

## Minutes for August 4, 2008

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**068482 THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, August 4, 2008 at 9:00 a.m.** Chairman Michael Largent, G.R. Finch and Greg Partch, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

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

Present: Kelli Campbell (9:00 a.m.).

**068483 1.** The issue of recruitment and redistricting discussed. No action taken.

**9:15 a.m. - Board Business/Executive Session.**

Present: Kelli Campbell and Gary and Valerie Hunt (9:15 a.m.).

**D068483A 2.** Commissioner Partch **moved** Commissioner Finch **seconded** the motion and it **carried** to go into executive session with the above individuals until 10:00 a.m. for negotiation matters.

**10:00 a.m. - Return to Open Session/Pledge of Allegiance.**

Present: Kelli Campbell.

**D068483B 3. Motion** by Commissioner Finch to accept the consent agenda. Motion **seconded** by Commissioner Partch and **carried**.

**068484 4.** Claims/Payroll warrants numbered **218266-218267, 218310, 218313-218314** and **218318-218441** for **\$522,928.73** approved.

FUND	FUND NAME	AMOUNT	AMOUNT	AMOUNT	AMOUNT
001	Current Expense	879.13	3,027.14	2,544.79	39,070.09
103	Countywide Planning				42.00
110	County Roads				8,018.77
111	CETC Building				88.07
115	Hotel/Motel Tax				798.17
117	Boating Safety				170.36
122	Sheriff's K-9 Unit				46.02
127	Drug Enforcement-Quad City			440.50	12,047.55
129	House Bill 3900-CASA				100.00
134	Elections Reserve Fund			108.00	177.84
144	Emergency Communications-144.260.001				16,605.47
300	Cap. Projects Asset Acq.-300.010.001				79.57
320	Cap. Project/Out. Sources (Bond)				360.00

**BOCC MINUTES-08/04/08**

400	Solid Waste				157,837.01
410	Solid Waste Reserve				1,206.00
501	Equipment Rental & Revolving			45.50	52,080.74
511	Unemployment Insurance				1,028.00
513	Communications Revolving			177.11	1,321.45
658	Rural Library			902.30	
660	Whitcom-General-660.911.000				1,247.92
660	Whitcom-Grant Funding-660.911.001				1,819.03
690	Clearing Fund 690.004.000	52,051.75			
690	Clearing Fund 690.005.000				168,608.45

**068485** 5. July 28, 2008 minutes approved.

**068486-068492** 6. Personnel board orders approved.

**068493** 7. An agreement with Dingus, Zarecor & Associates for financial assistance was tabled until 08/11/08.

**068494** 8. Commissioner Partch **moved** Commissioner Finch **seconded** the motion and it **carried** to approve a resolution revising the countywide petty cash accounts.

**068495** 9. Commissioner Finch **moved** Commissioner Partch **seconded** the motion and it **carried** to sign resolution 068495 revising the Staffing During Suspended Operations policy.

**RESOLUTION NO. 068495  
BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS**

**IN THE MATTER OF** adoption for the Whitman County Policy **Staffing During Suspended Operations;**

**WHEREAS,** this policy has been reformatted, amended and numbered to match the County's policy structure,

**WHEREAS,** this action is necessary and in the best interest of Whitman County and its employees,

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by this Board that the above is approved as attached **POL-1800-HR STAFFING DURING SUSPENDED OPERATIONS.**

Dated this 4<sup>th</sup> day of August 2008 and effective as of September 1, 2008.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

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Michael Largent, Chairman

ATTEST:

Greg Partch, Commissioner

Maribeth Becker, CMC  
Clerk of the Board

G.R. Finch, Commissioner

Effective: September 1, 2008

**POLICY**

Cancels: 1996 Policy

Approved By: BOCC

See Also:

Resolution #: 068495

**Policy: POL-1800-HR STAFFING DURING SUSPENDED OPERATIONS**

This policy applies to all county employees and departments unless otherwise stated in a bargaining unit contract.

**Definitions:**

**Suspended Operations** - The regular business of county departments are temporarily stopped or altered.

**Essential Personnel** - County employees needed to maintain specific operations of each department. Essential personnel may change depending on the emergency.

**1. It is Whitman County's Policy to Maintain County Operations.**

Whitman County maintains operations in accordance with Whitman County Code 2.32. However, the County recognizes that emergency situations do arise where suspended operations of all or part of the County may be necessary.

**2. Operations shall be Maintained by Essential Personnel.**

Essential personnel shall maintain each department's necessary functions in accordance with the Whitman County Emergency Management Plan. If approved by the Department Head/Elected Official, employees may perform work from home. Employees may also be directed to an alternate work site and assigned temporary duties in response to the office closure.

Essential personnel are chosen and directed at the discretion of the Department Head/Elected Official and the Whitman County Emergency Management Plan. Again, essential personnel may change depending on the emergency.

**3. Employees will be Notified of Suspended Operations.**

Suspended operations shall be determined by the Board of County Commissioners, the Emergency Management Department and other Elected

Officials. Employees shall be notified of the suspension directly or at the direction of each Elected Official.

**4. Employees shall Receive Regular Pay or Use Accrued Leave.**

Employees unable to work during suspended operations shall receive straight pay for regularly scheduled hours under the following conditions:

- a) the employee arrived at his/her work location but was sent home prior to the end of his/her shift;
- b) the employee was unable to arrive at his/her work location due to road closures; or
- c) the employee was contacted by the County and told to stay home due to suspended operations.

Regular pay shall be paid for all regularly scheduled hours up to fifteen calendar days. After fifteen days employees may begin using accrued leave. An extension of the fifteen day period may be extended with the approval of the Board of County Commissioners.

Employees choosing to stay home from work without meeting one of the conditions above shall have the option of using accrued leave or leave without pay. Employees may also arrange to make up lost hours in lieu of using accrued time in accordance with provision five of this policy.

Employees previously scheduled to use accrued leave during the hours of suspended operation shall use their accrued leave as planned.

Temporary employees shall be paid only for hours worked.

All policies and contract language pertaining to employees notifying their supervisor of absences still apply.

**5. Employees Shall Account for Lost Work Hours.**

Employees may account for lost work hours by using the following options:

- a) Accrued annual leave; or
- b) Accrued compensatory time; or
- c) Floating holiday; or
- d) Leave without pay;
- e) Requesting make up time for hours lost as a result of suspended operations.

If an employee chooses to make up missing hours, he/she must select this option within fifteen calendar days after operations resume. Reasonable work must exist and the Department Head/Elected Official

must approve the request to work. The time must be made up within ninety calendar days after operations resume. The Department Head/Elected Official shall schedule hours at a time most convenient to the work of the department and, whenever possible, at the most convenient time for the employee.

All hours worked are compensated in compliance with FLSA rules. If the employee is subject to the FLSA, he or she receives time-and-one-half compensation or compensatory time for hours worked over forty hours in one week.

**068496** 10. Commissioner Partch **moved** Commissioner Finch **seconded** the motion and it **carried** to approve the THOR Expansion program document for the homeless.

**068497** 11. A copy of the AMTEC rebate computations report for the county's 2002 bond was received from the Treasurer.

12. The following executed documents were received:

- 068498** Moscow School of Massage
- 068499** Colton School District 2008-09 School Health Services contract
- 068500** Endicott School District 2008-09 School Health Services contract
- 068501** Lacrosse School District 2008-09 School Health Services contract
- 068502** Oakesdale School District School Health Services contract
- 068503** Palouse School District 2008-09 School Health Services contract
- 068504** Rosalia School District 2008-09 School Health Services contract
- 068505** St. John School District 2008-09 School Health Services contract
- 068506** Steptoe School District 2008-09 School Health Services contract
- 068507** Tekoa School District 2008-09 School Health Services contract

**068508** 13. Commissioners' pending list reviewed.

**10:15 a.m. - Whitman County Code 2.02.040, Salary Commission.**

**068509** Chairman Largent convened the hearing as published for proposed revisions to Whitman County Code 2.02.040. The Clerk reported the proposed revisions, as drafted by Denis Tracy, deal only with changes to the statute pertaining to the county prosecutors' salary.

There being no comments received, the Chairman adjourned the hearing. Commissioner Finch **moved** Commissioner Partch **seconded** the motion and it **carried** to accept the changes to Whitman County Code 2.02.040 as it relates to the Salary Commission.

**ORDINANCE NO. 068509**

**AMENDING THE SALARY COMMISSION ORDINANCE (WHITMAN COUNTY CODE, CHAPTER 2.02.040) IN REGARDS TO THE SALARY OF THE PROSECUTING ATTORNEY**

**BOCC MINUTES-08/04/08**

WHEREAS, the 2008 Legislature adopted Substitute Senate Bill (SSB) 6297, amending RCW 36.17.020 and changing elected prosecuting attorney salaries, effective July 1, 2008; and,

WHEREAS, the Legislature acknowledged that the elected county prosecuting attorney functions as both a state officer pursuing criminal cases on behalf of the state and as a county officer acting as counsel for the county; the responsibilities and decisions of the elected prosecuting attorney are essentially the same in every county of Washington, and the same high level of skill and expertise is needed in the least populous county as in the most populous county; and the Legislature further found that the salary of the elected prosecuting attorney should be tied to that of a Superior Court Judge; and,

WHEREAS, in recognition of the elected county prosecuting attorney's dual role as a State officer and County officer, RCW 36.32.020 required the State pay one-half of the salary of each elected prosecuting attorney, which salary is established for each County by the respective Boards of County Commissioners, County Councils or Salary Commission of each County; and,

WHEREAS, under RCW 2.08.092 the annual salary of a Superior Court Judge is set by the Washington Citizens' Commission on Salaries for Elected Officials; and,

WHEREAS, Whitman County Code 2.02.040 currently provides that the entire salary of the Whitman County Prosecuting Attorney be set by a local salary commission; and,

WHEREAS, under SSB 6297 the State of Washington increased the amount of the State's contribution to the salaries of elected county prosecuting attorneys to one-half the annual amount of a Superior Court Judge's salary, and mandated that the counties may not reduce the counties' contribution to the salaries of the elected prosecuting attorneys below the 2008 amount;

WHEREAS, the local salary commission should continue to set the County's contribution to the salary of the elected prosecutor.

NOW, THEREFORE, IT IS HEREBY ORDAINED:

1. Whitman County Code 2.02.040, Attachment A, is amended as set forth and attached hereto. Material underlined is added and material stricken through is deleted; and

- 2. The salary of the Whitman County Prosecuting Attorney shall be modified according to the method set forth in the amended Whitman County Code 2.02.040 for the remainder of 2008 and thereafter; and
- 3. This ordinance is effective July 1, 2008 in conformance with state law.

DATED this 4<sup>th</sup> day of August 2008.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

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Michael Largent, Chairman

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Greg Partch, Commissioner

ATTEST:

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Maribeth Becker, CMC  
Clerk of the Board

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G.R. Finch, Commissioner

**Attachment A**  
**Whitman County Code 2.02.040**

**2.02.040 Salary commission.**

A. Establishment.

Whitman County Citizens' Commission on Salaries for Certain County-Elected Officials. There is hereby established an advisory commission on salaries of certain county officials, hereafter "commission" to consist of ten members. The composition of the commission shall be as follows:

- 1. Six of the ten commission members shall be selected by lot by the county auditor from among those registered voters eligible to vote at the time persons are selected for appointment to full terms on the commission under subsection B of this section. The county auditor shall select two commission members living in each county commissioner's district. The county auditor shall establish policies and procedures for conducting the selection by lot. The policies and procedures shall include, but not be limited to, those for notifying persons selected and for providing a new selection from a county commissioner's district if a person selected from the district declines appointment to the commission or, if, following the person's appointment, the person's position on the commission

becomes vacant before the end of the person's term of appointment.

2. The remaining four of the ten commission members must be residents of Whitman County and shall be appointed by a majority vote of the county legislative authority. The persons selected under this subsection shall have had experience in the field of personnel management. Of these four members, one shall be selected from each of the following four sectors in the county: business, professional personnel management, legal profession, and organized labor.
3. Members of the commission may not include any officer, official or employee of Whitman County whose salary will be studied in the commission's responsibilities set forth hereinafter, nor any "immediate family member" of such officer, official or employee. "Immediate family member" as used in this subsection means the parents, spouse, siblings, children, or dependent relatives of the officer, official or employee, whether or not living in the household of the officer, official or employee.
4. The board of county commissioners reserves the right to disband the commission by a unanimous vote of the legislative authority.

B. Terms.

Appointments to the commission shall be for terms of four years. No person may be appointed to more than two such terms. Provided, however, the clerk of the board of county commissioners shall by lot, establish the initial terms of members of the commission so that, of the members of the commission:

1. Two shall be appointed for one year;
2. Two shall be appointed for two years;
3. Three shall be appointed for three years;
4. Three shall be appointed for four-year terms; and
5. Thereafter, successors to the first members shall be appointed for four-year terms.
6. No member of the commission may be removed by the county legislative authority during his or her term of office unless for cause of incapacity, incompetence, negligence of duty or malfeasants or for a disqualifying change of residence. Removal will require a majority vote of the board of county commissioners.

C. Vacancies.

Upon a vacancy in any position on the commission, a successor shall be selected to and appointed to fill the unexpired term in

the same manner as the initial appointment and the appointee shall fill the unexpired term. The selection and appointment shall be concluded within sixty days of the date the position becomes vacant and shall be conducted in the same manner as for the original appointment.

D. Officers.

The commission shall elect on a yearly basis a chairperson, vice-chairperson, secretary and such other officers as deemed necessary. The chairperson or his or her designee shall preside over all meetings and shall be a voting member of the commission.

E. Rules and Regulations and Assistance.

The commission shall be subject to the provisions of the Open Meeting Act. It shall keep minutes of all meetings and shall further adopt rules and regulations for the transaction of business. The setting of salaries shall be by an affirmative vote of not less than six members. The staff of the board of county commissioners, including the clerk of the board, and the human resources office of the county shall assist the commission by providing information and other such assistance as the commission requests.

F. Compensation-Expenses.

Members of the commission shall serve without compensation and/or per diem.

G. Powers and Duties of the Commission.

1. The Commission shall set salaries of the following Whitman County elected officials:

- a. Auditor;
- b. Assessor;
- c. Clerk;
- d. Commissioners;
- e. Coroner;
- f. Prosecuting Attorney (County Portion);

The salary of the Prosecuting Attorney shall consist of the sum of the County portion and the State portion. The County portion shall be set by the Salary Commission. The State portion shall be an amount equal to one-half the salary of a Superior Court judge, as required by RCW 36.17.020(11).

- g. Sheriff; and,
- h. Treasurer.

Any change in salary shall be filed by the Commission with the County Auditor and shall become effective and incorporated into the county budget without further action

of the county legislative authority or salary commission. If the initial determination of salaries, after the commission is formed, results in an increase in salary to an elected official, that increase shall take effect immediately upon the Commission's filing of the salary with the Auditor. All subsequent increases in salary shall take effect upon January 1<sup>st</sup> of the year following the filing with the Auditor.

2. The Commission will determine salaries as soon as possible after the Commission is formed, and then once each year during the month of July, or as soon as practical thereafter, to be included in the budget of the ensuing year.
3. Salary increases established by the Commission shall be effective as to county commissioners and all other elected officials (excluding judges), regardless of their terms of office.
4. The action fixing the salary of the county commissioners and any other elected officials (excluding judges) by a Commission established in conformity with this ordinance shall supersede any other provision of county ordinance related to budgets or to the fixing of salaries of any elected officials (excluding judges).
5. Salary decreases established by the commission shall become effective as to incumbent county commissioners or other elected officials (excluding judges) at the commencement of their next subsequent terms of office.

H. Referendum.

1. Salary increases and decreases shall be subject to referendum petition by the people of the county in the same manner as a county ordinance upon filing of such petition with the county auditor within thirty days after filing of the salary schedule. In the event of the filing of a valid referendum petition, the salary increase or decrease shall not go into effect until approved by a vote of the people.
2. The referendum measures under this section shall be submitted to the voters of the county at the next following general or municipal election occurring thirty days or more after the petition is filed, and shall be otherwise governed by the provisions of the State Constitution and laws generally applicable to referendum measures. (Ord. 62990 Attachment (A)(part), 2004).

10:20 a.m. - Recess.

10:30 a.m. - Nick Beamer, Executive Director for Aging & Long Term Care of Eastern Washington (ALTCEW).

068511 As part of a 5-county, 1 city partnership, Mr. Beamer provided a summarized report of ALTCEW services provided to Whitman County seniors in 2007 via a contract with the Council on Aging and Human Services (COA&HS).

11:00 a.m. - Phil Meyer, Public Works Department.

ACTION ITEMS

**Administrative Division:**

068512 1. Commissioner Finch **moved** Commissioner Partch **seconded** the motion and it **carried** that the contract between Whitman County and M&P Construction, LLC for siding the Oakesdale Shop be signed as presented.

D068512A 2. Mr. Meyer said he is in the process of obtaining quotes for just coating the roof of the Oakesdale Shop this year.

**Maintenance Division:**

D068512B 3. Flightline Drive will not be seal coated as planned because the county is unable to obtain any additional oil. Poe Asphalt also wrote to advise the county no more asphalt will be available this year.

D068512C 4. Crew members are grading, ditching and hauling dirt.

11:15 a.m. - Recess.

1:00 p.m. - Board Business Continued/BOCC Workshop.

Present: Bob Reynolds and Sharron Cunningham (1:00 p.m.).

D068512A 14. An ECS status report discussed. No action taken.

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

068513 1. Highlights from previous GCBH Board meeting:

- 1) Mental Health Division contract amendments signed;
- 2) Discussion of the FY08 close-out;
- 3) Discussion regarding an anticipated request from Spokane Regional Support Network (RSN) for more beds at Eastern State Hospital (ESH);
- 4) Benton County will wait until the new biennium before changes, if any, are considered for the GCBH Funding Formula.

D068513A 2. Recommendation from the Funding Committee regarding the Elmview (Yakima County) contract: The Region 2 Division of Developmental Disabilities (DDD) Office and the Elmview contractor have requested

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changes to a contract utilizing unspent DDD funds earmarked for other parts of GCBH and the reason this issue was reviewed by the committee. Whitman County will support the Funding Committee's recommendation to approve the changes/extension to the contract.

**D068513B 3.** Recommendation from the Funding Committee regarding greater than anticipated inpatient spending by some GCBH counties: For the first time the current funding formula pushed the fiscal responsibility for managing psychiatric inpatient usage to the GCBH member counties. As part of this change estimates were made about how many dollars should be held back from each county to pay for inpatient bills. Some counties (mostly small) have spent more than had been held back during the first year of the biennium. Originally GCBH had been told inpatient funding had to be reconciled each fiscal year but has since received clarification they do not need to be reconciled until the end of the biennium. Since this was a new system, there was very little data regarding how many dollars to hold back for inpatient usage, especially for small counties, and there were some questions about how disputed claims were processed. The Committee was prepared to recommend an old GCBH reserve be used to reconcile this issue this one time. However, since the reconciliation does not need to occur until the end of the biennium the committee is now recommending we wait and have the committee closely monitor usage. Whitman County supports the Funding Committee's recommendation not to use the old reserve account and to authorize a sub-committee to monitor inpatient usage/disputed claims.

**D068513C 4.** Possible request to adjust the GCBH Funding Formula: At the May Funding Committee meeting a representative from Benton County raised the issue of adjusting the GCBH Funding Formula at the beginning of the second fiscal year of the biennium. After much discussion in June/July the Committee will not be recommending any changes to the GCBH Funding Formula for the second year of the biennium.

**D068513D 5.** Meeting with the Mental Health Division Director and the "Spokane" letter: Spokane RSN sent a letter to the Mental Health Division Director asking for a number of things related to their usage of Eastern State Hospital (ESH). The portion of the request directly relevant to GCBH is that they would like 25 ESH beds added to their allocation. The timing of the letter is related to the closure of a 30 bed ESH ward by 01/01/09 and the fact they are significantly over their allocation, thus paying penalties on the current number of available beds. The "Spokane" letter says they will be sending a formal letter to all the eastern Washington Boards of County Commissioners. GCBH is in the process of completing a short history/summary on the issue.

**D068513E 6.** Re-bidding ombudsman contract: This part of the system is required to be independent from the RSN. There have been a number of

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problems with the current contractor and the reason Whitman County supports re-bidding the contract.

**2:00 p.m. - Pipe Arch Structure Bids.**

Present: Phil Meyer and one bidder.

**068514** The following bid was received for a pipe arch structure.

<b>BIDDER</b>	<b>AMOUNT</b>
Contech Construction Products, Airway Heights, WA	\$103,923.75 w/o tax

The commissioners will make an award 08/11/08.

**2:05 p.m. - Recess.**

**2:15 p.m. - Board Business Continued/Executive Session.**

Present: Tim Myers.

**D068514A 15.** Commissioner Partch **moved** Commissioner Finch **seconded** the motion and it **carried** to go into executive session with the above individual until 3:00 p.m. for a personnel matter.

**3:00 p.m. - Return to Open Session/BOCC Workshop (at Port of Whitman).**

Present: John Love, Bob Gronholz, Dan Boone, Joe Poire, Kara Riebold, Sharron Cunningham and Bob Lothspeich.

**068515 16.** Items of joint interested included ADO staffing, ADO Advisory Committee, LIFT Grant, IPZ update, Railroad Board meeting and Corridor update on water agreement. No action taken.

**5:00 p.m. - Adjournment.**

**D068515A** Commissioner Finch **moved** to adjourn the **August 4, 2008** 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 **August 11, 2008**. The foregoing action made this **4th** day of **August 2008**.

ss/ GREG PARTCH, COMMISSIONER  
ss/ G.R. FINCH, COMMISSIONER

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MARIBETH BECKER, CMC  
Clerk of the Board

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MICHAEL LARGENT, CHAIRMAN  
Board of County Commissioners