

Minutes for August 7, 2006

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065732 THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **August 7, 2006 at 9:00 a.m.** G.R. Finch, Chairman, Greg Partch and Les Wigen, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

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

Present: Dane Dunford, Denis Tracy, Maribeth Becker and Thinkh Nguyen.

9:10 a.m. - 4 residents joined the session.

065733 1. The Rural Residential process discussed. No action taken.

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

Present: Adam Roberts, Josh Powers, Maggie Breshears, Thinkh Nguyen, Bob Reynolds, Bob Lothspeich, Tim Myers and Ryan Bentley.

D065733A 2. Motion by Commissioner Wigen to accept the consent agenda. Motion **seconded** by Commissioner Partch and **carried**.

065734 3. Claims/Payroll warrants numbered **193418-193419, 193457-193518, 193522-193550 and 193566-193702** for **\$896,830.64** approved.

FUND	FUND NAME	AMOUNT	AMOUNT	AMOUNT
001	Current Expense	999.31	46,356.09	44,166.40
102	Building & Development			1,229.20
103	Countywide Planning			1,196.40
104	Developmental Services	.82	934.71	
110	County Roads	11.16	23,392.66	16,120.80
111	CETC Building		174.06	
112	Public Facilities Improvement		11,325.88	
117	Boating Safety		135.26	
118	Inmate Welfare		804.66	
123	Paths & Trails		798.15	
127	Drug Enforcement-Quad City		272.62	400.00
137	Web Site Development		50.53	
300	Capital Projects Asset Acq.-300.010.001		513.67	
300	Capital Projects CIP-300.010.005		1,925.00	
400	Solid Waste		75.93	3,828.40
501	Equipment Rental & Revolving		5,684.73	4,994.80
510	Photocopier Revolving		72.35	
513	Communications Revolving		116.79	
660	Whitcom-General-660.911.000		61,713.44	
660	Whitcom-Grant Funding-660.911.001		5,657.07	
690	Clearing Fund 690.002.000			210,066.03

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690	Clearing Fund 690.004.000	61,533.31		
690	Clearing Fund 690.005.000		12,119.85	
ET	Electronic Transfer		380.160.56	

065735 4. July 31, 2006 minutes approved.

065736-065746 5. Personnel board orders approved.

065747 6. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to appoint Nicole Flansburg and Bob Reynolds to 3-year terms on the Lodging Tax Advisory Committee as presented. Both appointments will expire 12/31/08.

065748 7. Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to sign the following letters:

a) reappointing Paul C. Eichenberg to a 4-year term on the Citizens Commission on Salaries for Elected Officials, and

065749 b) a letter of appreciation to Steve DeSoer for his contributions and service on the Citizen's Commissioners for Salaries for Elected Officials.

065750 8. Commissioner Partch **moved**, Commissioner Finch **seconded** the motion and it **carried** to approve forwarding a letter to Governor Gregoire regarding I-747. Commissioner Wigen voted **nay**.

065751 9. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to sign a Public Health grant application data form for a Washington State Department of Health regulation water systems grant in the amount of \$10,000.

065752 10. Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to publish a notice canceling the September 5, 2006 regular meeting of the Whitman County Commissioners.

065753 11. Adam Roberts submitted a request for updating the SQL website server by purchasing software from the State Department of Information Services in the amount of \$3,794.34 using Web Committee funds. This will aid in the county's new website slated to launch October 1st. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve the request.

065754 12. Josh Powers submitted an asset acquisition request for the purchase of a color laser jet printer for the Prosecutor's office in the amount of \$2,400. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve the request.

065755-065756 13. Washington State Department of Natural Resources submitted 2 proposed name changes under consideration by the Washington State Board on Geographic Names. The proposals involve changing the names of Squaw Canyon to Awtskin Canyon and Squaw Creek to Shewtem Creek. The commissioners requested the Public Works Director's input. Mr. Dunford later informed the Board that Public Works has no objections to the proposed changes.

065757 14. The Chairman signed the annual federal certification report for the Quad Cities Drug Task Force program.

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D065757A 15. Commissioners' pending list reviewed.

10:25 a.m. - Recess.

11:00 a.m. - Dane Dunford, Public Works Director.

Present: Mark Storey, Jeff Marshall, Think Nguyen, Maggie Breshears, Ryan Bentley and 8 residents.

ACTION ITEMS

Engineering Division:

065758 1. The Chairman convened the hearing for the 6-Year Transportation Improvement Plan. Mark Storey presented the staff report that involves 29 proposed projects for the years 2007-2012. No comments were received from those in attendance either for or against the proposal. Therefore, the Chairman adjourned the hearing. Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** that the resolution to adopt the 6-year Transportation Improvement Program be signed as presented.

BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS

In the Matter of the Six Year)
Transportation Improvement) **RESOLUTION NO. 065758**
Program (2007-2012))

WHEREAS, the Public Hearing was held on the 7th day of August, 2006; and,

WHEREAS, Notice of the Public Hearing was published according to law and all present wishing to speak for or against said program have been heard; and,

WHEREAS, the County Engineer's Bridge Condition Report and the Road Priority Arrays were available to the Board of County Commissioners and were consulted during the preparation of the program in accordance with WAC 136-14-050 and WAC 136-20-060.

IT IS HEREBY RESOLVED that the attached Six Year Transportation Improvement Program be adopted as presented.

DATED this 7th day of August 2006.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

G.R. Finch, Chairman

Greg Partch, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Les Wigen, Commissioner

ATTACHMENT

- | | |
|--------------------------------|------------------------------------|
| 1. Miscellaneous Construction | 16. Colfax Airport Road |
| 2. STP Planning | 17. Green Hollow Road Curve |
| 3. Pleasant Valley Bridge | 18. Green Hollow Road Grade |
| 4. McNeilly Bridge | 19. Almota Road |
| 5. Harlan Bridge | 20. Almota Road |
| 6. Colfax Airport Access Road | 21. Blair Cut Off Road |
| 7. Colfax Airport Heglar Drive | 22. Green Hollow Road Intersection |
| 8. Henderson Mill Bridge | 23. Hume Road |
| 9. Four Mile No. 5 Bridge | 24. Hume Road |
| 10. Neel Bridge | 25. Country Club Road |
| 11. Aune Bridge | 26. Sand Road |
| 12. Zarbach Bridge | 27. Almota Road |
| 13. Hatley Bridge | 28. Staley Bridge No. 3 |
| 14. Almota Road | 29. Farband Bridge |
| 15. Hume Road | |

11:10 a.m. - Denis Tracy.

Planning Division:

D065758A 2. Denis Tracy explained that having received the consultant's report the next step is to formalize the Rural Residential housing process. Given that, the board has 4 options:

- Do nothing by leaving the county code as is,
- Adopt the Planning Commission's proposal as presented,
- Remand the issue to the Planning Commission requesting changes be made,
- The board can make changes to the Planning Commission's proposal.

Information has been received from the consultant regarding particular aspects of the Planning Commission's proposal that may not withstand a legal challenge. The board must now decide what they would like to do.

Commissioner Wigen preferred option #4, making the changes themselves, which is the same process they used for the Pullman-Moscow Corridor and Commissioner Partch agreed. He added the board could hold a public hearing up front, seek public input and rule out some areas of concern.

Commissioner Wigen **moved** to select option #4 having the Board of County Commissioners make changes and not send the document back to the Planning Commission and that the commissioners and planning staff work together on the document. Motion **seconded** by Commissioner Partch and **carried**.

Denis Tracy said since the board will pursue making changes to the code the next step would be to establish in general terms today how they plan to do that so the public will have a general idea about the process. Their options may be to:

- Hold workshop sessions, which are open meetings, but public participation is not generally accepted,
- Hold public meetings whereby members of the public can provide input,
- Provide reports to the public about a series of workshop session held and the public can then provide comments about the report,

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- Hold public hearings where the public can testify and provide input in that manner. (One public hearing must be held by law before any changes could be adopted.) The board can conduct more than one public hearing. A public hearing could be held early on, followed by workshop sessions and another public hearing.

Mr. Tracy was not suggesting establishing a rigid formal schedule today, but thought it may be helpful if the board established a general idea of how they plan to proceed.

Commissioner Partch felt the method used for the Pullman-Moscow Corridor worked quite well meeting with the Planning Commission and staff approximately every 2 weeks. He also thought the board should start off with a public hearing, possibly even several as well as workshops and maybe even going out into different areas of the county. Commissioner Wigen concurred it would be a good idea to begin with a public hearing. The Prosecutor also thought holding a public hearing early on was a good idea, but reiterated another public hearing must be held at the end of the process before anything is adopted.

Brenda Dillard understood the board is in agreement with portions of the proposal and wondered if a document listing the issues still up for discussion was available so time isn't wasted. She also asked if the consultant's report would be made available to the public.

Chairman Finch said in answer to her first question, he has heard talk about a conspiracy theory which there is not. They want to keep this process very open. Other comments raised was why are we doing this now, in the middle of harvest, but there is never a convenient time. The report was received July 7th and with the commissioners being gone at different intervals, this is the first opportunity they have had to address this issue. Right after harvest is the county fair then the budget process begins. He restated there is no good time. According to the Chairman, the board will have to review the document again, list all the items they agree should be removed and list all the items they are in agreement with.

With respect to Ms. Dillard's second question, Chairman Finch said on the advice of counsel, he didn't have a problem releasing the consultant's report now nor did Commissioner Partch. (Commissioner Wigen had previously released the report.)

The commissioners shared what transpired during their individual telephone conversations and one commissioners' meeting with the consultant. The members also mentioned some areas of the proposed ordinance they agree/disagree with.

In response to a question raised, the Chairman responded the proposed ordinance as written is not 100% defensible.

Dane Dunford asked the board to table selecting a specific hearing date until there is an opportunity to check the availability of the auditorium, staff and advertising requirements. The board honored the request.

12:00 p.m. - Recess.

1:10 p.m. - Jim Harris Eastern Region Manager and Joe Sobinovsky, Washington State Parks and Recreation Commission.

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Present: April Coggins and Thinh Nguyen.

065759 Mr. Harris spoke about what was once the Milwaukee Corridor now known as the Ironhorse State Park by simple legislative action and to tell you what that means from the State Parks point of view and regards to management.

The State of Washington purchased the Old Milwaukee Corridor at the time it was abandoned (not purchased in its entirety, some pieces are in private ownership). At that time, Washington State Parks managed that portion west of the Columbia River. The Department of Natural Resources (DNR) had stewardship of the Corridor from the Columbia River to the Idaho border. Since then there have been a couple changes through legislation; a portion between Ellensburg and Lind was given to the Washington State Department of Transportation (WSDOT) to look at the possibility of re-franchising it into railroad lines.

On June 7th of this year by legislative action, that portion from Lind to the Idaho border was moved in management from the DNR to Washington State Parks. State Parks does not anticipate making any significant management changes within the corridor from what occurred with the DNR so that adjacent landowners and elected officials don't suddenly become surprised with changes in management. It is their intent to manage the corridor just as DNR did until they learn the issues, concerns and hear suggestions before developing a management strategy for that portion of the trail.

Originally, our management and development strategy for Ironhorse State Park, which includes the John Wayne Pioneer Trail, was to begin at the largest population center, the Seattle area, then build east building from population center to population center as demand for the trail increased. At this point, the trail is fairly well developed to Ellensburg with some minor improvements needed. Before current action the intent was to look at how to develop the trail to Othello. The reason for that is the communities of Moses Lake and Othello are looking to develop trail networks in order to be eligible for grants. When the state tries to build the Ironhorse Trail, they are leading the way, but are not networking with anything. Moses Lake and Othello are in the same situation. Therefore, it was State Parks intent to work with communities that have a trail desire. However, over the next 3 years the railroads have the opportunity to review the corridor and determine whether or not they want to re-up it as a rail line. So it makes no sense to continue developing in the corridor at this time.

At the same time, in Whitman County, the state does have a plan for a cross-state trail. In 2013 Washington State Parks will be 100 years old. A plan for that time period has been developed. Understanding that the populace in the State of Washington will continue to grow, the state needs to build new facilities to accommodate the new records and demands. They see these as very large, icon-type projects that are beneficial to the health and economy of the state. It is anticipated this will be funded using state government capital funds.

The state is committed to learning enjoyment and partnerships with local communities. Funding would be derived from state tax dollars, volunteers, partnerships and anyone else desiring to be involved in their local area.

There are many small projects communities want in their local parks. This is usually a more localized demand. So as not to place the entire burden on the tax rolls, the idea is that partnerships could nearly fund all the costs for smaller

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improvements with firm or potential partnerships as listed on the Centennial 2013 brochure distributed by Mr. Harris.

Mr. Harris heard it said if the state could have a cross-state trail it would be the second largest. There is a demand among the user public and it would also be a great attraction to the state. When first envisioning a cross-state trail, it was the John Wayne Trail coming across to this side of Lind about Ralston where it connects with the Columbia Plateau Trail out of the Tri-Cities. The Columbia Plateau continues to Spokane where it has the ability to connect with the Centennial Trail into Idaho just past Coeur d'Alene where it ends.

Now that State Parks has management of this trail they are hearing from local communities, i.e. Tekoa and Rosalia asking the State Parks to rethink the cross-state trail. They are suggesting that the cross-state trail come into Tekoa and connect with the Trail of Hiawatha in-turn connecting with the Trail of Coeur d'Alene's and those trails continue to Montana with the potential to continue to Chicago.

The state understands much has to be considered before a trail is developed, i.e. agriculture, fire, vandalism and trail users request to use private landowners restrooms. On current portions of the John Wayne Trail they have found that trail users identified wild fires earlier than they would have been identified thereby reducing fire risks in rural communities. Much work must be done in this area before the state officially declares the trail open for public use. At this time, the public is permitted to use the trail, but the state must still visit with the various counties along the way and go through conditional use permits, zoning reviews, etc. This is just the first step to let you know State Parks recognizes that local communities and local government want to obtain as much feedback about concerns, issues, or just comments that would help the state develop good management strategy before holding public meetings and presenting formal plans to the commission for management of the trails.

As Mr. Harris first mentioned, pieces of the trail are under private ownership. One of the first calls he received concerning the Ironhorse Trail was from one of those landowners. The resident educated Mr. Harris on the court battle he encountered to obtain ownership of his property. He was concerned that the change in management had an underlying plot. Since the DNR does not have right of imminent domain and Washington State Parks does, the landowner thought this was a strategy for taking back the land he had won in court and purchases he agreed to. Mr. Harris assured him that was not the State Parks intent.

As they look at development of the trail for many years to come, they recognize there may be detours and bypasses around some of the private property out of respect for the property owners. There are currently some property owners who by agreement, allow recreationists to cross their land in exchange for certain services from the state. State Parks will continue to employ those agreements to the best of their ability.

Commissioner Partch suggested the State Parks representatives visit with the county Parks Director, Scenic Byways Committee and Whitman County Weed Coordinator.

According to Mr. Harris, from the State Parks point of view and resource strategy, it would not be difficult to have a trail from Rosalia to Tekoa. It is not something they expected to happen this rapidly, but since it fell in their laps

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they are looking for opportunities for rural tourism to these small communities. It would not be physically complex to develop a triangle with the Columbia Plateau from Spokane to Rosalia to Tekoa and then to the Idaho border to help bring tourism to the rural communities.

Chairman Finch asked about State Parks response to weed control. In speaking to the ranger responsible for the trail, they have a contractor that seems to do a good job. If the contractor doesn't get a good take the first time he is called back. While the rangers are on the trail, they carry tanks with them and know what the target species are in certain areas and spray them. Adams County seems to be pleased with the State Parks responsiveness. If a weed problem is on one of the privately owned areas, he would still recommend the State Parks enter into an agreement with the landowners that the state could spray the corridor as a good neighbor.

Commissioner Partch wondered about the state's policy for sharing right-of-way. Mr. Harris indicated the state policy is to treat all people fairly. Most of the utilities they have worked with have found their rates not to be unreasonable. They try to establish a very simple, low rate for use of right-of-way since the utilities are typically traveling the same corridor with their vehicles causing some wear and tear. This helps the state with annual maintenance costs depending on the trail surface and distance.

Jim Sobinovsky added the State Parks do a lot of fencing work in agricultural areas at the state's expense. In rangeland areas, they have found the cattle owners to be just as concerned as the state in the event the cattle get out on the trail. In those instances they build shared-cost fencing. That is then used as an interpretive experience on the trail. The state tries to be sensitive and work with the landowners.

Mr. Harris concluded saying before any changes are enacted, they would meet with the board again.

1:45 p.m. - Recess.

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

Present: Chelsey Fanara (conference call-2:30 p.m.) and John Love, Bob Gronholz and Dan Boone (3:00 p.m.), April Coggins and Thinh Nguyen.

D065759A 16. Items discussed included a proposed hog farm in Malden, the Sheriff's staffing request, jail security, the Port's ISR and WiBiodiesel projects, .08 funds and a railroad update. No action taken.

5:00 p.m. - Adjournment.

D065759B Commissioner Partch **moved** to adjourn the **August 7, 2006** meeting. Motion **seconded** by Commissioner Wigen and **carried**. The Board will meet in regular session, in their Chambers', in the Whitman County Courthouse, Colfax, Washington, on **August 14, 2006**. The foregoing action made this **7th** day of **August 2006**.

ss/ Greg PARTCH, Commissioner
ss/ LES WIGEN, Commissioner

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MARIBETH BECKER, CMC
Clerk of the Board

G.R. FINCH, CHAIRMAN
Board of County Commissioners