve	1,890,360			1,890,360
501 Equipment Rental & Revolving	7,192,100			7,192,100
511 Unemployment Insurance Revolving	200,000			200,000
515 IT Operations-General Revolving	1,226,060			1,226,060
TOTAL	\$ 47,907,171	\$ 95,309	\$ 95,309	\$48,002,480

080340 **20.** Gary Petrovich provided the May ending budget performance report.

May Current Expense Revenue	\$1,341,235
YTD Current Expense Revenue	\$7,053,229
May Current Expense Expenditures	\$ 927,536
YTD Current Expense Expenditures	\$6,684,777
May Ending Cash Position	\$7,204,480

BOCC MINUTES-06/18/18

11:00 a.m. - Public Works.

Present: Mark Storey, Brandon Kruger, Alan Thomson, Jeff Marshall, Paul Spencer and Garth Meyer.

080341 20A. The following Public Works related issues approved/updated:

ACTION ITEMS:

080342 21. Commissioner Swannack **moved** Commissioner Kinzer **seconded** the motion and it **carried** to approve the resolution initiating the Catholic Cemetery Road project.

**RESOLUTION NO. 080342
BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS**

In the matter of initiating a county road project designated as C.R.P. No. 0310-2, Project No. XFR1800.

IT IS HEREBY RESOLVED that the Catholic Cemetery Road, County Road No. 0310, from milepost 0.90 to milepost 1.13 be improved as follows:

Place gravel on the dirt road.

This project is hereby declared to be a public necessity and the County Engineer is hereby ordered and authorized to report and proceed thereon as by law provided (RCW 36.75.050, 36.80.030, 36.80.070)

IT IS FURTHER RESOLVED that an appropriation from the official adopted county road fund budget and based on the County Engineer's estimate is hereby made in the amounts and for the purposes shown:

PURPOSE	AMOUNT OF APPROPRIATION
Engineering	\$ 500.00
Construction	<u>\$17,200.00</u>
TOTAL	\$17,700.00

This project was included in the officially adopted annual road program as Item No. 1.

IT IS FURTHER RESOLVED that the construction is to be accomplished by county forces in accordance with RCW 36.77.065 and WAC 136-18.

ESTIMATED date of commencing work: June 25, 2018
ESTIMATED date of completing work: October 31, 2018

ADOPTED this 18th day of June, 2018.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Dean Kinzer, Chairman

Arthur D Swannack, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Michael Largent, Commissioner

BOCC MINUTES-06/18/18

080343 22. The official transmittal for a proposed zone change requested by Inland Empire Milling Company, LLC was received for the rezone of approximately 2-acres from the Agricultural District to the Limited Heavy Industrial District.

080344 23. Commissioner Swannack **moved** Commissioner Kinzer **seconded** the motion and it **carried** to set a public hearing for amending the Whitman County Zoning Map for the Inland Empire Milling Company operation at Pine City from Agricultural District to Limited Heavy Industrial District.

D080344A 23A. Commissioner Swannack **moved** Commissioner Kinzer **seconded** the motion and it **carried** to direct Public Works to conduct a speed study on Cache Creek Road.

DIVISION UPDATES:

D080344B 24. The following division updates provided by Public Works staff.

Engineering Division:

D080344C 24A. The bridge construction process started on Glenn Miller Bridge with a detour. It has been determined that the work will be less than previously anticipated

D080344D 24B. Four miles of Sand Road received a penetration shot last week; it will be chipped sealed in about a month.

D080344E 24C. Jeff Marshall received the WSACE state award as Project Engineer/Program Manager for Whitman County.

Solid Waste Division:

D080344F 24D. M.A. DeAtley is working on the repairs to Cells 1-3 at the Transfer Station.

Maintenance Division:

080345 24E. The quote for crane services for the Glen Miller and Whelan Bridges was awarded through the small works roster process to Rhodes Crane and Rigging, Inc., Spokane Valley in the amount of \$9,850 before tax.

D080345A 24F. Crews began chip sealing last Thursday, graders are out today working in all 3 districts and the Weed Spray technician returned to work last week.

D080326A 24. Approved documents signed.

12:00 p.m. - Recess.

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

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

080346 25. Mr. Berney reviewed regular GCBH Board meeting held June 7th.

D080346A 25A. **Funding and Fiscal Operations Committee Report:**

- The committee did meet in May. The Committee provided updates on several projects assigned to them.
- As directed by the Board, the Committee discussed how Greater Columbia would like to see the "Enhancement" dollars, allocated during the last legislative session, be distributed. The GCBH representatives meet with representatives from the 5 Managed Care Organizations and a plan acceptable to all was submitted to the State by the due date of June 1st.
- A methodology for distributing Mid-Adopter Incentive funds has been developed and an outline has been sent to the Board of the Greater Columbia Accountable Community of Health as required by the State.

BOCC MINUTES-06/18/18

- GCBH will be distributing additional mental health and substance use disorder Medicaid dollars into the provider network according to the Funding Formula. This will be done over the next several months and will not include any State-only funds.

D080346B 25B. Establishment of the Greater Columbia LLC:

- This issue began when a new attorney in the State Auditor's Office decided that Inter-Local Agreements were the wrong structure for establishing Regional Support Networks/Behavioral Health Organizations. The focus has changed somewhat now that the Greater Columbia BHO will cease operations at the end of this year and hopes to become an Administrative Service Organization (ASO).
- The first step is the Certificate of Formation. All Greater Columbia Counties have signed. The LLC Application has been sent into the State.
- The second step will be to establish the Operating Agreement which will start simply and then be revised once the extent of the contracting has been established. This document will take the place of the current Inter-Local Agreement.
- The application for liability insurance has been accepted. There will be 20 Million dollars in coverage.

D080346C 25C. Regional Office Update:

- One motion was made to authorize the Chair to sign six contract amendments with the State of Washington (Medicaid; State only; Pathfinder Peer [2]; Substance Abuse Block Grant; Mental Health Block Grant). They covered mostly housekeeping issues. Whitman County voted in favor of the motion and passed without dissent.

D080346D 25D. Executive Committee Vacancy:

- Since Klickitat County will be leaving Greater Columbia to join the Southwest Area Commissioner Sizemore submitted his resignation as Treasurer of the GCBH Board. Commissioner Duncan from Walla Walla County was elected as the new Treasurer. Whitman County voted in favor and there was no dissent.

1:45 p.m. - Recess.

2:00 p.m. - Ken Hanson, Heavy Agricultural Equipment on County Roads During Road Restrictions.

Present: Mark Storey, Brandon Kruger, Jeff Stehr, Ted Deercop, Roger Zaring and Bill Meyers.

080347 26. A handout was distributed by Ken Hanson. He said the issue is the regulations and the way they are being enforced in Whitman County is what he disagrees with. It was Mr. Hanson's opinion that driving a tractor on a county road during road restrictions does not destroy the road basing his opinion on studies done in the United States and Canada with respect to axles/weight/pounds per square inch/speed. Mr. Hanson said he needs to use agricultural equipment when necessary in order to make a living.

Commissioner Swannack clarified, they are only talking about the time during road restrictions and Mr. Hanson agreed. Commissioner Swannack continued, there is a change in what happens to a field at certain times of the year. Mr. Hanson said he is farming in multiple counties and multiple areas and having to request a permit from the county to move a tractor is cruel and unusual punishment. Other counties have exemptions for agricultural equipment. The current regulations were written when tractors weighed less than 25,000 pounds.

Bill Meyers said from what he has heard it is a matter of common sense. The average pickup or car has more ground pressure than a tractor. It is a simple matter of doing the math and if the result falls below the number you should be able to operate. He questioned service vehicles, i.e. garbage trucks, school buses, etc. He thought there would be a

BOCC MINUTES-06/18/18

minimal amount of need moving equipment during road restrictions. He didn't know there was a problem until now and wondered what has changed in the past 2-3 years that a tractor can't run on a closed road.

Commissioner Swannack indicated nothing has changed. The restrictions have been on the posted signs forever at 19,560 pounds maximum weight limit. Mr. Meyers asked if that number could be adjusted.

Mark Storey said he does not pretend to understand farming. His goal is to maintain and manage the county road system. He has worked for the county for 17 years and the 19,560 limit was in place before he arrived. He was open to modifying how the roads are managed and any changes the Board wants to approve. The goal is to keep the roads from being damaged and if they are, there is no money to fix them. The studies presented deal with hard surface roads and not with an ice layer in a road creating a very sensitive time period for the county. Tractors and trucks cause the problem by stressing the road deeper.

Commissioner Swannack said during restrictions the road has a hard crust on top, a liquid center and a hard ice core below the liquid so the water can't move down and away, and that is what causes the damage to the road.

Mr. Hanson injected the studies he provided include roads in North Dakota and Quebec that he felt had similar weather and offered to obtain more studies that would state the same. He thought the problem comes from people driving more than 25 MPH.

To address Bill Meyers question about what has changed Mr. Stehr responded the answer is nothing. The county doesn't allow anyone on the roads for the same reason farmers can't get in their field. Mr. Meyer felt pilot cars do more damage to a road than a tractor.

Commissioner Swannack noted the State uses the same weight limits as the county and other counties have restrictions also.

Mr. Stehr said no one has ever had a problem getting permits in his area. He pointed out the road edges are what is being damaged first as that is the thinnest portion of the pavement and that is exactly where tractors travel. He added, this issue came up when Mr. Hanson was moving equipment for the wind towers and not for agricultural purposes.

Mr. Hanson said he was asking for an exemption for tractors with empty implements behind them. Mr. Storey said he was open to talking about changing the criteria but he was not willing to talk about complete exemptions. He too clarified, he was only talking about the period of time when there is a liquid portion under the road.

Mr. Stehr said it is very rare when a permit is denied not only for paved roads but gravel roads too.

Brandon Kruger explained the ease in obtaining a permit and there is no need to travel to the Public Works office or a county shop. It can be handled by email or fax.

Mr. Hanson said the manner in which the process is being enforced does not meet today's parameters.

Mr. Zaring said he can be in the fields when road are still restricted and Mr. Storey agreed. Brandon Kruger asked how Mr. Zaring would get his tractor, seed and fertilizer to the field during road restrictions without a permit. Brandon Kruger was willing to work on permits for partial loads to aid Mr. Zaring in such a situation subject to conditions and likely restrictions on time of day and speed as needed to protect the roads.

Commissioner Swannack said funding for repairing roads comes from property taxes only - the county does not receive funding for gravel roads like it used to. If the county does not

BOCC MINUTES-06/18/18

have the funds to repair a paved road it will be returned to gravel/dirt. He also noted, everything Mr. Hanson has said is not consistent with the studies.

Jeff Stehr added, none of the roads were built for weight or speed; the county is simply trying to protect them. He asked if it was unreasonable for the county to ask for a timeline for the permit and Mr. Hanson said yes, it is too unreasonable and he doesn't have time to contact the county for a permit.

Mark Storey once again offered to accept reasonable input for resolution of this issue during road restrictions and that is his recommendation to the Board.

Commissioner Kinzer said there could be windows of opportunity at times and not at other times. The main issue is without permits the county has no control. With a permit, the county can monitor the road for damage. There is no question the county needs to protect the road system but there will be challenges.

Mr. Hanson asked if the Board was proposing a panel with agricultural/county representation. Commissioner Kinzer said that could be done but the committee's recommendation would be forwarded to the Board for final approval.

Commissioner Kinzer responded to Mr. Hanson that we could possibly create a panel to examine this issue. Commissioner Swannack asked to discuss the idea of such a panel with commissioner Largent during one of their workshops before they decide to do so, since he wasn't present for the discussion.

Commissioner Swannack said any input will be looked at from a science and a practical base to make agriculture work. He reminded those present, there is no funding coming from the other counties where they farm, only our local tax base.

Mr. Zaring thanked the commissioners for the opportunity to voice his opinion.

080325 7. Information was not available as yet for the Board to take any action.

080326 8. Information was not available as yet for the Board to take any action.

3:20 p.m. - Recess.

D080347A THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, June 25, 2018 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. - Reconvene/Board Business Continued.

D080347B 27. Approved consent agenda items signed.

080348 28. Treasurers Wire Transfers and Check Report in the amount of **\$280,334.27**, Payroll warrants numbered **337081-337090** for **\$423,382.42** and General/Veterans' Relief/Payroll warrants numbered **336973-337080** for **\$533,326.27** approved.

080349-080357 29. Personnel change orders.

9:05 a.m. - BOCC Workshop.

Present: Gary Petrovich, Bill Tensfeld, and Will DeMarco, Scott Jackson (9:05 a.m.).

080358 30. The following items were discussed but no action was taken.

BOCC MINUTES-06/18/18

- Road Restricts/Ag. Equipment
- Risk Manager/Negotiator
- Whitcom
- LEPC Exercises
- "Be the Entrepreneur"
- Colfax Support Letter
- Public Records Requests
- WSAC Partner (Ins. Benefit)
- PILT Class Action Suit
- Electronic Time Entry System
- Auditor/Taxing Dists. Interlocal
- Outdoor Amusement Ordinance
- State Conservation Dist. Tour
- Accessible Communities
- PayneWest Consultant
- Enterprise Risk Management Policy
- Long-Term Financial Planning Pol.
- 2017 Budget Worksheet Reports
- Emergency Comm. Radio Loan(s)
- Adams County Windmills
- 2019 Budget
- CDGB-PS Grant 2017-18 Close-out
- Inland NW Partners Meeting
- Supreme Court Sales Tax Ruling
- PERC/Open Negotiations
- Latah County Joint Meeting

11:00 a.m. - Adjournment.

D080358A Commissioner Largent **moved** to adjourn the **June 18 and 25, 2018** 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 **July 2, 2018**. The foregoing action made this **25th** day of **June 2018**.

ss/ ARTHUR D SWANNACK, COMMISSIONER
ss/ MICHAEL LARGENT, COMMISSIONER

MARIBETH BECKER, CMC
Clerk of the Board

DEAN KINZER, CHAIRMAN
Board of County Commissioners