

Minutes for August 17, 2009

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069804 THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, August 17, 2009 at 8:15 a.m.** Chairman Michael Largent, Patrick J. O'Neill, Greg Partch, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

8:15 a.m. - Call to Order/Board Business/BOCC Workshop.

069805 1. Items discussed included WRCIP/WCIP, Library request and BOCC meeting schedule. No action taken.

9:00 a.m. - Recess.

9:30 a.m. - Pledge of Allegiance.

Present: Kelli Campbell and Rick Kiesz.

D069805A 2. Motion by Commissioner Parch to accept the consent agenda. Motion **seconded** by Commissioner O'Neill and **carried**.

069806 3. Claims/Payroll warrants numbered **230778-230781, 230831-230865, 230890-230915, 230934-230937** and **231107-231306** for **\$1,202,084.90** approved.

FUND	FUND NAME	AMOUNT	AMOUNT
001	Current Expense	54,058.99	98,527.48
101	Self Insurance		1,023.59
102	Building & Development	1,659.60	28.72
103	Countywide Planning	3,004.80	412.64
104	Developmental Services		160.11
110	County Roads	16,540.80	106,008.56
114	Bulk Purchasing-Paper		640.33
117	Boating Safety		965.85
118	Inmate Welfare		297.32
123	Paths/Trails-BCPT 123.310.001		6,205.87
125	Donations-Fair-125.300.000		213.42
127	Drug Enforcement-Quad City	400.00	5,595.09
128	Crime Victims/Witness-Pros. 000	350.00	
132	Auditor's Document Preservation		3,639.32
135	Prosecutor's Stop Grant	150.00	
137	Web Site Development		51.50
138	Federal Equitable Sharing		716.85
144	Emerg. Communicat. 144.260.001	250.00	113.24

BOCC MINUTES 08/17/09

300	CIP Asset Acquisit.	300.010.001		1,811.74
300	CIP Doc. Managem.	300.010.006		6,402.99
400	Solid Waste			7,360.28
501	Equipment Rental & Revolving		5,012.40	138,632.87
513	Communications Revolving		15.06	3,416.45
658	Rural Library		2,192.11	
660	Whitcom-General	660.911.000		72,146.12
660	Whitcom-Grant	660.911.001	425.12	11,020.12
690	Clearing Fund	690.005.000	13,913.17	
690	CAC Agency Svc.	690.026.001		14,567.63
ET	Electronic Transfer		458,579.21	

9:35 a.m. - Bob Lothspeich and Joe Smillie.

069807 **4.** August 3, 2009 minutes approved.

069808-069816 **5.** Personnel board orders approved.

069817 **6.** Bob Lothspeich stated Park and Recreation District #5 is seeking a \$12,000 short-term loan from current expense to be repaid by November 30, 2009 at 1.6% interest and he did run this by the Assistant Finance Director. Commissioner Partch **moved** Commissioner O'Neill **seconded** the motion and it **carried** to approve the request as presented.

RESOLUTION NO. 069817
BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS

WHEREAS, the Board of Whitman County Commissioners met in regular session on the 17TH day of August 2009; and,

WHEREAS, Whitman County Park and Recreation District #5, Rosalia, has requested a short term interfund loan to cover general operating and maintenance expenses of the swimming pool and park for the remainder of the summer; and,

WHEREAS, this request complies with R.C.W.'s regarding loan agreements and debt limitations; and,

WHEREAS, the interfund loan will be repaid on or before November 30, 2009, at an interest rate of 1.60%.

NOW, THEREFORE, BE IT HEREBY RESOLVED that an interfund loan of \$12,000.00 is loaned to Whitman County Park and Recreation District #5, Rosalia, from the Whitman County Current Expense Fund, to be disbursed and repaid as stated.

PASSED, APPROVED AND ADOPTED this 17th day of August, 2009.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Michael Largent, Chairman

Greg Partch, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Patrick J. O'Neill, Commiss.

9:45 a.m. - Bob Reynolds.

069818 7. Commissioner Partch **moved** Commissioner O'Neill **seconded** the motion and it **carried** to establish a fund establish a separate fund for Fair/Fairgrounds Donations and Planned Giving.

RESOLUTION NO. 069818
OF
THE BOARD OF WHITMAN 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, August 17, 2009; and

WHEREAS, the Board of County Commissioners for Whitman County, State of Washington, recognizes the need to create a Donations & Planned Giving Fund for Fair/Fairgrounds to separate funds from Parks' Donations and Planned Giving Fund; and

WHEREAS, the Board of County Commissioners believes that a separate fund is the proper procedure to account for the Fair/Fairgrounds Donations & Planned Giving revenue and expenditures.

NOW, THEREFORE, BE IT HEREBY RESOLVED that a Donations & Planned Giving Fund for Fair/Fairgrounds numbered 125.300.000 is created.

PASSED, APPROVED AND ADOPTED this 17th day of August, 2009.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Michael Largent, Chairman

ATTEST:

Greg Partch, Commissioner

Maribeth Becker, CMC
Clerk of the Board

Patrick J. O'Neill, Commiss.

069819 8. Commissioner Partch **moved** Commissioner O'Neill **seconded** the motion and it **carried** to approve the revised Overtime Policy.

RESOLUTION NO. 069819
BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS

IN THE MATTER OF the action of the adoption of a revision to the current Whitman County Personnel Policy **POL-0320-HR DETERMINING OVERTIME PAY ELIGIBILITY;**

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 revision to the current Whitman County Personnel Policies is approved as the attached **POL-0320-HR DETERMINING OVERTIME PAY ELIGIBILITY.**

Dated this 17th day of August 2009 and effective as of September 1, 2009.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Michael Largent, Chairman

Greg Partch, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Patrick J. O'Neill, Commiss.

Effective Date: 9/01/2009	
POLICY	
Cancels: Res. #055199	Approved by: BOCC
See Also:	Res. #

POL - 0320 - HR DETERMINING OVERTIME PAY ELIGIBILITY

Unless otherwise covered by a bargaining unit agreement, this policy applies to all non-elected employees.

Definitions

FLSA - Fair Labor Standards Act

NE - Employees working in FLSA non-exempt positions.

Overtime - Work in excess of 40 hours in a workweek.

Compensatory Time - Time off with pay granted in lieu of pay for work performed on an authorized overtime basis.

Exempt Employee - an individual designated by the County as being employed in a bona fide executive, administrative or professional capacity, as defined by the Washington State Minimum Wage Act (WAMWA) and the FLSA, and who is therefore exempt from the overtime pay requirements of the FLSA and WAMWA.

1. Whitman County Will Compensate NE Employees for Overtime Worked

For each hour of overtime worked, NE employees will receive pay at a rate of one and a half (1.5) times their regular rate of pay OR an hour and a half (1.5) of compensatory time. Pay for work beyond the scheduled workweek shall be at straight time until the employee has worked forty (40) hours in the workweek.

2. Whitman County Won't Compensate Exempt Employees for Overtime Worked

Exempt employees professionally manage and schedule their own work time to complete their duties. Exempt employees shouldn't report or record any absences for less than a full workday.

Exempt employees shall not be eligible to accrue compensatory time nor shall they receive overtime pay for additional work.

Exempt positions shall be determined by Human Resources and the Department Head/Elected Official upon classification.

3. Holiday, Sick, Vacation, Compensatory & Military Hours Count as Time Worked for Figuring Overtime

4. Compensatory Time Accrues to a Balance Maximum of 48 Hours

Both the employee—and supervisor must agree to compensatory time before the work is performed. Any hours worked beyond the 48-hour compensatory time maximum will be paid as wages. The County pays out

any compensatory time balance upon termination or by approval of the BOCC.

Compensatory time may not be used before it is accrued.

5. Supervisors Will Give Advance Notice of Required Overtime Work When Possible

6. Employees Must Obtain Supervisor Approval Prior to Working any Overtime

Employees who work unauthorized overtime may be subject to disciplinary action up to and including termination.

069820 9. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to sign Interagency Agreement #1AA10189 between the Washington Administrative Office of the Courts and Whitman County Juvenile Services BECCA program (06/30/11).

069821 10. Commissioner Partch **moved** Commissioner O'Neill **seconded** the motion and it **carried** to sign a professional services agreement with Juvenile Rehabilitation Administration (06/30/11).

069822 11. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion to deny the Library's request for additional Historical Preservation funding for their Heritage Digitization project. It's already been done through the Blue Ribbon Advisory Task Committee and \$9,000 was awarded to the Library District. Commissioner Partch thought the full board agreed it is a worthwhile project, but the Library did receive the lion's share of the funding. It is unfortunate that their original plan did not come together resulting in a partnership change mid-way through the project. Motion **carried**.

069823 12. Commissioner Partch **moved** Commissioner O'Neill **seconded** the motion and it **carried** to extend the Reclassification Freeze through 12/31/09.

069824 13. Pursuant to County Code regarding delegation of purchase orders, claims and payroll responsibilities, an authorization form(s) was received from the Information Technology department, signed by the Board and forwarded to the Auditor's office. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to approve the delegation order(s).

069825 14. Commissioner Partch **moved** Commissioner O'Neill **seconded** the motion and it **carried** to sign the Equitable Sharing agreement certification for the Quad Cities Task Force as presented.

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069826 15. Commissioner Partch **moved** Commissioner O'Neill **seconded** the motion and it **carried** to regretfully accept John Goyke's resignation from the Solid Waste Advisory Committee.

069827 16. The commissioners signed a contract with DEBCO Construction for the Wawawai Road overlay project awarded July 13th.

069828 17. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to approve a grant application data form for the Sheriff's Recovery Act-Edward Bryne Memorial JAG program grant in the amount of \$9,999.

069829 18. Resolution #09-07 was received from the Port of Whitman County opting out as a participating taxing district from the proposed Revitalization Area (RA).

069830 19. Resolution #09-04 was received from Fire District #12 opting out as a participating taxing district from the proposed Revitalization Area (RA).

069831 20. Resolution #08-09: 09 was received from Pullman School District No. 267 opting out as a participating taxing district from the proposed Revitalization Area (RA).

069832 21. An email was received from Rick Kiesz concerning wind energy.

069833 22. A letter was sent to the Washington State Liquor Control Board voicing no objections to the liquor license application filed by the Colfax Eagles for the August 8th Motorcycle Rodeo at the Palouse Empire Fairgrounds.

069834 23. Notice of a liquor license application withdrawal for Red Barn Farms was received from the Washington State Liquor Control Board.

069835 24. Notice of a liquor license renewal for Almota Inn, Inc. was received from the Washington State Liquor Control Board. The commissioners voiced no objections to the renewal.

069836 25. Commissioners' pending list reviewed.

10:00 a.m. - Harrison Building Roof.

Present: Bob Reynolds, Rick Kiesz, 4 bidders and Joe Smillie.

069837 The following bids were received for the Harrison Building Re-Roof project.

BIDDERS	AMOUNT
Royal Roofing, Pasco, WA	\$ 50,300
Metal Works, Missoula, MT	\$109,510
Icon Corporation, Spokane, WA	\$113,800
Brown Contracting & Development, Spokane Valley, WA	\$159,203
RMR Construction, Moscow, ID	\$185,500
Allsurface Roofing & Waterproofing, Spokane, WA	\$105,571

The commissioners have tentatively set the recommendation/award date of August 31st.

10:10 a.m. - Recess.

10:30 a.m. - WSU Representatives.

Present: Janet Schmidt, Vickie Parker-Clark, Rick Kiesz and Joe Smillie.

D069837A District Director Vickie Parker-Clark was introduced by County Director/4-H Youth Educator Janet Schmidt. Ms. Clark is the new district supervisor. The districts have been reduced from 4 to 3 and Ms. Clark's district now encompasses 15 eastern counties. Ms. Clark assured the commissioners that Extension is moving forward and she thanked them for their continued support. Other than the reduction of one staff member in Colfax, there won't be any other local program changes. The commissioners thanked Ms. Clark for meeting with them.

10:45 a.m. - Recess.

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

Present: Phil Meyer, Rick Kiesz and Joe Smillie.

ACTION ITEMS

Administrative Division:

D069837B 1. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** that upon completion of the interviews for a temporary solid waste employee, Public Works is approved to hire the candidate.

Maintenance Division:

D069837C 2. Phil Meyer reported the Palouse roof repairs are completed, the building will be painted in the next couple of weeks, many crew members are taking time off for harvest and the Hume Road crossing repairs.

Engineering Division:

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D069837D 3. Director Storey updated the commissioners on the status of the Almota Road, Wawawai Road, Four Mile #5 Bridge and Coman Bridge projects.

11:15 a.m. - Recess.

11:30 a.m. - Sharron Cunningham, Finance Department.

Present: Bev Divine, Bob Lothspeich, Bob Reynolds, Brett Myers, Denis Tracy, Eunice Coker, Greg Partch, Janet Schmidt, Kelli Campbell, Mark Storey, Michael Largent, Pat O'Neill, Rick Kiesz and Joe Smillie.

Excused: Tim Myers.

069838 The July 2009 month ending financial report provided by Ms. Cunningham.

July 2009 Cash Balance - \$2,017,415

July 2008 Cash Balance - \$2,996,248

July 2009 Revenue - \$6,049,310 - 52.84% of budget.

July 2008 Revenue - \$6,524,187 - 52.03% of budget.

July 2009 Expenditures \$6,402,475 - 54.45% of budget.

July 2008 Expenditures \$6,555,632 - 52.72% of budget.

11:40 a.m. - Recess.

1:10 p.m. - Board Business Continued/BOCC Workshop.

Present: Karl Johanson, Tom Hanson, Mark Storey, Damon Marple, Kristina Umbright, Jeslyn Lemke and Mark Williams.

069839 26. Special needs transit discussed. No action taken.

2:30 p.m. - Recess.

D069839A THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Tuesday, August 18, 2009** at **2:00 p.m.** Chairman Michael Largent, Greg Partch and Patrick J. O'Neill, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

2:00 p.m. - Meeting Reconvened/Board of Health.

Present: Dr. Moody, Fran Martin, Michael Baker, Cinnamon Brown, Bruce Koliba, Karen Bafus, Mary Crawford and Jeslyn Lemke.

D069839B 1. Communicable Diseases: Cases of West Nile virus have been confirmed in mosquito pools, birds and horses in neighboring counties with one presumptive human case.

D069839C 2. The Center for Disease Control (CDC) and Washington State quit testing everyone for H1N1 Influenza. There are currently 7,500 hospitalized cases and 477 deaths in the United States. Globally, there have been 177,000+ confirmed cases and 1,462 deaths. Currently in the southern hemisphere 89% of all Influenza cases are just novel H1N1. We do expect a second wave of this virus, particularly with the new school year, to hit before any vaccine arrives in Whitman County. The CDC said approximately 120 million doses of vaccine would be available by mid October. That estimate has since been revised to 45 million doses for the United States. The American Committee on Immunization Practices met and developed risk groups as to who would be the priority for initial doses of vaccine. Their list encompassed 160 million people. Dr. Moody imagined the Committee would revisit their risk groups due to the reduction in vaccine available.

The State of Washington has pared down its list. It was Dr. Moody's opinion that will cause much confusion and work for the Health Department because they will be dealing with not only seasonal influenza vaccines, handling all the phone calls, encouraging residents to get seasonal vaccines while at the same time telling residents not to worry about H1N1 until the vaccines arrive. According to Dr. Moody, this will be a public relations nightmare for the Health Department.

The department has begun channeling out as much information as possible to the general public through the newspaper, radio, Facebook, MySpace and Twitter pages. As things change daily, new information will be released. Dr. Moody suggested ramping efforts at school for washing hands, respiratory etiquette, keeping sick students out of school and work with WSU on how they will handle their dormitories.

Ms. Martin said financial assistance will come from Emergency Preparedness but if there is a shortfall, the county will have to make up the difference. Commissioner Partch pointed out this is a good example of why a reserve fund is so important.

D069839D 3. Michael Baker talked about the Secures Alert Program through the State Department of Health. The plan is to get all county employees on this system and partnering with schools and other local agencies on an alert system. An instructional prerecorded Public Health message can be sent by cell phone, email, text messaging or a home phone. Whitman County was selected as the testing county for this program. It is estimated approximately 350 individuals would be tied into the system. The Secures

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PASSED AND APPROVED by the Whitman County Board of Commissioners, acting as the Board of Health on this 18th day of August 2009.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Michael Largent, Chairman

Greg Partch, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Patrick J. O'Neill, Commiss.

PUBLIC HEALTH FEE SCHEDULE

TYPE OF VISIT		2010
99211	Office Min (5 min Perform/Supervision)	17.00
99348	Home Visit	40.00
90471	Immunization Admin (One Vaccine)	17.00
90472	Immunization Admin (Each Additional Vaccine)	17.00
PATIENT STATUS	New to Program - Single Encounter - Repeat Visit	
IMMUNIZATION SERVICE		
90702-SL	DT	15.00
90700-SL	DtaP	15.00
90633-SL	Ped Hep A (2-18 years)	15.00
90744-SL	Hep B (0-18 years)	15.00
90645-SL	HIB (4 doses) Hib Titer	15.00
90646-SL	HIB (Booster)	15.00
90647-SL	HIB (3 doses) Ped Vax	15.00
90648-SL	HIB (4 doses) Act HIB	15.00
90713-SL	IPV	15.00
90707-SL	MMR (0-18 years)	15.00
90669-SL	PCV-7	15.00
90718-SL	Tetanus/TD (7-18 years)	15.00
90716-SL	Varicella (1-18 years)	15.00
90657-SL	Influenza (6-35 months)	15.00
90658-SL	Influenza (3 years)	15.00
90723-SL	DTaP/HBV/PV	15.00
90649-SL	HPV Gardasil (11 through 18 years)	15.00
90710-SL	MMRV	15.00
90680-SL	Rotavirus	15.00
90715-SL	Tdap (10 through 18 years)	15.00
90734-SL	Meningococcal Menactra (11 through 18 years)	15.00
PRIVATE PAY	(CANNOT BE SLID)	
90632	Hep A Adult (19+ years)	34.00
90746	Hep B (20+ years)	40.00
90658	Influenza Injection	Market
90732	Pneumococcal	Market
90742	Rabies IG	Market
90726	Rabies Vaccine	Market
90718	Td Adult (19+ years)	35.00
90636	Hep A/Hep B Twinrix	Market

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90741	Immune Serum Globulin (Private Pay)	Market
90715	Tdap Adacel (11 through 55 years)	48.00
TB	34	
99201	TB Test 1 Step Office Visit	28.00
99215	TB Test 2 Step Office Visit	40.00
99341	Home Visit New Patient	62.00
99347	Home Visit Established Patient	40.00
86580	PPD Skin Test Given	10.00
86580	PPD Skin Test Read	N/C
	PPD 2 Step Test Read	12.00
	TB Treatment Curative	Market
	TB Preventive (INH)	5.00
ADULT HEALTH	39	
99402	Disease Information/Consult	40.00
92552	Hearing Test	12.00
85018	Hemoglobin	6.00
90782	Injection (Meds Supplied by Client)	15.00
	Weight Check	
	Referred to Quit Line	
	Other	
DENTAL	24	
D1330	Oral Hygiene Instructions	15.00
D1203	Fluoride Treatment	18.00
D9999	Family Oral Health Education	35.00
MIH/CAH	22	
85018	Hemoglobin	6.00
0910M	Nutrition Consultation	40.00
0911M	Nutrition Follow-Up (Repeat)	28.00
81025	Pregnancy Test (Urine)	12.00
	Other	
HIV/AIDS	35	
86701	HIV/ELISA (HIV Test)	25.00
99404	Pretest Counsel	62.00
99401	Post Test Counsel	28.00
CARDIOVASCULAR	41	
93770	Blood Pressure	6.00
NURSING SERVICES		
	Nursing Consultation (Per Hour)	40.00
HIV BLOODBORNE EDUCATION		
	2 Hour Class-Childcare/Foster Care Providers	25.00
	4 Hour Class-Childcare/Foster Care Providers	45.00
	7 Hour Class-Childcare/Foster Care Providers (Per Hour)	50.00
	Daycare Consultation (Per Hour) (Depending on Number of Children)	25.00- 50.00
VITAL RECORDS	71	
	Certified Copies Birth	20.00
	Certified Copy of Death	20.00
	Uncertified Death	8.00

ENVIRONMENTAL HEALTH FEES

TYPE OF FEES	2010
Food & Beverage Workers Permit	10.00
	5.00

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Restaurants - (Prorated Fees - See Below*)	
Simple Menu w/Food	+ 45.00
Complex Menu	+ 75.00
Minimum Fee	140.00
1 - 25 Seats	170.00
26 - 50 Seats	225.00
51 - 100 Seats	310.00
101+ Seats	365.00
With Lounge/Liquor, add additional fee of	110.00
With Beer/Wine served, add additional fee of	82.50
Taverns - Same Seating Schedule as above	
With Food Service, add additional fee of	65.00
Grocery Store	
With Meatcutting facility, add additional fee of	65.00
With Deli Section, add additional fee of	90.00
Catering/Mobile Units	
Additional Mobile Units	75.00
Fraternities & Sororities	
Fraternities & Sororities Whole-House Inspections	150.00
Temporary Commercial	75.00
Temporary Benevolent	15.00
Commercial Low Risk Menu	50.00
Commercial Limited Risk Menu	25.00
Bed & Breakfast	110.00
Follow-up Inspection for Food Establishment	150.00
Plan Review - First 2 Hours	175.00
Each Additional Hour	125.00
Schools	125.00
*Fee is reduced by 50% if permit is purchased after June 30	
Water System Survey (Plus lab fees for Nitrate and Bacteriological water testing)	275.00
Sanitary Landfill	3850.00
Transfer Stations	1100.00
Monofill	825.00
Impoundments	825.00
Inert Demolition	1100.00
Demolition	1100.00
Land Spreading	1100.00
Recycling Centers	1100.00
Composting Piles	1100.00
Piles	825.00
Sludge Utilization	825.00
Septage Disposal	825.00
Liquid Waste	
Septic Tank Installers Initial Permit	275.00
Septic Tank Installers- Renewal	250.00
Septic Tank Pumpers - Initial Permit	275.00
Septic Tank Pumpers- Renewal	250.00
Onsite Sewage Systems	
Onsite Sewage Disposal Application Permit	325.00
Engineered Onsite Sewage Disposal Application Permit	375.00
Onsite Sewage System Plan Review	55.00/Hour
Repair of On-Site Sewage Disposal System	125.00
Septic Tank Replacement Permit	100.00
Site Registration for Land Division/RHC Application	275.00
Each additional site, adjoining property	250.00
On-Site Sewage Disposal System Survey (non-RHC)	275.00
Additional Call-backs and/or Re-inspection (per site/per visit)	175.00
Building Permit Evaluations	85.00

BOCC MINUTES 08/17/09

Unpermitted Onsite Sewage System	DOUBLE PERMIT FEE
Water Recreation Facility Permit	250.00

D069840A 9. Public Health's involvement in the Blazing a Trail program, Pullman's Farmer's Market, the Lentil Festival and Palouse Empire Fair provided by the Director.

D069840B 10. All schools are renewing their contracts for 2009-10 School Nurse services. It has yet to be determined if the Superintendent of Public Instruction (SPI) through Educational School District (ESD) 101 will pay for nurse core hours. Until then the nurses will work a shorter schedule at the schools.

069841 11. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to adopt the revised Public Health Strategic Plan to be signed when a finalized version is available.

D069841A 12. The next Board of Health meeting is September 22nd.

2:45 p.m. - Emergency Management.

D069841B 1. Whitcom Tower must be extended 20' because the line of sight is being interrupted by a neighboring tree.

D069841C 2. Emergency Communications is working with a landowner on Baker Road and Tekoa Mountain for possible placement of radio towers.

D069841D 3. As a result of the wide-band requirement, staff is working on consolidating and transferring all radio licenses to Emergency Communications.

3:00 p.m. - Board Business Continued/BOCC Workshop.

Present: Bev Divine and Sharron Cunningham.

069842 27. ATM meetings discussed. No action taken.

3:30 p.m. - Recess.

D069842A THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, August 24, 2009 at 10:00 a.m.** Chairman Michael Largent, Greg Partch and Patrick J. O'Neill, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

10:00 a.m. - Meeting Reconvened/Revitalization Area (RA) Ordinance.

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Present: Bob Lothspeich, Treasurer, Kara Riebold, Consultant and Joe Smillie.

069843 Chairman Largent convened the hearing for proposed revisions to County Code Chapter 3.60 - Revitalization Area and requested a report.

Kara Riebold indicated all requirements of the Department of Revenue (DOR) Demonstration Project application have been fulfilled. The application will be sent to the DOR electronically after adoption of the ordinance.

Bob Lothspeich stated information he forwarded to a DOR representative was reviewed and found to be in order.

The hearing was then opened to public comments. There being no comments, the hearing was adjourned.

Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion to adopt the Revitalization Ordinance as presented. Words of appreciation were expressed by the commissioners for work by on this application by the consultant, Treasurer and Prosecutor.

**ORDINANCE NO. 069843
BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERES**

WHEREAS, Chapter 82.14 and 82.32, Laws of 2009 (Second Substitute Senate Bill 5045 - An Act Relating to Community Revitalization Financing) (the "Act") provided that a sponsoring local government may create a Revitalization Area (RA) within which certain specified public improvements may be financed through the allocation of various property and excise taxes, as set forth in the Act; and,

WHEREAS, the Act designates Whitman County ("County") as one of the demonstration projects to determine the feasibility of Local Revitalization Financing ("LRF"), approving an award not to exceed two hundred thousand dollars per fiscal year, provided that the County submit to the department no later than September 1, 2009, documentation that substantiates that the project has met the conditions, limitations, and requirements set forth in the Act; and,

WHEREAS, developing part of the Pullman-Moscow corridor provides numerous benefits for the entire County. These benefits include: (1) building a stronger community and opportunities for those who live and work and raise families in the County; (2) providing a stronger retail base of businesses to help recruit and retain top-quality personnel at Washington State University, as well as Schweitzer Engineering, a world-wide engineering and manufacturing firm that is headquartered in Pullman, WA; (3) fostering and promoting an area targeted by the County for economic development in an area that is a natural candidate for such development, in a short corridor between two large population centers (Pullman, WA and Moscow, ID) thereby concentrating development in the population centers and in the corridor between them; and (4) the retention of significant retail spending within the State of Washington by residents who are now traveling into the neighboring State of Idaho for retail shopping; and,

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WHEREAS, a revitalization area would provide significant assistance in carrying out the development of this key area of the County; and,

WHEREAS, the Act requires the County to create a revitalization area, subject to provisions of the Act, to qualify for a state award not to exceed two hundred thousand dollars per year for up to 25 years; and,

WHEREAS, in order to create a revitalization area, a sponsoring local government must adopt an ordinance consistent with the requirements of Section 104 of the Act; and,

WHEREAS, prior to passage of this ordinance, the Board of County Commissioners held a public hearing on August 24, 2009, notice of which published in the Whitman County Gazette, the legal newspaper of general circulation within the proposed revitalization area, at least ten days before the public hearing, and notice of which was posted in at least six conspicuous places located in the proposed revitalization area, copy of which form of notice is attached as Exhibit A; and,

WHEREAS, written notice of the County's intent to create a revitalization area was provided to all taxing districts and local governments with geographic boundaries within the proposed revitalization area at least thirty days in advance of the public hearing, copy of which form of notice is attached as Exhibit B; and,

WHEREAS, the Board of County Commissioners heard testimony at the public hearing and carefully considered the comments and opinions presented; and,

WHEREAS, the Board of County Commissioners finds that this Ordinance complies with the Act and that the creation of a revitalization area there under is in the best interest of Whitman County and its citizens.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF WHITMAN COUNTY, WASHINGTON, DO ORDAIN AS FOLLOWS:

**WHITMAN COUNTY CODE, TITLE 3
Revitalization Area**

Sections:

- 3.60.010 Incorporation of Recitals and Exhibits
- 3.60.020 Description of Public Improvements
- 3.60.030 Description of Boundaries
- 3.60.040 Estimate of Cost
- 3.60.050 Time of Tax and Revenue Collection
- 3.60.060 Date for Commencement of Use of Revenues
- 3.60.070 Findings Required by Section 103 of the Act
- 3.60.080 Anticipated Rate of Sales and Use Tax
- 3.60.085 Anticipated Date for Sales and Use Tax
- 3.60.090 General Authorization
- 3.60.100 Section Headings or Captions
- 3.60.110 Severability
- 3.60.120 Effective Date

3.60.130 Corrections

3.60.010 INCORPORATION OF RECITALS AND EXHIBITS. The recitals set forth above are incorporated herein by reference as if set forth in this section in full. All Exhibits to this ordinance are incorporated herein by reference.

3.60.020 DESCRIPTION OF PUBLIC IMPROVEMENTS. The public improvements currently estimated to be made in the Whitman County RA are described in Exhibit C ("Public Improvements"). This list does not imply Board of Commissioners approval of any specific projects at this time. The County will consider and finalize the list of approved public improvements prior to commencing work on each project.

3.60.030 DESCRIPTION OF BOUNDARIES. The Board of Commissioners adopts the boundaries of the Whitman County RA as described below.

Revitalization Area Boundary Description

The following described real estate situated in the County of Whitman, State of Washington:

All of the South $\frac{1}{2}$ of Section 32, Township 15 North, Range 46 East, W.M., lying north of the southerly right of way line of Washington State Highway SR 270.

TOGETHER WITH all of the Pullman Airport Road, County Road No. 5600 lying in Section 31, Township 15 North, Range 46 East, W.M., as shown on the plans for construction, C.R.P. 5600-2 Airport Road, as recorded in the Whitman County Engineers office.

TOGETHER WITH all of Washington State Highway SR 270 lying in the East 200.00 feet of the Southeast $\frac{1}{4}$ of Section 31, Township 15 North, Range 46 East, W.M.

TOGETHER WITH Government lots 1, 2 and 3 in Section 5, Township 14 North, Range 46 East, W.M., lying north of the southerly right of way line of Washington State Highway SR 270.

EXCEPT that portion of Washington State Highway SR 270 lying in the East 267.50 feet of Government Lot 1, Section 5, Township 14 North, Range 46 East, W.M.

ALSO EXCEPT a tract of land situated in Government Lot 1, Section 5, Township 14 North, Range 46 East, W.M., lying North of and adjacent to Washington State Highway No. 270 and adjoining the Washington-Idaho State Line in Whitman County, more particularly described as follows:

Beginning at a point on the North right of way line of Washington Primary State Highway No. 270 at its intersection with the Washington-Idaho Line, said point being located 1,129.04 feet North of the Southeast corner of Government Lot 1, said point being the true point of beginning; running thence South 88° 39' West 120.00 feet along said North right of way line; thence North on a line parallel with the Washington-Idaho State Line 181.5 feet; thence North 88° 39' East 120.00 feet to a point on the Washington-Idaho State line; thence South along said State line 181.5 feet to the point of beginning.

ALSO EXCEPT a tract of land in Government Lot 1, Section 5, Township 14 North, Range 46 East, W.M., more particularly described as follows:

Commencing at a concrete monument on the North right of way line of Washington State Highway No. 270 at its intersection with the Washington-Idaho State Line, said monument being located 1,129.04 feet (by Yates) North of the Southeast corner of said Lot 1; thence South 88° 39' 00" West 120.00 feet to the Southwest corner of Yates survey and the true point of beginning; thence along the arc of a spiral curve, the chord of said spiral bears North 88° 09' 43" West 23.43 feet; thence along the arc of a 2790 feet radius curve to the left through a central angle of 4°36'18" the chord of said curve bears South 87° 46' 00" West 224.18 feet; thence North 226.18 feet; thence North 88° 39' 00" East 267.50 feet to a point on the Washington-Idaho Line; thence South 60.00 feet along said line; thence South 88° 39' 00" West 120.0 feet; thence South 181.50 feet to the true point of beginning.

3.60.040 ESTIMATES OF COST. As further described in Exhibit A, the current estimated cost of the Public Improvements to be financed by the Local Revitalization Financing is \$5 million dollars. The county intends to issue bonds for the maximum amount of \$9.7 million. In addition to utilizing LRF funding, the other resources available and expected to be used to finance the improvements within the RA include real estate excise tax, current expense funds, and significant private sector development contributions.

3.60.050 TIME OF TAX AND REVENUE COLLECTION. The estimated time during which local excise tax allocation revenues, local property tax allocation revenues, and other revenues from local public sources are to be used as part of the local infrastructure financing for the Whitman County RA is 25 years (2011-2036).

3.60.060 DATE FOR COMMENCEMENT OF USE OF REVENUES. County use of local excise tax allocation revenues and local property tax allocation revenues

with respect to the Whitman County RA is anticipated to commence on July 1, 2011.

3.60.070 FINDINGS REQUIRED BY SECTION 103 OF THE ACT. The Board of County Commissioners finds and determines that the conditions of Section 103 of the Act are met with respect to the Whitman County RA. Specifically, the Board of County Commissioners finds and determines that:

- (a) No funds will be used to relocate a business from outside the revitalization area, but within this state, into the revitalization area;
- (b) Local revitalization financing will improve the viability of existing business entities within the revitalization area;
- (c) The local revitalization financing will only be used in the revitalization area, which is an area within the jurisdiction of the County deemed in need of economic development, and without the local revitalization financing made available in the Act, the proposed economic development would more than likely not occur;
- (d) The proposed public improvements to be financed by local revitalization financing are reasonably likely to
 - (i) increase private commercial investment within the Paradise Creek RA;
 - (ii) increase employment in and around the RA;
 - (iii) improve the viability of the existing community of Pullman, WA and surrounding smaller communities;
 - (iv) increase the fair market value of real property within the revitalization area; and
 - (v) generate, over the period of time that local sales and use taxes will be imposed under Section 601 of the Act, increases in state and local property, sales, and use tax revenues that are equal to or greater than the respective state contributions made under the Act.

3.60.080 ANTICIPATED RATE OF SALES AND USE TAX. The anticipated rate of sales and use tax under section 601 of the Act, that Whitman County will impose if needed for an award of a state contribution under section 401 of the Act, is .0051%.

3.60.085 ANTICIPATED DATE FOR SALES AND USE TAX. The anticipated date when the criteria for the sales and use tax in section 601 of the Act will be met is July 1, 2011. The anticipated date when the sales and use tax in section 601 of the Act will be imposed, if needed for an award of a state contribution under section 401 of the Act, is July 1, 2011.

3.60.090 GENERAL AUTHORIZATION. The Chair of the Board of Commissioners and other appropriate County officers are each hereby authorized and directed to do such things as may be necessary and appropriate in order to

carry out the terms and provisions of, and complete the transactions contemplated by, this ordinance.

3.60.100 SECTION HEADINGS OR CAPTIONS. The section headings or captions of this ordinance are for convenience of reference only, and shall be used to resolve any question of interpretation of this ordinance.

3.60.110 SEVERABILITY. If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other sections, sentence, sentence, clause or phrase of this ordinance.

3.60.120 EFFECTIVE DATE. This ordinance shall take effect five (5) days after passage.

3.60.130 CORRECTIONS. The Clerk of the Board of County Commissioners and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Dated this 24th day of August 2009.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Michael Largent, Chairman

Greg Partch, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Patrick J. O'Neill, Commiss.

ORDINANCE EXHIBITS (These documents will be included with final adopted ordinance.)

- A. Notice of Public Hearing (including Legal Description, Estimated public Improvement Projects and Map)
- B. Notice to taxing districts located within the RA

069844 Commissioner Partch **moved** Commissioner O'Neill **seconded** the motion and it **carried** to submit the Demonstration Project application to the Department of Revenue as presented.

10:30 a.m. - Adjournment.

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D069844A Commissioner O'Neill **moved** to adjourn the **August 17, 18 and 24, 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 **August 31, 2009**. The foregoing action made this **24th** day of **August 2009**.

ss/ GREG PARTCH, COMMISSIONER
ss/ PATRICK J. O'NEILL, COMMISSIONER

MARIBETH BECKER, CMC
Clerk of the Board

MICHAEL LARGENT, CHAIRMAN
Board of County Commissioners