

**BOCC MINUTES-08/31/15**

**076914 THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, August 31, 2015 at 9:00 a.m.** Chairman Dean Kinzer, Arthur D Swannack and Michael Largent, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

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

Present: Gary Petrovich, Mark Storey, Bob Reynolds, Chris Nelson (9:00 a.m.) and Kelli Campbell (9:20 a.m.)

**076915 1.** The following items were discussed but no action was taken.

- Be the Entrepreneur" Boot Camp
- Election Recount
- State Auditor Representation Letter
- Budget Amendment #1

**9:45 a.m. - The workshop was continued to 1:15 p.m./Recess.**

**10:25 a.m. - Flag Salute.**

Present: Bill Tensfeld, Jill Whelchel, Rob Reynolds, Pat Black, Tim Myers, Gary Petrovich, Dave Frazier, Sherri Aune, Kara McMurray and 2 visitors.

**D076915A 2. Pledge of Allegiance.**

**Consent Agenda:**

**D076915B 3. Motion** by Commissioner Largent to accept the consent agenda. Motion **seconded** by Commissioner Swannack and **carried**.

**076916 4.** General Claims/Veterans' Relief/Payroll warrants numbered **318493-318515** for **\$380,487.94** and **318537-318602** for **\$301,916.21** approved.

**076917 5.** August 17, 2015 minutes approved.

**076918-076923 6.** Personnel change orders approved.

**076924 7.** A decision on the 2015 budget amendment #1 was before the Board. Chairman Kinzer briefly explained the proposed amendments and asked for comments.

Commissioner Largent having reviewed all the requests did not need further explanation.

Commissioner Swannack understood the Clerk inherited a budget and realized corrections needed to be made. Clerk Whelchel concurred and hoped the 2016 budget would be more in line.

Commissioner Largent said in his opinion one of the things that needs to be done is to look at our budget amendment process. When the Board originally met on the amendment, they learned of the \$86,000 hit to Current Expense which is a significant amount of money for Whitman County. At that time the Board discussed the implications. An operating reserve was set aside in the 2015 budget because we asked the budget writers to let us do that and if you have trouble we will try to take care of it. In doing so, the Board collectively insures the county against unanticipated expenses like what is happening with the Clerk's budget. One of the things he hopes to articulate is what does this mean for the remainder of the year.

One of Commissioner Swannack's main concerns is where are we with sales tax revenue when it has been up and down so much from what has been budgeted. He wondered if the revenue was tracking well enough in 2015 that the county does actually have \$200,000 in an

operating reserve and they are able to use a portion of that reserve to offset the amendment.

Commissioner Largent explained one implication with a budget amendment is not knowing the collective impact until everything is pulled together. He thought the Board could do a better job by communicating with the departments about the implications. There will probably come a time when the Board must make some hard decisions in the middle of the year. The Board is striving for a revenue-based budget. They are not going to over-allocate revenue and that will create some difficult decisions. One of his goals is to create a sustainable budget over time and be proactive instead of reactive. The Board's concern is the overall impact of everyone's needs. There will come a time when Current Expense is over-allocated for the year. They have to find a way to bring the budget in line and collectively act. This amendment did create some good discussion among the commissioners and he looked forward to working with the departments as they struggle to be responsible with the resources they have been allocated. He would suggest in the future not all budget amendments will necessarily be adopted as presented, even though they are quite reasonable requests, due to over-allocated resources.

Commissioner Kinzer said the Board is going to make every effort to communicate better with all department heads and elected officials to let them know where the county stands with sales tax revenue and hopefully help departments understand the Board's thinking.

Commissioner Swannack indicated letters would be going to all the departments about 2015 and 2016. Another main concern is what the Legislature will do in January with respect to the McCleary issue that could affect 1/3 of the Current Expense budget derived from state revenue. That will have to be kept in mind while moving forward with the 2016 budget. The USDA has forecasted farm revenue is down 36%. That indicates a decrease in sales tax revenue in the unincorporated portions of Whitman County that generates 1% from sales tax. Many factors have to be weighed to insure the county is not spending more than it is receiving.

**076925** Commissioner Swannack **moved** Commissioner Largent **seconded** the motion and it **carried** to approve budget amendment #1 as presented.

**RESOLUTION NO. 076925**  
**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 31, 2015; and,

WHEREAS, any and all taxpayers appearing at the hearing held August 17, 2015, to be heard for or against any part of the budget amendment have been given the opportunity to be heard; and,

WHEREAS, the Auditor estimates that these amendments are necessary for the operation of the specified funds through the end of the fiscal year 2015.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the authorized appropriations for these funds of Whitman County for fiscal year 2015 be amended by the amounts indicated as attached; and,

BE IT FURTHER RESOLVED that the appropriate entries to the accounting records be made to reflect the aforementioned budget amendment.

PASSED, APPROVED AND ADOPTED this 31st day of August, 2015.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

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

ATTEST:

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Arthur D Swannack, Commissioner

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Maribeth Becker, CMC  
Clerk of the Board

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Michael Largent, Commissioner

**2015 BUDGET AMENDMENT #1**

Fund Name	2015 Adopted Budget	2015 BA #1	New Amended Budget
<b>001 Current Expense</b>			
Revenue	\$ 14,741,695.00	\$ ( 3,936.00)	\$ 14,737,759.00
Expenses	\$ 14,741,695.00	\$ 82,987.00	\$ 14,737,759.00
	Change to: 508.00.00	\$ (86,923.00)	
<b>144 Emergency Communication System</b>			
Revenue	\$ 750,000.00	\$ 80,000.00	\$ 830,000.00
Expenses	\$ 750,000.00	\$ 80,000.00	\$ 830,000.00
<b>320 Capital Projects-Outside Sources</b>			
Revenue	\$ 561,500.00	\$ (274,000.00)	\$ 287,500.00
Expenses	\$ 561,800.00	\$ (274,300.00)	\$ 287,500.00
<b>TOTALS</b>			
Revenue	\$ 58,597,835.00	\$ (197,936.00)	\$ 58,399,899.00
Expenses	\$ 58,598,135.00	\$ (111,313.00)	\$ 58,399,899.00

**076926** 8. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to accept reappointment requests for the Whitman County Emergency Communications Advisory Board for 3 year terms for Steven Hansen, representing WSU Police, Marv Pillers representing WC EMS and Bill Tensfeld, representing Whitman County Department of Emergency Management.

**10:35 a.m.** - Tim Myers and Kara McMurray.

**076927** 9. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve and sign resolution #076927 for the sole source purchase of materials for the repair project on the large shelter at Wawawai County Park.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON**

In the Matter of Establishing a ) **RESOLUTION NO. 076927**  
Sole Source Purchasing Contract )  
for Parks and Recreation, )  
Whitman County, Washington ) **Establishing Sole Source Purchasing**

BEFORE THE BOARD OF COUNTY COMMISSIONERS of Whitman County, Washington in the matter of replacement decking for the Wawawai Large Shelter;

WHEREAS, it is recognized that the Parks and Recreation Department needs to replace rotted "Lock Deck" decking on the Wawawai Large Shelter, and

WHEREAS, the existing "Lock Deck" product is a specialized system for the unique design of the large shelter at Wawawai in order to cover the large spans on the log framed structure, and

WHEREAS, the Parks and Recreation personnel have determined that the "Lock Deck" product which was used to originally construct the Wawawai Large Shelter is only available through one manufacturer/distributor.

IT IS HEREBY RESOLVED that the Whitman County Board of County Commissioners authorizes the Parks and Recreation Department to purchase a sole-source product from Disdero Lumber Company to replace the rotted out "Lock Deck" on the Wawawai Large Shelter.

ADOPTED this 31<sup>st</sup> day of August, 2015.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

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Dean Kinzer, Chairman

ATTEST:

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Arthur D Swannack, Commissioner

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Maribeth Becker, CMC  
Clerk of the Board

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Michael Largent, Commissioner

**076928**      **10.**    Wilbur Ellis wants to build a shop

Commissioner Swannack **moved** Commissioner Largent **seconded** the motion and it **carried** to approve and sign the Electric Line right-of-way easement on the Colfax Trail between Whitman County and Avista Corporation.

**076929**      **11.**    Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** the Board accept the Treasurer's Office recommendation and close the Health Department account ending in #1111 by resolution.

**RESOLUTION NO. 076929**  
**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 the 31<sup>st</sup> day of August, 2015; and,

WHEREAS, the Merchant Card Services Account #7000741111 at Columbia Bank, set up with Retail Lock Box through Columbia Bank will be closed due to the Health Department not using this service with Merchant Card Services; and,

WHEREAS, the County has no other use for this account.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Columbia Bank Account ending #1111 be closed due to not being used by the Health Department. The account has a zero (\$0) balance and has no other use for Whitman County.

PASSED, APPROVED AND ADOPTED this 31<sup>st</sup> day of August, 2015.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

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Dean Kinzer, Chairman

ATTEST:

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Arthur D Swannack, Commissioner

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Maribeth Becker, CMC  
Clerk of the Board

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Michael Largent, Commissioner

**CORRESPONDENCE:**

- D076929A 12. No correspondence received.
- 076930 13. Commissioners' pending list reviewed.

10:50 a.m. - Recess.

11:00 a.m. - Public Works.

Present: Mark Storey, Phil Meyer, Dean Cornelison, Dan Hall, Garth Meyer, Gary Libey, Milt Nelson and Mike McCane.

**ACTION ITEMS:**

- 076931 15. At 11:00 a.m. the regular meeting was recessed **and the hearing** convened by the Chairman for the proposed D Meyer Road vacation.

Mr. Storey reported the proposed road vacation is a continuation of the Public Works Department goal over the years of eliminating county roads/infrastructure that is no longer needed for the county's transportation system. This road is south of Pullman 5-6 miles. A portion of the road was abandoned many years ago and approximately one-half of it is no longer a road. The proposal is to vacate the road from a shop at the east end of the road to the Wawawai-Pullman Road.

In his opinion, Mr. Storey said it is not advisable to preserve this road for the county's transportation system. It is seen as a benefit to the county that the road be vacated and passed to the owners of recording of the adjoining land.

The hearing was opened to public comment. There being none the hearing was adjourned and the regular meeting reconvened.

- 076932 16. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** that the Whitman County Board of County Commissioners sign the resolution vacating that portion of D Meyer Road as presented.

BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS

In the Matter of the Intent to Vacate and Abandon a Portion of the D Meyer Road, County Road No. 9200 in the North 1/2 of the NW 1/4 of Section 2, the North 1/2 of Section 3, Township 13 North and the South 1/2 of the SW 1/4 of Section 35, Township 14 North, all in Range 44 East, W.M., Whitman County, WA )

RESOLUTION No. 076932

RESOLUTION VACATING

WHEREAS, the Whitman County Board of County Commissioners declared their intention to vacate and abandon a portion of the D Meyer Road, County Road No. 9200 the 3rd day of August, 2015.

WHEREAS, the Whitman County Engineer has submitted a report, which indicates it is not advisable to preserve that part of the D. Meyer Road, County Road No. 9200 for the county transportation system and therefore recommended the vacation of a portion of the D. Meyer Road, County Road No. 9200.

WHEREAS, the Whitman County Board of County Commissioners held a public hearing, after proper public notice, on the 31st day of August, 2015, and interested parties for and against said vacation were afforded the opportunity to present to the Board.

WHEREAS, the Whitman County Board of County Commissioners finds that the vacation of said portion of the D. Meyer Road, County Road No. 9200 is in the best interest of the citizens of Whitman County.

NOW, THEREFORE BE IT HEREBY RESOLVED that the portion of the D. Meyer Road, County Road No. 9200 located in the North 1/2 of the NW 1/4 of Section 2, the North 1/2 of Section 3 Township 13 North, and the South 1/2 of the SW 1/4 of Section 35 Township 14 North, all in Range 44 East, W.M., in Whitman County, Washington, more particularly described as follows: All that portion of the said D Meyer Road lying westerly of the East line of the SW 1/4 of said Section 35, be vacated and passed to the owners of record of the adjoining land.

DATED at Colfax, Washington, this 31st day of August, 2015.

BOARD OF COUNTY COMMISSIONERS OF WHITMAN COUNTY, WASHINGTON

Dean Kinzer, Chairman

Arthur D Swannack, Commissioner

Michael Largent, Commissioner

ATTEST:

Maribeth Becker, CMC Clerk of the Board

DIVISION UPDATES:

D076932A 20. The following division updates provided by Public Works staff.

Solid Waste Division:

D076932B 20A. For safety purchases, Solid Waste is currently using the old transfer station facility until repairs can be made to crane pedestal at the new facility.

**Maintenance Division:**

D076932C 20B. All districts are grading, ditching and will soon begin a piping project.

**Engineering Division:**

D076932D 20C. The Hatley Bridge detour has been removed and the new bridge is now completed.

076933 17. At 11:10 a.m. the regular meeting was recessed and the hearing convened by the Chairman for the proposed vacation of a portion of Cottonwood Road/Kerns Bridge.

Present: Mark Storey, Phil Meyer, Dean Cornelison, Dan Hall, Garth Meyer, Gary Libey, Milt Nelson and Mike McCane.

Mark Storey said this road also falls into the category of a small road that dead-ends. This road used to be part of a longer road. In his opinion, it is not advisable to preserve this road/bridge for the county's transportation system. It is seen as a benefit to the county that the road/bridge be vacated and passed to the owners of record of the adjoining land.

The hearing was opened to public comment.

Milt Nelson of Thornton, WA said he has farmed this land for 40 years. The bridge in question was never called "Kerns Bridge" until last week; the Kerns Bridge is further down the road. Mr. Nelson said he visited with the Road Department 25 years ago on this very issue. Mr. Nelson said he spent \$8,000 on the bridge in order to get his crop in. If the county vacates the bridge, he will have to put in another bridge at his expense to get his crop in.

Billy McDonald who is Mike McCane's uncle, said he had a document the county commissioners signed years ago that said the county would leave the bridge in if the property owners allowed the county to build a road through his field. The records were not filed and in a few days the records disappeared from the Courthouse.

Mr. Nelson's grandmother (Kerns) inherited the property. This bridge is the only access to some of their property over the creek. He didn't understand why the county couldn't afford to keep the bridge. The county doesn't grade the road, doesn't clean the ditches and doesn't spray weeds anymore. Mr. Nelson didn't like what the county was doing nor did he understand why this board can't back-up the old-timers agreement.

Commissioner Kinzer said in 2007-2008 there was an initiative called 747 that passed by the Washington state voting public limiting counties and cities from increasing their tax revenue by more than 1% per year even though costs to the counties and cities is increasing by 3-4% per year. Therefore, this is unsustainable and unfortunately the county will have to eventually cut back on goods and services to our patrons until the law is changed to allow the counties and cities to incur revenue that equals the amount they are being forced to spend. That is why the county is trying to cut back on as many items that is costing the county that the county doesn't need. This particular road/bridge looked like one of those issues no longer needed to be included on the county's transportation system.

Commissioner Largent asked staff if the proposal is to remove the bridge and Mr. Storey said not at this time. Options available to the county are to remove the bridge and abandon the road and a second option is to vacate the bridge and allow it to go to the record owner of the property. In doing so, the bridge would become a private bridge like many other private bridges in the county.

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With regards to the "Kerns Bridge" name, Commissioner Largent said this board must rely on the name designated by the county road system.

Commissioner Swannack thought it would seem appropriate to know if there is a legal document that says the county will retain and maintain that bridge. Mr. Nelson said there was at one time. Mr. McCane said he would have to look for the document. This bridge is his only legal access to his property and access to the Nelson's corrals.

Mr. Nelson said this particular bridge referred to as the Kerns Bridge used to be known as the McDonald-Whitney Bridge.

Commissioner Swannack suggested more research be done before a decision is made. Mark Storey interjected with additional names and dates the department can further research the history of the road/bridge.

Commissioner Largent asked if it would solve everyone's problem to vacate the road/bridge and leave the bridge in place because it is a distinct possibility that would not create a hardship on the landowners. Commissioner Largent added what the county gets out of this process is no maintenance obligation and no obligation to replace the bridge at the time the criteria for the county requires maintenance/replacement. He wasn't clear on what the objections are if the county is talking about leaving the bridge in place. Mr. McCane said leaving the bridge in place is the next best option.

Mr. Storey said when the bridge is vacated the county could offer to make sure it is in as good of shape as possible. The county's intent is not to saddle the property owners.

Commissioner Largent reiterated nothing will change other than the owner of record would assume the liability for the bridge.

Upon explanation of the process, both parties were agreeable to the idea.

There being no further comments the hearing was adjourned and the regular meeting reconvened.

**076934**      **18.**      Commissioner Largent said Mr. Nelson and Mr. McCane have referred to a legal document that was probably a resolution. His understanding is that a prior board cannot bind a subsequent board. The question he would ask of the landowners, irrespective of what the document says, is would it be satisfactory to simply do what is being suggested, that being, leave the bridge in place, perform any obvious maintenance to the bridge and proceed with returning this road/bridge over to the owners of record. That way Mr. McCane won't have to look for the document.

Commissioner Largent **moved** to sign a resolution vacating all of Cottonwood Road and the Kerns Bridge as presented. Motion **died** for the **lack of a second**.

Commissioner Swannack **moved** Commissioner Largent **seconded** the motion and it **carried** that the Board table their decision to September 8<sup>th</sup> to allow time for further research.

**076935**      **19.**      At 11:40 a.m. the following bids were received for the Countywide Overlays 3 project:

<b>BIDDER</b>	<b>AMOUNT</b>
Shamrock Paving, Inc.	\$1,074,228.71
Inland Asphalt Co., Spokane, WA	\$1,269,752.00
POE Asphalt Paving, Inc., Lewiston, ID	\$1,242,279.61
Motley-Motley, Inc.	\$1,395,509.65

The commissioners will make an award today at 2:30 p.m.

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12:00 p.m. - Recess.

1:00 p.m. - Reconvene/Board Business Continued.

D076935E 14. Approved documents signed.

1:15 p.m. - BOCC Workshop.

076935F 20D. The following items discussed but no action taken:

- 2016 Budget Reviews
- Incident Team/Air Quality
- Animal Control
- 2015 Budget
- Sponsor Team/Job Descriptions

2:00 p.m. - Recess.

2:30 p.m. - Reconvene/Board Business Continued.

Present: Mark Storey.

076936 21. The Board is unable to award the Countywide Overlay #3 bid at this time as they are awaiting approval by the state.

2:35 p.m. - BOCC Workshop.

Present: Mark Storey and Alan Thomson.

076937 22. The Voluntary Stewardship Program was discussed but no action was taken.

076936A 22A. Having received approval from the state, Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to award the bid for the Countywide Overlays 3 to the low bidder, Shamrock Paving, Inc., for Whitman County Countywide Overlays 3 project in the amount of \$1,074,228.71.

4:00 p.m. - Adjournment.

D076937A Commissioner Largent **moved** to adjourn the **August 31, 2015** meeting. Motion **seconded** by Commissioner Swannack and **carried**. The Board will meet in regular session, in their Chambers', in the Whitman County Courthouse, Colfax, Washington, on **September 8, 2015**. The foregoing action made this **31st** day of **August 2015**.

ss/ ARTHUR D SWANNACK, COMMISSIONER  
ss/ MICHAEL LARGENT, COMMISSIONER

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MARIBETH BECKER, CMC  
Clerk of the Board

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DEAN KINZER, CHAIRMAN  
Board of County Commissioner