

Minutes for June 29, 2009

Disclaimer: This is only a web copy of the Whitman County Commissioners' Monday Meeting Minutes. Official minutes may be obtained by contacting the Whitman County Commissioners office at (509) 397-5240.

069630 THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, June 29, 2009** at **9:00 a.m.** Patrick J. O'Neill and Greg Partch, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended. Chairman Michael Largent was unavailable.

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

Present: Kelli Campbell.

069631 1. The Classification System was discussed. No action taken.

9:30 a.m. - Recess.

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

9

Present: Joe Smillie.

D069631A 2. Motion by Commissioner O'Neill to accept the consent agenda. Motion **seconded** by Commissioner Partch and **carried**.

069632 3. Claims/Payroll warrants numbered **229015-229022, 229025-229038, 229041, 229102-229401** and **229587-229597** for **\$1,019,214.90** approved.

FUND	FUND NAME	AMOUNT	AMOUNT	AMOUNT	AMOUNT
001	Current Expense	6,012.80	47,128.18	164,638.56	4,550.08
101	Self Insurance			15,738.80	
102	Building & Development		1,659.60	287.92	
103	Countywide Planning		3,004.80	800.29	
104	Developmental Services			28.92	
109	Homeless Housing			3,554.14	
110	County Roads	1,757.40	14,383.40	83,959.73	
111	CETC Building			432.60	
114	Bulk Purchasing-Paper			710.79	
117	Boating Safety			274.20	
118	Inmate Welfare			323.11	
123	Paths & Trails-Park-123.310.000			101.06	
123	Paths & Trails-BCPT-123.310.001			313.27	
127	Drug Enforcement-Quad City		400.00	443.55	
128	Crime Victims/Witness-Pros. 000		350.00		
129	House Bill 3900 129.170.001			16.65	
132	Auditor Document Preservation			5,263.97	
135	Prosecutor's Stop Grant		150.00	259.43	
136	Electronic Monitoring			172.50	

BOCC MINUTES-06/29/09

137	Web Site Development			51.51	
138	Federal Equitable Sharing			13,549.00	
141	Washington Housing SHB 2060			1,528.37	
143	Trial Court Improve 143.030.000			240.96	
144	Emerg. Communic. 144.260.001		250.00	8,671.47	95.14
300	CIP Asset Acquis. 300.010.001			3,311.78	
320	CIP Bond 2002 320.010.001			4,204.00	
400	Solid Waste			142,463.58	
501	Equipment Rental & Revolving	350.00	4,662.40	201,531.79	
510	Photocopier Revolving			123.81	
513	Communications Revolving			4,351.27	
660	Whitcom-General 660.911.000	132.77		55,086.50	24.32
660	Whitcom-Grant 660.911.001	5,503.44		13,045.47	15,591.29
690	Clearing Fund 690.002.000	292.64			
690	Clearing Fund 690.005.000				174,813.02
690	CAC Agency Svc. 690.026.001			12,624.67	

069633 4. June 15, 2009 minutes approved.

069634-069650 5. Personnel board orders approved.

10:05 a.m. - Tim Myers.

069651 6. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to approve a grant application data form for the Auditor's Help America Vote Act grant in the amount of \$360,000.

069652 7. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to approve a grant application data form for an Emergency Management Performance grant in the amount of \$12,806.

069653 8. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to sign the 2009-2010 advertising contract with the Spokesman Review (05/31/10).

069654 9. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to sign the 2009-2010 DSHS #0963-68002 Program agreement contract for Developmental Services (06/30/10).

069655 10. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to sign the 2009-10 Developmental Services provider contract with Dreamworks, Inc. (06/30/10).

069656 11. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to sign the 2009-10 Developmental Services provider contract with Palouse Industries, Inc. (06/30/10).

069657 12. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to appoint Rick Finch to the Solid Waste Advisory Committee representing WSU Environmental Health Services. Mr. Finch's term will expire 12/31/11.

BOCC MINUTES-06/29/09

069658 13. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to reappoint Pete Hertz to a 3-year term on the Solid Waste Advisory Committee. Mr. Hertz' term will expire 12/31/12.

069659 14. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to appoint Rick Finch to a 6-year unexpired term on the Board of Adjustment. Mr. Finch's term will expire 12/31/13.

069660 15. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to sign a letter of support for the Community Action Center's Housing Preservation grant.

069661 16. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** voicing no objections to the Guardian Angel-St. Boniface School liquor license request on behalf of Red Barn Farms for events taking place on July 11/12 and October 10/11.

069662 17. The Chairman had signed a letter voicing no objections to the Guardian Angel-St. Boniface School liquor license request on behalf of Red Barn Farms for an event taking place June 27th.

069663 18. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to authorize the publishing of a notice for the small works and professional services rosters.

069663A 19. A letter was forwarded to all Whitman County cities/towns and taxing districts advising them they are now able to use the county's small works and professional services rosters after upon entering into an interlocal agreement with the county.

069664 20. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to sign the 2009-10 DSHS #0963-67935 Program agreement contract For Juvenile Services (06/30/10).

069665 21. A copy of the Department of Community, Trade and Economic Development's acknowledgment of the Port of Whitman designation as Whitman County's 2009-2011 Associated Development Organization (ADO) was received.

069666 22. Notification was received that the Department of Community, Trade and Economic Development will officially change its name to the Washington State Department of Commerce on July 26, 2009.

069667 23. Joe Poire, Port of Whitman Executive Director wrote the commissioners regarding the new SE Washington Executive Director position and ADO partnership.

BOCC MINUTES-06/29/09

069668 24. An email was received WSU Extension concerning their recent district reorganization.

069669 25. As required by law, a 60-day notice was received from the Washington State Department of Transportation (WSDOT) regarding state property be declared surplus at the request of the Port of Whitman.

069670 26. A copy of the Citizens' Commission on Salaries for Elected Officials was received from the Auditor.

069671 27. The 2007 Whitman County Audit and Accountability Reports were received from the State Auditor's Office.

069672 28. Commissioners' pending list reviewed.

10:50 a.m. - Recess.

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

Present: Phil Meyer, Dan Gladwill and Joe Smillie.

ACTION ITEMS

069673 1. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** that the resolution to establish a new direct cost fee schedule for agricultural structures be signed as presented.

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

In the Matter of establishing a)
new Direct Cost Fee Schedule for) **RESOLUTION NO. 069673**
Agricultural Structures as)
required by Washington State Law) **ESTABLISHING FEES**

BEFORE THE BOARD OF COUNTY COMMISSIONERS of Whitman County, Washington in the matter of establishing a new direct cost fee schedule for Agricultural Structures as needed to conform to State law (Senate Bill 5120) as amended in the 61st Legislature 2009 regular session;

WHEREAS, the legislature finds that permit and inspection fees for new Agricultural Structures should not exceed the direct and indirect costs associated with reviewing permit applications, plan review, conducting inspections, and preparing specific environmental documents,

AND, WHEREAS, the legislature defines "Agricultural Structure" as a structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products, which may not be a

BOCC MINUTES-06/29/09

place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor may it be a place used by the public,

AND, WHEREAS, the Board recognizes the necessity to adopt a fee schedule consistent with State Law,

IT IS HEREBY RESOLVED that Whitman County will establish a new direct cost fee schedule for Agricultural Structures, of \$29.69 per hour, with a charge of \$.50 per mile (subject to periodic adjustments to reflect increases in travel and labor costs), beginning on the twenty-sixth day of July, 2009.

ADOPTED this 29th day of June 2009.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

ABSENT
Michael Largent, Chairman

ATTEST:

Greg Partch, Commissioner

Maribeth Becker, CMC
Clerk of the Board

Patrick J. O'Neill, Commiss.

11:10 a.m. - Julie Banks.

069674 2. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to publish the notice of hearing for the 6-Year Road Program.

069675 3. The notice calling for bids for the Almota Road project forwarded to the county's legal newspaper.

Solid Waste Division:

069676 4. A copy of the July 10th and 11th Tire Amnesty Day flyer received.

D069676A 5. Mr. Storey indicated the department is moving forward with the solid waste consultant study. They are now under contract with CH2M Hill to perform the study.

Maintenance Division:

D069676B 6. Mr. Meyers noted the maintenance crew had a good first week of sealcoating and will sealcoat again the week of July 6th.

BOCC MINUTES-06/29/09

D069676C 7. The Long Bridge is the first completed bridge project this year and the road is now reopened.

11:15 a.m. - Board Business Continued/BOCC Workshop.

Present: Mark Storey, Phil Meyer and Julie Banks.

069677 29. Items discussed included the 6-Year Transportation Improvement Program (**069678**) and presentation of Revitalization Area map.

12:00 p.m. - Recess.

1:30 p.m. - Mike Berney, Greater Columbia Behavioral Health (GCBH).

069679 1. Highlights from the June 4, 2009 GCBH meeting:

- The 2009-11 GCBH biennium budget was passed.
- The revised Conflict of Interest Policy was tabled.
- The Board Chair appointed a new subcommittee to lead the recruitment for a GCBH Director and a new plan was approved.
- The Chair was authorized to sign a contract renewal with the Developmental Disabilities Division.

D069679A 2. A special GCBH Board meeting is scheduled for June 30th. GCBH received 3 contracts (PHIP; State; PACT) from the State that are supposed to be signed and returned by June 30th. The contracts would run from July 1st through September 2009 allowing payments to be made to GCBH. Mr. Berney recommended Whitman County vote in favor of authorizing the Chair to sign these contracts. The Board had no objections to the GCBH Chairman signing the 3 contracts.

069680 3. Prior to the start of each new biennium the Funding Committee reviews the GCBH Funding Formula and recommends possible changes, if any, to the Board of Directors. The Funding Committee met May 12th to discuss the funding formula. After much discussion the Committee directed staff to develop a number of spreadsheets reflecting the concepts that had been discussed by the committee. On May 29th the Funding Committee met again to review those spreadsheets. A number of possible formulas were discarded, since they created unintended outcomes, and staff was directed to recalculate several of the remaining formulas. The Funding Committee met after the Board of Directors meeting on June 4th to review the recalculated formulas. A majority of the committee voted to recommend that the GCBH Board of Directors approve Funding Formula #2A with a supplement for the 3 smallest Counties. Mr. Berney recommended Whitman County support the Funding Committee's recommendation of Formula #2A. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** that Whitman County support the Funding Committee's recommendation for Formula #2A.

069681 4. The original amended interlocal agreement proposed by GCBH legal counsel was mostly housekeeping in nature. It clarified/unified liability/indemnification language and reflected the current status of the Yakama Nation. A new version of the amended interlocal was proposed by the Benton County representative. This new version envisions a Board of Directors made up of only County Commissioners that meets quarterly (frequency of meetings is open for input) and focuses on providing policy direction. In addition, it creates a new Operational Board that meets more regularly to operationalize policy direction provided by the Board of Directors and to make certain decisions in between the times the Board of Directors meets. All counties must agree in order to change the interlocal agreement. All GCBH member counties responded to the Regional Office regarding the proposed amended interlocal agreement. Four counties (Kittitas, Klickitat, Whitman, and Yakima) indicated that they were not in favor.

There was much discussion about what possible next steps might look like. Commissioner Jewell from Kittitas County offered to draft some possible compromise interlocal language and share it among the 4 counties that did not sign the amended agreement.

The Benton County representative reported that he had contacted the Kennewick location of the State Auditor's Office and asked how they would view the current situation of GCBH having more than one interlocal agreement. They said that now that they were aware of this situation they would need to include the issue during their next review. GCBH is supposed to receive something in writing from the State Auditor's Office by the end of the June.

A memorandum dated June 22, 2009 was sent from the GCBH Board Chair stressing the importance of displaying a unified front and asking that issues related to GCBH be coordinated through him or the Regional Office. Mr. Berney recommended Whitman County support the compromise language proposed by Commissioner Jewell. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** that Whitman County support the compromise language proposed by Commissioner Jewell.

069682 5. Yakima County charging per involuntary detention to help cover their court costs. In January Yakima County sent letters to all counties stating that they were going to start charging \$400 for court services associated with involuntary detentions and included a Memorandum of Understanding. In response to this request, GCBH decided it would be the responsibility of member counties to pay the \$400 fee if they detained someone at the hospital in Yakima. A judge in Skagit County requested the Attorney General's Office provide an opinion about whether legal costs associated with providing short-term involuntary commitment services is the responsibility of the county in which the hospital is located. The

BOCC MINUTES-06/29/09

informal opinion from the Attorney General's Office is for other than indigent defense involuntary commitment proceedings are to be funded through regional support networks. Yakima County has informed GCBH based on this opinion they plan to start billing GCBH monthly. This could become very messy very quickly. GCBH legal council is researching this issue and may have a recommendation at the July Board meeting.

069683 6. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to accept and sign the 07-01/09 thru 09/30/09 DSHS #0963-68075 Chemical Dependency Program agreement (06/30/10) and that Mr. Berney sign the contract amendments.

D069683A 6. Palouse River Counseling has not yet received the draft report for the clinical audit conducted by GCBH for the Mental Health program but have received the final fiscal audit report.

D069683B 7. The independent audit for Palouse River Counseling has been completed.

2:00 p.m. - Board Business Continued/BOCC Workshop.

Present: Fran Martin and Kelli Campbell (2:00 p.m.) and Sharron Cunningham and Bob Reynolds (2:30 p.m.).

069684 30. Items discussed included Health Department restrictions and the 2009 Capital Improvement Program. No action taken.

3:00 p.m. - Adjournment.

D069684A Commissioner O'Neill **moved** to adjourn the **June 29, 2009** meeting. Motion **seconded** by Commissioner Partch and **carried**. The Board will meet in regular session, in their Chambers', in the Whitman County Courthouse, Colfax, Washington, on **July 7, 2009**. The foregoing action made this **29th** day of **June 2009**.

ss/ PATRICK J. O'NEILL, COMMISSIONER

MARIBETH BECKER, CMC
Clerk of the Board

GREG PARTCH, VICE CHAIRMAN
Board of County Commissioners