

## Minutes for July 19<sup>th</sup>, 2004

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**062721 THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **July 19, 2004 at 9:00 a.m.** G.R. "Jerry" Finch and Greg Partch, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended. Chairman Wigen was excused from today's meeting.

**9:00 a.m. - Call to Order/Pledge of Allegiance.**

Present: Dan Brown and Tammy Lewis.

**D062721A 1. Motion** by Commissioner Finch to approve the consent agenda. Motion **seconded** by Commissioner Partch and **carried**.

**062722 2.** Claims/Payroll warrants numbered 164831-164870, 164705-164936, 165123-165144 and 165302-165430 for **\$202,263.69** approved.

FUND	FUND NAME	AMOUNT	AMOUNT	AMOUNT
001	Current Expense	35,530.40	7,305.20	67,714.86
102	Building & Development	1,300.00		351.70
103	Countywide Planning	1,021.20		883.92
104	Developmental Services	3,768.79		
110	County Roads	16,084.40	4,050.00	3,538.53
117	Boating Safety	470.40		
118	Inmate Welfare	14.50		
119	Emergency Services	3,005.85		
123	Paths & Trails	478.74		
127	Drug Enforcement	686.38		
300	Capital Projects	900.24		
320	Cap. Project/Outside Sources (Bond)	12.01		
400	Solid Waste	2,159.60	1,832.30	
501	Equipment Rental & Revolving	4,613.20	450.00	43,308.38
513	Communications Revolving	2,483.09		
655	Hospital District	300.00		
690	Clearing & Suspense	254,613.85		
ET	Electronic Transfer	388,756.99		

**062723 3.** July 12, 2004 minutes approved.

**062724 4.** Personnel board orders approved.

**062725 5.** Mr. Brown presented an asset acquisition request for network switches to communicate with 6 different locations. He had originally intended to purchase one switch in the Corrections Building. After reviewing the situation further he suggested purchasing a "Layer 3" switch

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(\$3,514) that would provide more functionality. In addition to the switch, Mr. Brown said an Uninterrupted Power Supply (UPS) melted down in the District Court office affecting other equipment. Replacement items include a new UPS (\$560), Rack Mount set (\$110) and Hub (\$924) for \$1,594 for a grand total of \$5,107.

**Motion** by Commissioner Finch **seconded** by Commissioner Partch and **carried** to approve the request to be deducted from the Asset Acquisition fund.

**062726** 6. **Motion** by Commissioner Finch **seconded** by Commissioner Partch and **carried** to sign final change order #3 with SMK construction Co., Inc. for the HVAC/Jail Boiler project in the amount of \$12,524.

**062727** 7. **Motion** by Commissioner Finch **seconded** by Commissioner Partch and **carried** to reappoint Jim Hawkes and Terry Jeffries and appoint Peggy Wright to 2-year terms on the Classification Committee. A letter of appreciation for service was also forwarded to Dorothy Talley.

**062728** 8. **Motion** by Commissioner Finch **seconded** by Commissioner Partch and **carried** to sign the 2004 cooperative agreement with Palouse Conservation District for the local agricultural burn permitting program.

**062729** 9. A copy of Palouse City ordinance #799 was received. The ordinance is an attempt to pursue annexation into the Whitman Library District by the voters of Palouse. **Motion** by Commissioner Finch **seconded** by Commissioner Partch and **carried** to approve said request. (On July 20<sup>th</sup> the Palouse City Clerk requested this issue be postponed until further notice.)

**062730** 10. Information pertaining to regular motor vehicle fuel tax and County Arterial Preservation program allocation factors for calendar year 2005 were received from the County Road Administration Board.

**D062730A** 11. Commissioners' pending list reviewed.

**9:30 a.m. - BOCC Workshop.**

Present: Maribeth Becker.

**062730B** 12. Items discussed included per diem rates, professional architectural services, Endicott Road speed limit letter, letter to BOCC, library invitation and Sheriff's expenses. No action taken.

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

**2:00 p.m. - Dane Dunford, Public Works Director.**

Present: Mike Schuler.

**Action Items:**

062731 1. **Motion** by Commissioner Finch **seconded** by Commissioner Partch and **carried** that the resolution to close the Tidwell Road for the Palouse Cove Road project be signed as presented.

**RESOLUTION NO. 062731**

BEFORE THE BOARD OF COUNTY COMMISSIONERS of Whitman County, Washington in the matter of temporarily closing a portion of a certain road pursuant to R.C.W. 47.28.010;

IT IS HEREBY RESOLVED that the Tidwell Road #1570 be temporarily closed to vehicular traffic from milepost 0.0 to milepost 0.55 for three periods of up to four days each to accommodate rock removal from Gnaedinger Quarry during the Palouse Cove Road reconstruction project, beginning July 26, 2004. The road segment temporary closures shall be posted with fixed or movable signs indicating the period of closure.

ADOPTED this 19<sup>th</sup> day of July 2004.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

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Les Wigen, Chairman

ATTEST:

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Greg Partch, Commissioner

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Maribeth Becker, CMC  
Clerk of the Board

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G. R. Finch, Commissioner

062732 2. **Motion** by Commissioner Finch **seconded** by Commissioner Partch and **carried** to publish the notice of road closure for Tidwell Road.

**Planning Division:**

062733 3. Official transmittal of the Harold Felsted Comprehensive and Zoning Ordinance proposed amendment was received from Mike Schuler. **Motion** by Commissioner Finch **seconded** by Commissioner Partch and **carried** to set the date for a decision on amending the Comprehensive Plan and Zoning Code language for the proposed Felsted zone change removing 54.4 acres of land from the Moscow-Pullman Corridor District on July 26<sup>th</sup> at 11 a.m. immediately following the 6-year road program hearing.

D062733A 4. At the Planning Commission's request, the Planning Commission will be taking a tour on Wednesday associated with rural residential.

**Maintenance Division:**

D062733B 5. The Director provided a seal coating update.

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**2:25 p.m. - Board Business Continued/BOCC Workshop.**

Present: Denis Tracy (2:30 p.m.) and Kelli Campbell (3:20 p.m.).

**D062733C 13.** Items discussed included District and Superior Court indigent defense contracts, reclassification of a position in the Prosecutor's office and sick leave conversion clarification. No action taken.

**4:30 p.m. - Recess.**

**D062733D THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **July 20, 2004 at 2:00 a.m.** G.R. "Jerry" Finch and Greg Partch, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

**2:00 p.m. - Reconvene/Board of Health.**

Present: Fran Martin and John Skyles.

**D062733E 1.** John Skyles reported West Nile Virus surveillance is on-going.

**D062733F 2.** Mr. Skyles attempt at contacting the manager of Roto Rooter before the meeting regarding the proposed septage dewatering facility at the Port of Wilma were unsuccessful. Everything looked good and the project was a go, but the last he heard there was a problem. Joe Poire with the Port of Whitman talked to him about the capabilities of the plant, which is strictly the Department of Ecology's (DOE) purview and not Public Health. Additional water is needed for this underserved facility for it to function properly. Mr. Poire seemed to be concerned about taking up that much capacity of the plant in the event of future development. Mr. Skyles said he would personally like to see a good sludge septage repository because the local treatment plants are not taking the sludge or are increasing the prices making it untenable.

**D062733G 3.** According to Mr. Skyles, the Dusty Restaurant has had a long on-going problem with nitrates as far back as 17 years, at which time the owners posted a caution sign about high nitrates. The state (DOE) did not like the caution sign idea. They were concerned people wouldn't see the sign for an acute health hazard associated with nitrates at 10 or above. The state says it is not a caution issue. For a pregnant mother, the fetus could suffer damage at 10 parts per million-nitrate level. The state told the owners they had to find another well. They located a good, deep-drilled irrigation well on the hill. When tested, the nitrate level was below 10, but still above background level. Over the past few years the nitrates in this well has fluxuated above 10 quite a few times. Therefore, this well is not meeting the maximum, contaminate standards for drinking water either. The owners are very conscientious about taking samples and turning them in. The state has asked the owners to sign a bilateral compliance agreement. They are supposed to sample for nitrates on a quarterly basis and hire an engineer to institute a solution to the problem. The solution is to drill a new, deeper well or install an

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osmosis filtration device. It has been Mr. Skyles' impression that the nitrates tend to rise after a heavy rainfall. Ms. Martin reiterated the county has no jurisdiction over this matter. It is a state issue.

**062734** 4. A guidebook for Local Board of Health members was received from Ms. Martin.

**D062734A** 5. Ms. Martin reminded the Board of the July 30<sup>th</sup> meeting with the local health liaison, Secretary of Health Mary Selecky, representatives from Whitman, Columbia and possibly Dean Burton from Garfield County to talk about partnership issues and activities.

**D062734B** 6. Both Garfield and Columbia Counties have had program audits and no findings were noted.

**D062734C** 7. Ms. Martin is in the interviewing process for a clerical support position in Pullman and clinical dietician.

**D062734D** 8. The Health Department is dealing with a case of Pertussis and are following a possibly a case of Niesseria Meningitis.

**062735** 9. The Health Department is partnership with the Community Action Center, Council on Aging and Alternatives to Violence for a program called, "You Can Help Cover Our Buns", a baby diaper drive to be held September 13-30, 2004.

**D062735A** 10. On our last round of tobacco compliance checks there was a problem with a merchant. Subsequent to that the program coordinator spoke to the Chairman of the Board. From that meeting questions were raised about the compliance checks, who should perform the checks and who is responsible for enforcement. Therefore, Ms. Martin distributed the following materials to assist in answering the Board's questions.

- 062736** Whitman County activities summary 2003-04
- 062737** Planned activities detail report
- 062738** Teen volunteer compliance check packet
- 062739** Retailer compliance check training notes

The tobacco compliance checks are state mandated by R.C.W. 70.155. The Health Department has been designated as the agency to conduct the checks. The Washington State Liquor Control Board (WSLCB) is the enforcement agency. If the Health Department does not conduct the checks, the state can cut the county's tobacco funding of \$50,000. The federal government also mandates these checks and the county's rating must be kept under 80%. The difference between the county conducting the checks versus the WSLCB is a matter of education.

Letters are sent to all merchants notifying them of the upcoming compliance checks and reinforcing the rules. The youths that are taught to be compliance checkers are instructed to tell the truth and be honest about

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their age. They are not trying to catch or entrap a merchant. If the Board wishes the Department not comply by not performing these checks, the Director would initiate negotiations with the state for tobacco funds and the county would have to contract with someone else to perform the compliance checks. Either way, the county is responsible for the compliance checks.

After further discussion Ms. Martin asked for the Board's direction by the September Board of Health meeting since the contract for renewal comes up again in October. The commissioners agreed to review the law and visit with other county commissioners.

Commissioner Finch agreed education is important and he could live with the program if the youths were fined along with the merchants because that would make the youths partially responsible. Commissioner Partch agreed with the educational aspect of the program.

No decision will be rendered on this issue until September 21<sup>st</sup>.

**D062739A 11.** The next Board of Health meeting is August 17<sup>th</sup>.

**2:40 p.m. - Board Business Continued.**

Present: Fran Martin and John Skyles.

**D062739B 14.** Items discussed included the 12-partner Emergency Management mitigation plan partnership and inventory of all emergency management equipment.

**2:45 p.m. - Recess.**

**3:15 p.m. - Board Business Continued/BOCC Workshop.**

Present: Brett Myers.

**D062739C 15.** Position vacancies in the Sheriff's office discussed. No action taken.

**4:00 p.m. - Adjournment.**

**D062739D** Commissioner Partch **moved** to adjourn the **July 19** and **20, 2004** meeting. Motion **seconded** by Commissioner Finch and **carried**. The Board will meet in regular session, in their Chambers', in the Whitman County Courthouse, Colfax, Washington, on **July 26, 2004**. The foregoing action made this **20<sup>th</sup>** day of **July 2004**.

ss/ G.R. FINCH, Commissioner

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MARIBETH BECKER, CMC  
Clerk of the Board

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GREG PARTCH, VICE-CHAIRMAN  
Board of County Commissioners