

**BOCC MINUTES-07/16/18**

**080398**        **THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, July 16, 2018** 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: Mark Storey and Troy Henderson (9:00 a.m.), Denis Tracy, Bill Tensfeld, Gary Petrovich, (9:10 a.m.) and Will DeMarco (9:15 a.m.) and Kelli Campbell (10:40 a.m.).

**080399**        **1.**        The following items were discussed but no action was taken.

- HIPAA/Training
- Radio Equipment Financing
- Noise Issue
- Port/County Meeting
- Collections Policy
- PayneWest Update
- Salary Commission
- Prosecutor's Case Mgmt. Software

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

**10:15 a.m. - Flag Salute.**

Present: Gary Petrovich, Bill Tensfeld, Bobbie Ryder, Lisa Carloye, Sherry Farr, Bob Russell and Garth Meyer.

**D080399A**     **2.**        **Pledge of Allegiance.**

**Consent Agenda:**

**080400**        **3.**        Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to accept the consent agenda as presented.

**080401**        **4.**        Treasurer's Wire Transfers and Check Report in the amount of **\$0** and General Claims/Veterans' Relief warrants numbered **337329-337466** for **\$417,380.44** approved.

**080402**        **5.**        July 2, 2018 minutes approved.

**080403-080408**     **6.**        Personnel change orders approved.

**10:25 a.m. - Paul Spencer.**

**080409-080410**     **7.**        Gary Petrovich said Holman Capital and Government Capital provided funding proposals for the purchase of Emergency Communications radio equipment. Although Holman Capital's proposal was somewhat less expensive, Government Capital's proposal better meets the County's needs and they are willing to incorporate all changes requested by the County Prosecutor. Government Capital is requesting a copy of today's minutes. (The approved minutes will be available 07/30/18.)

Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to sign a resolution and associated documents authorizing borrowing of funds for Emergency Communications radio equipment from Government Capital.

**RESOLUTION # 080410**  
**A RESOLUTION REGARDING A LEASE PURCHASE AGREEMENT**  
**FOR THE PURPOSE OF FINANCING A**  
**RADIO REPEATER SYSTEM**

WHEREAS, contingent upon the approval of the Attorney of Whitman County (the "Issuer"), the Issuer desires to enter into that certain lease purchase agreement by and between the Issuer and Government Capital Corporation ("GCC") for the purpose of financing a *Radio Repeater*

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System. The Issuer desires to designate this lease purchase agreement as a "qualified tax exempt obligation" of the Issuer for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

NOW THEREFORE, BE IT RESOLVED BY WHITMAN COUNTY:

Section 1. That the Issuer will enter into a lease purchase agreement with GCC for the purpose of financing a *Radio Repeater System*.

Section 2. That the lease purchase agreement by and between Whitman County and GCC is designated by the Issuer as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Issuer will designate the *Board Chairman, Dean Kinzer* as authorized signer of the lease purchase agreement by and between Whitman County and GCC.

PASSED AND APPROVED by the Board of Commissioners of Whitman County in a meeting held on the 16th day of July 2018.

**Issuer: Whitman County**

**Witness Signature**

\_\_\_\_\_  
Dean Kinzer  
Board Chairman

\_\_\_\_\_  
Maribeth Becker, CMC  
Clerk of the Board

**080411** 8. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to table action on an agreement with Codan for purchase of Emergency Communications radio equipment until July 30th. It was explained by the Clerk an agreement with Codan cannot be submitted to the county until Mr. Tensfeld authorizes a purchase order. However, Mr. Tensfeld was not willing to submit a purchase order to Codan before financing in place. Now that the Board has approved the financing Mr. Tensfeld said he would submit a purchase order today. Gary Petrovich indicated this could be a problem with the lender if the purchase isn't approved today.

Therefore, Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to remove tabling item #8-Emergency Communications radio equipment purchase agreement until July 30<sup>th</sup>. Motion **carried**.

Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to authorize the agreement for purchase of Codan Emergency Communications radio equipment pending review and approval of the Codan radio equipment agreement by the Emergency Communications Director and authorizing signature by the Chairman once due process is completed.

**080412** 9. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to sign the Whitman County Comprehensive Emergency Management Plan.

**080413** 10. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to authorize the Chairman to sign the 2018 - 2<sup>nd</sup> quarter PDC lobbyist report.

**080414** 11. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to reappoint Ed Schultz to a 6-year term, expiring 07/16/24 on the Water Conservancy Board.

**RESOLUTION NO. 080414  
BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS**

**IN THE MATTER OF APPOINTING A MEMBER TO THE WHITMAN COUNTY WATER CONSERVANCY BOARD.**

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WHEREAS, water conservancy boards were authorized pursuant to SHB-1272 in 1997 and later amended by the legislature in 2001 to allow Water conservancy Board member to be increased from three to five; and,

WHEREAS, Whitman County is in need of filling a vacancy on the local Water Conservancy Board.

NOW, THEREFORE, BE IT RESOLVED that the Board of Whitman County Commissioners hereby reappoints:

**Ed Schultz of Colfax, WA (Whitman County Resident) to a six-year term;** and,

This term begins **July 17, 2018** and expires **July 16, 2024**. The Water Conservancy Board will function within the geographical borders of Whitman County, exercising administrative powers enumerated within Title 90 R.C.W. and the attached bylaws; and,

Dated this **16th** day of **July 2018** and effective as of **July 17, 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

**080414A**     **12.**     Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve the Sheriff's grant application data forms as presented.

**080415**     Boating Safety from 03/01/18-09/30/18 for \$20,608.96  
**080416**     Alcohol Impaired Driving from 01/01/18-12/31/18 for \$5,800.00  
**080417**     State & Highway Community Safety from 01/01/18-12/31/18 for \$3,000.00

**080418**     **13.**     A follow-up email was received from John Gamon, DNR regarding the status of the Steptoe Butte acquisition proposal. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to sign a letter of comment to the Department of Natural Resources regarding the Steptoe Butte land acquisition.

**CORRESPONDENCE:**

**D080418A**   **14.**     The following correspondence was received:

**080419**     **14A.**    Notice of marijuana licenses due to expire 12/31/18 was received from the Washington State Liquor & Cannabis Board.

**080420**     **14B.**    An executed copy of the engagement letter and appointment of a Special Deputy regarding the Purdue Pharma lawsuit was received from Keller Rohrback, LLP.

**080421**     **15.**     Commissioners' pending list reviewed.

**080422**     **16.**     Bobbie Ryder and Lisa Carloye met with the Board and gave a presentation on rail banking/Colfax-Albion-Pullman (CAP) Trail. Ms. Ryder distributed a power point handout. In summary:

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- Railbanking and region vitality
- Railbanking and multimodal transportation
- Our growing regional trail system
- Railbanking is the financially beneficial option
- Railbanking and tourism
- The future for rail need is uncertain - railbanking preserves options
- Taxpayer investment is preserved for public benefit
- Economic engine-trails encourage tourism
- Quality of life
- No downside to railbanking the CAP Corridor-it is the best option

**10:45 a.m.** - Mark Storey.

Ms. Ryder asked for the commissioners' participation and being part of the conversation toward helping the Pullman Civic Trust find solutions toward guiding the vision of railbanking the CAP Corridor.

Commissioner Largent wondered if Ms. Ryder has a better idea what the legislative process looks like to bring this issue to resolution. Bob Lutz said he understands there are two avenues; legislation through the Transportation Committee and the budget process. Any legislative bill would probably occur near the end of the session.

Commissioner Swannack said there is angst in the Transportation Committee about pulling any active/inactive railroad lines and that must be worked out first before anything else is considered and Commissioner Largent concurred.

Commissioner Swannack continued about railroad access easements for landowners adjacent to the rail line. WSDOT says they have no paperwork for these railroad crossing and the landowners are concerned about their access and want to be assured they do in fact have access. Sherry Farr added that the landowners are having to pay a fortune for access to their own property. Lisa Carloye said railbanking and crossings could be made official, however as she understands the landowners could potentially use a trail to answer some of these illegal limbo accesses. If the rail reverts back to the railroad in the future, the railroad would have to honor those crossings and she hoped trail creation solves some of these crossing problems.

Paul Spencer talked about the cost of constructing a trestle for bicycles is less expensive and Commissioner Swannack agreed, but said there must be access for emergency responders and it must be in the design.

Ms. Carloye asked the Board if they have any thoughts or concerns about what Pullman Civic Trust should be doing and Commissioner Largent responded, the legislative process and then funding.

**080423**      **17.**      The June ending budget performance report presentation did not take place.

**11:05 a.m.** - **Public Works.**

Present: Mark Storey, Brandon Kruger, Dan Gladwill, Paul Spencer, Michele Beckmann and Garth Meyer.

**080424**      **17A.**      The following Public Works related issues approved/updated:

**ACTION ITEMS:**

**08042518.**      The regular meeting was recessed and the hearing convened by the Chairman for the 6-Year Transportation Improvement Plan 2018-2023.

A revised summary report was provided by Mark Storey.



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**2022**

- #8 COUNTYWIDE SEALCOAT
- #9 COUNTRY CLUB ROAD
- #10 WARNER ROAD

**2023**

- #11 PULLMAN AIRPORT ROAD
- #12 JOHNSON AREA ROADS
- #13 JOHNSON ROAD

**2024**

- #14 GREEN HOLLOW ROAD (3)
- #15 GREEN HOLLOW ROAD
- #16 LAMONT & HARDY ROADS

\* Denotes secured funding

**080426A**      **20.**    Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve publishing the notice to call for bids for the Farmington Road Overlay 2 project.

**DIVISION UPDATES:**

**D080426B**      **21.**    The following division updates provided by Public Works staff.

**Building Division:**

**080427**      **21A.**    The 2<sup>nd</sup> quarter Building Department report was received from and reviewed by Dan Gladwill.

**D080427A**      **21B.**    The Building Department is also updating its software.

**Engineering Division:**

**D080427B**      **21C.**    The Ackerman Bridge off of Young Road is being reviewed to determine if some changes can be made so the posting can be removed along with a sign that would say "no more than one truck on the bridge at any time".

**11:25 a.m.** - Troy Henderson.

**Maintenance Division:**

**D080427C**      **21D.**    Maintenance crews will be chip sealing sand Road tomorrow; Glenn Miller Bridge project update; grading and mowing got a little behind in District 2 due to other District 2 projects. A lot of moisture has been lost for grading purposes, but crews will take care of roads that need it the most. Farmington Road preparation work will be done by the county; Klaveno Road ditching will be done later this year.

**Administrative Division:**

**D080427D**      **22E.**    The structural engineer will be on-site tomorrow to check the stress on the Public Service Building.

**Solid Waste Division:**

**D080427E**      **21F.**    The Department is considering capital facilities for a small modular building at the Landfill.

**11:35 a.m.** - Bailey Wiedmer.

**080428**      **22.**    At 11:30 a.m. Troy Henderson and Kelli Campbell joined the meeting for an update on HIPAA. Mr. Henderson said he continues to make progress and Chris Nelson continues to keep the Information Technology portion up-to-date.

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**080429**      **23.**    Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to authorize annually required HIPAA training as recommended.

**D080429A**    **24.**    Approved documents signed.

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

**D080429B**    **THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Tuesday, July 17, 2018** 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. - Reconvene/Board Business Continued/BOCC Workshop.**

Present: Jon Kaino, Kelli Campbell, Bailey Wiedmer and Gary Petrovich (9:00 a.m.).

**080430**      **25.**    The following items were discussed but no action was taken.

- WCIF Update
- County's Ins. Broker

**10:30 a.m. - Recess.**

**D080430A**    **THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, July 23, 2018** 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. - Reconvene/Board Business Continued.**

**D080430B**    **26.**    Approved consent agenda items signed.

**080431-080432**    **27.**    Treasurers Wire Transfers and Check Report in the amount of **\$403,552.94** and General/Veterans' Relief/Payroll warrants numbered **337524-337598** for **\$246,055.77** approved.

**080433-080434**    **28.**    Personnel change orders.

**080435**      **28A.**    Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to amend the agenda adding items #28B for Salary Commission appointments and #28C for emergency declaration resolution.

**080436**      **28B.**    Move to appoint James Onstad to a 4-year unexpired term, expiring 12/31/19 and Darren Jones to a 4-year unexpired term, expiring 12/31/20 on the Whitman County Citizens' Commission on Salaries for Elected Officials.

**080437**      **28C.**    Mark Storey distributed a report from Evan Laubach, P.E. with Reliant Engineering regarding significant damages to the floor stringers under the front portion of the Public Service Building caused by dry rot. The engineer was actually hired to report on an issue at the back of the building and discovered the front portion to be an emergent situation. The engineer is seeking quotes from contractors for repairs. Mr. Storey estimated repairs in the range of \$25,000-\$50,000. All areas of concern have been cordoned off. Staff and computer equipment have been relocated to others areas of the building. Mr. Storey confirmed there is no hazard to the 2<sup>nd</sup> floor of the building.

Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to sign a resolution declaring an emergency and waiving all bidding requirements.

RESOLUTION NO. 080437  
OF  
THE BOARD OF COUNTY COMMISSIONERS  
FOR WHITMAN COUNTY, STATE OF WASHINGTON

**WHEREAS**, the Board of County Commissioners for Whitman County, State of Washington, met in regular session on Monday, July 23rd, 2018; and

**WHEREAS**, The Facilities Staff discovered an extreme structural failure to the floor system adjacent to the front entry of the Public Service Building. Evan Laubach PE of Reliant Engineering was also present and verified the imminent failure of the structure adjacent to the front entry; and

**WHEREAS**, immediate action is needed to protect the safety of employees, the public, and the structural integrity of the facility and its amenities; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners hereby declares the existence of an emergency and activates its emergency powers pursuant to R.C.W.39.04.281; and

**BE IT FURTHER RESOLVED**, that Whitman County is authorized to enter into contracts and incur obligation, without regard to time consuming procedures and formalities prescribed by law, necessary to engineer and perform repairs to the floor system in the Public Service Building.

**PASSED, APPROVED AND ADOPTED** this 23rd day of July, 2018.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
Dean Kinzer, Chairman

\_\_\_\_\_  
Arthur D Swannack, Commissioner

\_\_\_\_\_  
Michael Largent, Commissioner

ATTEST:

\_\_\_\_\_  
Maribeth Becker, CMC  
Clerk of the Board

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

Present: Gary Petrovich, Mark Storey, Will DeMarco, Bailey Wiedmer and Katie Short (9:25 a.m.).

**080438 29.** The following items were discussed but no action was taken.

- Public Service Building
- Janus Decision
- GR 36/CH Security
- HIPAA Consultant
- Hanson/Restricts/Equipment
- Planning Staff Hours
- Solid Waste Facility Staff
- 2019 Public Works Budget
- Wawawai Road Fire
- Gravel Roads\Supply

**10:30 a.m. - Adjournment.**

**D080438A** Commissioner Largent **moved** to adjourn the **July 16, 17 and 23, 2018** meeting. Motion **seconded** by Commissioner Swannack and **carried**. The Board will meet in regular session,



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in their Chambers', in the Whitman County Courthouse, Colfax, Washington, on **July 30, 2018**.  
The foregoing action made this **23rd** day of **July 2018**.

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