

Minutes for September 4, 2012

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073305 THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, September 4, 2012 at 9:00 a.m.** Chairman Greg Partch, Patrick J. O'Neill and Michael Largent, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

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

Present: Gary Petrovich, David Ledbetter, Bill Spence and Holly Bowen.

073306 1. Items discussed included 2012-13 WRCIP liability insurance, 2013 preliminary budget, State-Examiners on-site and Fair Week. No action taken.

073306A 2. As required by statute, the commissioners received the 2013 preliminary budget from the County Auditor's Office via David Ledbetter.

9:15 a.m. - Recess.

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

Present: Kelli Campbell, Karen Johnson, Joan Willson, Bill Spence and Holly Bowen.

D073306B 3. Motion by Commissioner O'Neill to accept the consent agenda. Motion **seconded** by Commissioner Largent and **carried**.

073307 4. Claims/Payroll warrants numbered **265127-265251** for **\$190,357.02** approved.

073308 5. August 20, 2012 minutes approved.

073309-073312 6. Personnel change orders approved.

073313 7. Commissioner O'Neill **moved** Commissioner Largent **seconded** the motion and it **carried** to approve a resolution adopting the revised Evacuation Policy.

RESOLUTION NO. 073313
BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS

IN THE MATTER OF the action of adoption for the Whitman County Policy Evacuating County Buildings;

WHEREAS, this policy has been updated for clarification purposes,

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 the attached **POL-2000-HR Evacuating County Buildings.**

Dated this 4th day of September 2012 and effective as of October 1, 2012.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Greg Partch, Chairman

Patrick J. O'Neill, Commiss.

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Michael Largent, Commissioner



EVACUATING COUNTY BUILDINGS

Policy: POL-2000-HR • Effective Date: October 1, 2012 • Res. #

Cancels: Res # 068607 • Reference: None

This policy applies to all County employees.

Definitions:

Key Personnel - those persons designated by their department head or elected official to complete assigned vital functions prior to exiting the facility.

Vital Functions - important tasks specific to each department, such as closing vaults, files, cash drawers, etc.

Visitors - Any individual who is not an employee of Whitman County.

- 1. Evacuation of Whitman County Facilities Must Occur in a Safe and Orderly Manner.**

Evacuation of Whitman County facilities/buildings should occur in a safe and orderly manner. All personnel must evacuate the building as quickly as possible, except "Key Personnel". If safe, "Key Personnel" should remain in the office to complete vital functions and then exit immediately.

Use the most direct route for evacuation. If the primary route is blocked, follow the secondary route. Leave by the nearest exit. Use the stairways. Never, under any circumstances, use the elevators. Walk in an orderly fashion. Do not run to the exits.

If smoke is present, crawl on hands and knees. If closed doors block the exit route, feel each one with the palm of the hand. If they are hot do not open them. Turn off fans and air conditioners, seal up cracks and vents to the room, and signal at a window for rescue.

2. Each Department Shall Develop a "Buddy System".

Each department shall develop a "buddy system" within its office or work area. Two employees are responsible for each other in the event of an emergency. "Buddies" keep track of each other during the evacuation and report to the supervisor/manager if a "buddy" is missing at the assembly area.

3. Employees May Use Fire Extinguishers.

All employees should note locations of the various fire extinguishers throughout County buildings. If employees need to use a fire extinguisher, they should also attempt to do the following:

- Instruct someone to dial 911. Activate the building's fire alarm
- Do NOT use an extinguisher if the fire cannot be observed. Smoke contains many toxic gases. Far more fatalities are caused by smoke inhalation and suffocation than by burns.
- If the fire is larger than a wastebasket, do NOT try to put it out. Remember, employees are not trained fire fighters. Exit the building immediately.
- Use only one extinguisher and then exit the building.

4. Assembly Shall Take Place at the Community Education and Training Center (CETC).

All employees on the Colfax campus are to evacuate to the CETC building, unless otherwise directed by law enforcement or the Incident Team. The CETC is located at 123 Main Street, Colfax, Washington 99111.

5. Educating Employees on Evacuation Procedures Shall be a Top Priority.

Education shall include, but may not be limited to, the following subjects:

- The location of exits

- Primary and secondary evacuation routes
- The location and use of fire alarm boxes
- The County's "buddy system"
- The location and use of a fire extinguisher
- Where to assemble after evacuation
- Key Personnel duties
- County emergency policies and procedures

6. Employees are Responsible for the Safe Evacuation of Visitors.

Employees are responsible for assisting visitors out of the building during an evacuation. Escort them to the nearest exit in accordance with this policy. If a visitor is unable to evacuate the building, instruct them to wait at a windowed room while the employee contacts an emergency responder for rescue. If possible, place a sign in the window to alert rescuers to the visitor's location.

7. Use of the Elevators During Evacuation is Prohibited.

8. An Accounting of Employees and Visitors Shall be Taken at the CETC.

After evacuating the building, proceed to the CETC building for roll call. Supervisors/managers must make an immediate count of employees and visitors from their department to ensure that everyone has evacuated the building.

If someone is believed to be missing or need rescue, the supervisor/manager must notify emergency personnel immediately so a rescue effort can be arranged.

9. Returning to County Buildings Without Proper Authorization is Prohibited.

Employees are prohibited from returning to county buildings until allowed to do so by their supervisor/manager or upon instruction by first responders or law enforcement personnel.

10. The Whitman County Incident Team Shall Meet After Evacuation has Occurred.

Once evacuation has occurred, the Whitman County Incident Team shall meet at the CETC building for discussion and consultation with law enforcement.



EVACUATING COUNTY BUILDINGS

Procedure: PRO-2000-1-HR • Effective Date: October 1, 2012 • Res. #

Cancels: Res # 062375 • Reference: None

This procedure applies to all Whitman County employees

located on the Whitman County Colfax campus.

Action Taken By:

Action:

Employee

1. Pulls the nearest fire alarm box if fire or smoke is observed.
2. Phones 911.
3. If the fire is no larger than a wastebasket, attempts to use a fire extinguisher.
 - 3a. If the fire is not visible due to smoke, skips step 3.
 - 3b. If one extinguisher does not put the fire out, evacuate the building.
4. Locates his/her evacuation buddy and evacuates the building in accordance with policy POL-2000-HR and task TSK-2000-1-HR.
 - 4a. If the employee is Key Personnel and it is safe to do so, remains in the office to perform assigned vital functions.
5. Walks to the Community Education and Training Center (CETC) building.
6. Notifies his/her supervisor of his/her presence and of anyone requiring rescue.

Supervisor

7. Notifies fire fighter/law enforcement personnel of anyone needing rescue.

**Fire Fighter/
Law Enforcement**

8. Performs the necessary steps for rescue.
9. Performs the necessary steps for fire containment.
10. Notifies supervisors when it is safe to return to the building along with any further instructions.

Supervisor

11. Notifies employees it is safe to return to the building and/or fire fighter/law enforcement instructions.

Employee

12. Returns to the building and/or follows the instructions they have been given.



EMPLOYEE EVACUATION GUIDELINES

Task: TSK-2000-1-HR • Effective Date: October 1, 2012
Res. #

Cancels: Res # 062376 • Reference: None

After receiving an indication/direction to evacuate the building, employees:

1. Locate their evacuation buddies.
2. Move toward the nearest exit.
3. Feel any closed doors along the evacuation route with the palm of their hands before opening them.
 - 3a. If the door is cool, progress through the door, closing the doors behind them.
 - 3b. If the door is hot, do not open it. Shut off all fans and air conditioners, seal off cracks and vents to the room and signal for rescuers at an available window.
4. Follow the area's primary evacuation route to the nearest exit. Do not run, and do not use the elevators!
 - 4a. If the primary route is blocked, use the secondary path.
 - 4b. If smoke is in the air, crawl on their hands and knees.
 - 4c. If visitors are present, escort them to the nearest exit.
 - 4d. If someone who cannot reach the exit is present, instruct them to wait in a safe, windowed room while the employee notifies emergency responders for rescue.
5. Walk to the Community Education and Training Center (CETC) building.
6. Notify their supervisor of their presence and if someone requires rescue.
7. Remain at the CETC building until their supervisor, an emergency responder or law enforcement personnel notifies them it is safe to return to the building or provides further instructions.
8. Follow the instructions they have been given.



SUPERVISOR EVACUATION GUIDELINES

Task: TSK-2000-2-HR • Effective Date: October 1, 2012
Res. #

Cancels: Res # 062377 • Reference: None

After receiving an indication/direction to evacuate the building, supervisors:

1. **Direct** employees and visitors to locate their evacuation buddies and exit the building in accordance with procedure PRO-2000-1-HR and task TSK-2000-1-HR. Tell them to, exit the building and report to the Community Education and Training Center (CETC) building.
2. **Search** their department's office space and surrounding area for remaining people. Priority areas are restrooms, stairways, elevators, hallways, under desks, closets, storage areas and large bins.
 - 2a. If visitors are present, **direct** and/or **assist** them to the nearest exit in accordance with policy POL-2000-HR and task TSK-2000-1-HR.
 - 2b. If visitors are found who cannot reach the exits, escort them to a safe, windowed room, and close all doors to the area. Notify law enforcement/emergency responders that people need rescuing.
3. **Evacuate** the building.
4. **Walk** to the CETC building.
5. **Take** a roll call of department staff and visitors.
6. **Report** any missing people or those who need rescuing to an emergency responder or law enforcement personnel.
7. **Keep** employees at the CETC building until instructed to return to the building by the Incident Commander or his/her designee.

073314 8. Commissioner Largent **moved** Commissioner O'Neill **seconded** the motion and it **carried** to enter into an agreement with the Washington State Administrative Office of the Courts and Juvenile Services for BECCA services #IAA13087 (06/30/13).

073315 9. Commissioner O'Neill **moved** Commissioner Largent **seconded** the motion and it **carried** to enter into an agreement between the Washington

BOCC MINUTES-09/04/12

State Administrative Office of the Courts and Juvenile Services for CASA services #IAA13054 (06/30/13).

073316 10. Commissioner O'Neill **moved** Commissioner Largent **seconded** the motion and it **carried** to enter into an agreement between the Washington Association of Sheriffs and Police Chiefs and Juvenile Services for Electronic Monitoring services (09/04/13).

073317 11. Commissioner O'Neill **moved** Commissioner Largent **seconded** the motion and it **carried** to enter into an agreement with Terry Petersen, MSW, P.S. for Juvenile Services sex offender therapist services (06/30/13).

073318 12. Commissioner O'Neill **moved** Commissioner Largent **seconded** the motion and it **carried** to enter into an agreement with Lorelei Zickler for Juvenile Services Polygraph Intelligence services (06/30/13).

073319 13. A letter was received from Nez Perce County requesting financial contributions towards the cost of the Nez Perce County Air Posses expenses. The commissioners will not be authorizing a financial contribution for this purpose.

073320 14. An executed copy of the New World Business Analytics module license agreement was received.

073321 15. Commissioners' pending list reviewed.

10:20 a.m. - Joe Smillie.

10:20 a.m. - **Recess.**

10:30 a.m. - **Janet Schmidt and Steve VanVleet.**

Present: Karen Johnson, Joan Willson, Bill Spence, Joe Smillie and Holly Bowen.

Janet Schmidt updated the commissioners on programs and events she is involved in.

073322 16. 2012 4-H Palouse Area Robotics Team for Senior High students and First Leg League for Junior High students. The 4-H club is in hopes of receiving a grant from Schweitzer Engineering Laboratories (SEL).

D073322A 17. Extension is in a partnership with Palouse Discovery Science Center and they are planning an activity at the Center in October.

073323 18. Extension is hosting the Southeast District 4-H Teen Rally at the Palouse Empire Fairgrounds in September. This event includes youths from 6-8 counties.

BOCC MINUTES-09/04/12

D073323A 19. The Meat Animal Team program is continuing and includes 100, 200 and 300 levels of training for beginners, intermediate and advanced individuals.

073324 20. This year the Fishing Kids event included 212 fishing kids and 30 volunteers.

D073324A 21. The 2012 Palouse Empire Fair brochure is now available.

D073324B 22. Some 4-H members temporarily living out of country are able to "Skype" into their 4-H meetings.

D073324C 23. The dog qualifying event was recently held and five 4-H members qualified for the State Fair.

D073324D 24. Ms. Schmidt was selected for a 2-year position as Vice-Director of the National Agricultural Agency Committee representing the western region. Ms. Schmidt will automatically advance to the Director position.

D073324E 25. The Director said she served the past 2 years as Vice-President for the Washington State Association of Counties Extension affiliate organization and this year will assume the President's position.

Steve VanVleet updated the commissioners on programs and events he is involved in.

D073324F 26. This year Mr. VanVleet is assuming the position of Chair of the National Association of County Agents.

D073324G 27. In addition, he will be assuming the position of President of the State Association of County Agents.

D073324H 28. Mr. VanVleet currently serves as a member of the Washington Weed Association.

D073324I 29. He will be judging the Agronomy contest at the 2012 Palouse Empire Fair.

D073324J 30. The local Cattlemen's Association now has an Agronomy Scholarship program.

D073324K 31. One of Mr. VanVleet's current weed focuses is Barbary.

D073324L 32. He continues to be involved with the grazing and CRP programs.

BOCC MINUTES-09/04/12

D073324M 33. Mr. VanVleet is working with renewable energy for Whitman County. Independence Energy Company owned by Adrienne Lancer of Iowa, is locating a bio-diesel crushing and processing plant in the Dusty area in cooperation with Steve Camp.

D073324N 34. By popular demand, Mr. VanVleet will again be compiling a calendar of barns with focusing on historical barns.

D073324O 35. The agent said the "No Till/Direct Seeding program is not used much in Whitman County but will have funding available.

10:50 a.m. - Recess.

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

Present: Phil Meyer, Karen Johnson, Joan Willson, Bill Spence, Joe Smillie and Holly Bowen.

ACTION ITEMS

Engineering Division:

073325 36. Commissioner O'Neill **moved** Commissioner Largent **seconded** the motion and it **carried** to publish the notice of hearing for the Six-Year Transportation Improvement Program amendment.

073326 37. Commissioner Largent **moved** Commissioner O'Neill **seconded** the motion and it **carried** to that the Annual Construction Program amendment be amended as presented.

073327 38. Commissioner O'Neill **moved** Commissioner Largent **seconded** the motion and it **carried** that the resolution to initiate a county road project for countywide overlays for Hume, Lancaster and Endicott Roads be signed as presented.

RESOLUTION NO. 073327

BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS

In the matter of initiating county road projects designated as follows for the Countywide Overlays: C.R.P. No. 2000-2 Project No. XFR1200, C.R.P. No. 4000-15 Project No. XFR1202 and C.R.P. No. 4100-2 Project No. XFR1201.

IT IS HEREBY RESOLVED that the Countywide Overlays roads be improved as follows:

Hume Road, County Road No. 2000, from milepost 3.12 to milepost 12.45, HMA Overlay.

BOCC MINUTES-09/04/12

Endicott Road, County Road No. 4000, from milepost 7.87 to milepost 13.61, HMA Overlay.

Lancaster Road, County Road No. 4100, from milepost 0.62 to milepost 6.37, HMA Overlay.

This project is hereby declared to be a public necessity and the County Engineer is hereby ordered and authorized to report and proceed thereon as by law provided (RCW 36.75.050, 36.80.030, 36.80.070)

IT IS FURTHER RESOLVED that an appropriation from the official adopted county road fund budget and based on the County Engineer's estimate is hereby made in the amounts and for the purposes shown:

PURPOSE	AMOUNT OF APPROPRIATION
Engineering (PE & CE)	\$ 122,000.00
Contract	\$ <u>5,900,000.00</u>
TOTAL	\$ 6,022,000.00

This project was included in the official adopted annual road program as Item No. 22.

IT IS FURTHER RESOLVED that the construction is to be accomplished by contract in accordance with RCW 36.77.020 et. seq.

ESTIMATED date of commencing work: September 4, 2012

ESTIMATED date of completing work: October 31, 2013

ADOPTED this 4th day of September, 2012.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Greg Partch, Chairman

Patrick J. O'Neill, Commiss.

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Michael Largent, Commissioner

073328 **39.** Commissioner O'Neill **moved** Commissioner Largent **seconded** the motion and it **carried** that the resolution to initiate a county road project for crushing at Bauer Quarry be signed as presented.

RESOLUTION NO. 073328

BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS

In the matter of initiating a County Road Crushing Project designated as Bauer Quarry, C.R.C.P. No. 158, Project No. XFC1201.

IT IS HEREBY RESOLVED that the County Road Crushing Project be completed as follows:

This contract provides for the stockpiling of aggregate for county road maintenance purposes.

This project is hereby declared to be a public necessity and the County Engineer is hereby ordered and authorized to report and proceed thereon as by law provided (RCW 36.75.050, 36.80.030, 36.80.070).

IT IS FURTHER RESOLVED that an appropriation from the official adopted E.R. & R. fund budget and based on the County Engineer's estimate is hereby made in the amounts and for the purposes shown:

PURPOSE	AMOUNT OF APPROPRIATION
Engineering	\$ 1,000.00
Inspection	\$ 15,000.00
Crushing & Stockpiling	\$ 170,000.00
TOTAL ER&R FUND	\$ 186,000.00

IT IS FURTHER RESOLVED that the crushing and stockpiling is to be accomplished by contract in accordance with RCW 36.77.020 et seq.

ESTIMATED date of commencing work: September 4, 2012

ESTIMATED date of completing work: December 31, 2012

DATED this 4th day of September, 2012.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Greg Partch, Chairman

Patrick J. O'Neill, Commiss.

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Michael Largent, Commissioner

073329 40. Commissioner Largent moved Commissioner O'Neill seconded the motion and it carried that the resolution to initiate a county road project for crushing at Union Center be signed as presented.

RESOLUTION NO. 073329
BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS

In the matter of initiating a County Road Crushing Project designated as Union Center Quarry, C.R.C.P. No. 159, Project No. XFC1202.

IT IS HEREBY RESOLVED that the County Road Crushing Project be completed as follows:

This contract provides for the blasting and stockpiling of shot rock for solid waste building and county road maintenance purposes.

This project is hereby declared to be a public necessity and the County Engineer is hereby ordered and authorized to report and proceed thereon as by law provided (RCW 36.75.050, 36.80.030, 36.80.070).

IT IS FURTHER RESOLVED that an appropriation from the official adopted E.R. & R. fund budget and based on the County Engineer's estimate is hereby made in the amounts and for the purposes shown:

Table with 2 columns: PURPOSE and AMOUNT OF APPROPRIATION. Rows include Engineering (\$1,000.00), Inspection (\$2,000.00), Crushing & Stockpiling (\$40,000.00), and TOTAL ER&R FUND (\$43,000.00).

IT IS FURTHER RESOLVED that the blasting and stockpiling is to be accomplished by contract in accordance with RCW 36.77.020 et seq.

ESTIMATED date of commencing work: September 4, 2012

ESTIMATED date of completing work: December 31, 2012

DATED this 4th day of September, 2012.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Greg Partch, Chairman

Patrick J. O'Neill, Commiss.

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Michael Largent, Commissioner

BOCC MINUTES-09/04/12

073330-073331 41. Commissioner Largent **moved** Commissioner O'Neill **seconded** the motion and it **carried** that the Chair of the BOCC be permitted to sign the Thorn Creek and Almota III Rural Arterial Program prospectus.

D073331A 42. Commissioner Largent **moved** Commissioner O'Neill **seconded** the motion and it **carried** that the contracts between Whitman County and M.A. DeAtley Construction for the Colfax Airport Road project be signed as presented when they are received.

Maintenance Division:

D073331B 43. Phil Meyer reported members of the maintenance crew are working at the Transfer Station on the wood waste project.

Solid Waste Division:

D073331C 44. Mark Storey advised the commissioners that the Solid Waste Facility is under full engineering design and will be 70% complete by November.

11:15 a.m. - Recess.

11:30 a.m. - Board Business Continued/Executive Session.

Present: Denis Tracy, Gary Petrovich, Mark Storey and Milton Rowland (phone).

073332 45. Commissioner Largent **moved** Commissioner O'Neill **seconded** the motion and it **carried** to go into executive session with the above individuals until 12:15 p.m. in accordance with RCW 42.30.110(1)(i) for matters related to pending litigation.

12:15 p.m. - Return to Open Session/Recess.

1:30 p.m. - Reconvene/Board Business Continued.

Present: Mike Berney, Greater Columbia Behavioral Health (GCBH) (phone).

073333 46. Mr. Berney reviewed issues coming before the GCBH Board on September 6, 2012.

D073333A 47. Regional Support Network Mergers:

At the August 4, 2012 Board of Director's meeting Grant County made a formal request to join GCBH. Staff presented information on the impact if Grant County joined GCBH. It appears our rates would decrease, on average, about 3% (when Skamania County leaves GCBH's average rate should increase about 1%). Strategic implications were not discussed as much as Mr. Berney had hoped. Staff recommended Grant County not be invited to join GCBH. A motion was made not to extend an invitation to Grant County to join GCBH. Motion passed with 1 against and 1 abstention.

D073333B 48. Yakima County's request for a delegation contract:

In the recently approved Medicaid and State-only contract amendments the State included very specific language prohibiting contracting with non-mental health licensed entities. The amendment does make provisions for Regional Support Networks to contractually delegate duties to a non-licensed entity but it must be for things the RSN cannot do. (The State's clear intent is to decrease administrative layers/costs and have RSNs look even more like insurance companies.) Since Benton and Franklin Counties recently turned over contracting/review duties to GCBH, this amendment only affects Yakima County within our RSN. Yakima County is in the process of developing a list of those activities they would like delegated to them and how much that would cost. It did not appear to Mr. Berney or

BOCC MINUTES-09/04/12

GCBH's legal counsel that the duties Yakima County would like to provide meet the State understanding of what the delegation clause would typically cover. Theoretically, Yakima County could join an RSN like Chelan-Douglas but Mr. Berney doubted the State would allow that. Yakima County did not present any new information at the last Funding Committee meeting nor has Mr. Berney seen anything yet in the Board meeting packet. Despite the difficult position it puts Yakima County in, Mr. Berney recommended Whitman County not support a delegation agreement between them and GCBH and the commissioners concurred.

D073333C 49. Walla Walla penalty for not submitting service data:

Walla Walla was penalized (5% of 3 monthly payments) for being significantly out of compliance for submitting data by the GCBH Board of Directors as they transitioned to a new information system. After a request by Walla Walla to review the penalty, due to a Regional Office staff issue, the Board decided, based on a recommendation from the Funding Committee, to return 2 months' worth of penalty payments but to allow the third month to remain. Walla Walla sent a letter to the Board Chair requesting the third month penalty also be returned to them. As part of this process a very extensive and expensive review of this issue was conducted by the software developer under contract with GCBH and presented to the Funding Committee. The analysis showed that in every instance where there was any question about expectations/understandings Walla Walla was given the benefit of the doubt. Even with that, the recommendation was that the penalty for the third month was appropriate. Walla Walla's consistency argument is the new leadership at the Walla Walla Department of Human Services. At the August 4th Board meeting a motion was made to send a delegation to meet with the Walla Walla County Commissioners to discuss this issue and the motion passed unanimously.

D073333D 50. Skamania County Leaving GCBH:

Planning has continued to form a new Regional Support Network (RSN) that would include Clark and Skamania Counties. The current plan is to have this new RSN begin functioning as of October 1, 2012. One issue yet to be decided is what, if any money would be due to Skamania County when they leave GCBH. The Board of Directors directed the Funding Committee to review funding issues related to Skamania County leaving GCBH and to develop a recommendation. The Committee determined there are two "kinds of money" that need to be taken into account; distributions to the provider network and required reserve funds (PHIP and State-only). The main complicating factor impacting both of these sources of funds is that providers of inpatient services have up to 12 months to bill for their services. If Skamania County does leave GCBH in October it is possible GCBH could still receive inpatient billing for them from FY 12 and FY 13. The Funding Committee will be recommending GCBH not pay out funds until GCBH is sure they can accurately calculate correct figures. This may complicate the development of required reserves by the new RSN. Mr.

BOCC MINUTES-09/04/12

Berney recommended Whitman County support the GCBH Funding Committees approach to this issue and the commissioners concurred.

1:50 p.m. - Recess.

2:00 p.m. - Reconvene/Board Business Continued/Executive Session.

Present: Chris Nelson.

073334 51. Commissioner Largent **moved** Commissioner O'Neill **seconded** the motion and it **carried** to go into executive session with the above individual until 3:00 p.m. in accordance with RCW 42.30.110(1)(g) for matters related to employee evaluations.

3:00 p.m. - Return to Open Session/Recess.

D073334A THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, September 10, 2012 at 8:45 a.m.** Chairman Greg Partch, Patrick J. O'Neill and Michael Largent Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

8:45 a.m. - Meeting Reconvened/Board Business Continued/Workshop.

Present: Gary Petrovich, Bill Spence and Holly Bowen.

073335 52. Items discussed included 2013 budget, Hawkins financial scenarios, Martin Hall, SEWEDA and Dr. Peterson's presentation to the Port. No action taken.

9:30 a.m. - Sam Reed, Secretary of State.

Present: Patrick McDonald, Eunice Coker, approximately 20 residents, and media members Bill Spence, Joe Smillie and Holly Bowen.

073335A 53. Secretary Reed visited with the commissioners, elected officials, staff and residents for the last time prior to his December 31st retirement. The Secretary talked about his 45 years of public service, his accomplishments and retirement plans.

073336-073351 #57-#60 See After 073353 #56.

073352-073353 #55-#56 See After 073356 #54.

10:35 a.m. - Solid Waste Disposal Regulation Ordinance Hearing.

Present: Mark Storey, David Nails, Judi Dunn-Gray, Dean Cornelius, Attorney Susan Drummond (phone), Bill Tensfeld, Art Swannack, Dean Kinzer, Gary Kopf, Karen Johnson, Joan Willson, Bill Spence, Joe Smillie and Holly Bowen.

073354 54. Chairman Partch convened the hearing for the proposed new Solid Waste Disposal Regulation ordinance and requested a staff report.

Mr. Storey said this is a fairly straight forward process and solid waste ordinance pertaining to flow control. This has been written into the Solid Waste Management Plan for many years but has never been codified as an ordinance. They wish to do so now for a number of reasons. He paraphrased comments included in a letter from Republic Services. "Many counties across Washington have similar ordinances already in Place. Flow control ordinances exist to assist counties in meeting their obligations to protect the public health by insuring a safe and reliable system for the disposal of solid waste." Mr. Storey felt those comments sum up what Whitman County is trying to do; assure our ability to have well operating systems for the handling of disposal of solid waste in Whitman County. Even though they have had this language in Policy for quite some time, he believed it important to codify the language in an ordinance mainly because the county is looking at investing several million dollars into the solid waste system.

Susan Drummond was appointed by Denis Tracy as a Special Deputy Prosecuting Attorney. She is familiar with land use policies, has history dealing with solid waste issues and assisted staff in the drafting of this ordinance.

At this point, the staff report is simply that we have an ordinance before you and feel it is the correct way for Whitman County to proceed and many people have reviewed the ordinance.

There has been one edit from the first draft under item 8.15.040(D)(4). The original draft spoke to applicable filing fees for appeals. That language has since been removed and there will be no charge for filing an appeal.

Ms. Drummond said they believe this ordinance is the way to go.

The Chairman opened the hearing to public and requested comments from those in attendance.

073355 Empire Disposal submitted a letter opposing the proposed flow control ordinance stating that the proposed ordinance would prohibit

BOCC MINUTES-09/04/12

Empire Disposal and others from delivering or depositing any solid waste collected in Whitman County to a location outside of the county.

073356 Republic Services submitted a letter supporting the proposed flow control ordinance.

Ms. Drummond said Mark Storey has summarized the issue well. The Solid Waste Advisory Committee has reviewed the ordinance and as previously mentioned, flow control is fairly common in many Washington jurisdictions.

There being no further comments, the hearing was adjourned.

In light of discussions with Ms. Drummond earlier today, Mr. Storey advised the commissioners that Findings of Fact need to be prepared for the Board's adoption along with the ordinance. Commissioner Largent **moved** Commissioner O'Neill **seconded** the motion and it **carried** to direct staff to prepare findings of fact consistent with the ordinance for adoption at the next regular meeting. The commissioners will act on the proposed ordinance September 17th at 11 a.m.

10:50 a.m. - Board Business Continued.

073352 55. Commissioner O'Neill **moved** Commissioner Largent **seconded** the motion and it **carried** to publish the notice of call for bids for crushing at the Bauer Quarry.

073353 56. The contract between Whitman County and M.A. DeAtley Construction, Inc. for the reconstruction of the Colfax Airport Road was signed as previously authorized.

10:55 a.m. Commissioner Partch excused himself from the remainder of today's meeting.

073336 57. Claims/Payroll warrants numbered **265283-265349** for **\$260,919.28** approved.

073337-073346 58. Personnel change orders approved.

073347 59. Commissioner Largent **moved** Commissioner O'Neill **seconded** the motion and it **carried** to enter into a School Health Service contract for 2012-13 with Benge School District.

073348 60. Commissioner Largent **moved** Commissioner O'Neill **seconded** the motion and it **carried** to enter into an agreement with Washington State University #12295 for student internships.

073349-073351 Not used.

11:00 a.m. - Comprehensive Plan/Zoning Ordinance Amendment Hearing.

Present: Mark Storey, Alan Thomson, Jerry Basler, Dean Cornelius, Karen Johnson, Paul Kimmell, Bill Tensfeld, Art Swannack, Dean Kinzer, Gary Kopf, Karen Johnson, Joan Willson Bill Spence, Joe Smillie and Holly Bowen.

073357 61. Vice Chair O'Neill convened the hearing and requested a staff report.

Mr. Thomson provided the following information about the proposed amendment, mainly for consistency purposes.

- 1) Allow for front yard administrative variances in Heavy Commercial, Light Industrial, Highway/Waterway Commercial and Heavy Industrial Districts;
- 2) Allow non-residential accessory buildings to be short platted as a permitted use and also allow short plats for non-agricultural uses such as a well or private wind turbine;
- 3) Allow existing houses in both the North and South Pullman/Moscow Corridor Districts to build an accessory dwelling unit subject to the same requirements as written in the Agricultural District code; and,
- 4) Allow private companies to develop energy facilities powered by natural gas.

The Vice Chair opened the hearing to public comment.

Mr. Kopf said he was in favor of the amendment as presented, offered suggestions for accessory dwellings concerning square footage asked questions about state and county right-of-way setbacks in the Corridor.

Art Swannack asked if there are any commercial or heavy industrial owners in violation of the setbacks at this time and Mr. Thomson replied no.

There being no further comments, the hearing was adjourned.

Mr. Thomson discussed the revised findings of fact by Prosecuting Attorney Denis Tracy.

Commissioner Largent felt the proposed changes are responsive to citizen needs and appreciated the Planner and Planning Commission taking up these issues and addressing them rather quickly. He also understood some changes were made to the Findings of Fact subsequent to the Planning Commissions' final recommendation, that being comments recommended for inclusion by Denis Tracy. The Board is adopting the Findings of Fact with the incorporated changes. Commissioner O'Neill added trying to achieve consistency is the right way to go.

Commissioner Largent **moved** Commissioner O'Neill **seconded** the motion and it **carried** to approve the amendment of the Whitman County Comprehensive Plan and Zoning Ordinances (Chapters 19.06, 19.10, 19.15 and 19.16) allowing for front yard administrative variances in Heavy Commercial, Light Industrial, Highway/Waterway Commercial and Heavy Industrial Districts; allow non-residential accessory buildings to be short platted as a permitted use and also allow short plats for non-agricultural uses such as a well or private wind turbine; allow private companies to develop energy facilities powered by natural gas; and allow owners of existing houses in both the North and South Pullman/Moscow Corridor Districts to build an accessory dwelling unit subject to the same requirements as written in the Agricultural District code.

Commissioner Largent **moved** Commissioner O'Neill **seconded** the motion and it **carried** to adopt the Findings of Fact as amended by the Planning Commission Prosecuting Attorney, using the latest version from the Planning Department be accepted.

ORDINANCE NO. 073358

AN ORDINANCE AMENDING THE WHITMAN COUNTY COMPREHENSIVE PLAN AND CHAPTER 19.06-BOARD OF ADJUSTMENT; CHAPTER 19.10-AGRICULTURAL DISTRICT; CHAPTER 19.15-NORTH PULLMAN/MOSCOW CORRIDOR DISTRICT (N-PMC) AND CHAPTER 19.16-SOUTH PULLMAN/MOSCOW CORRIDOR DISTRICT (S-PMC) OF THE WHITMAN COUNTY ZONING ORDINANCE, to allow front yard administrative variances in Heavy Commercial, Light Industrial, Highway/Waterway Commercial and Heavy Industrial Districts; allow non-residential accessory buildings to be short platted as a permitted use and also allow short plats for non-agricultural uses such as a well or private wind turbine; allow private companies to develop energy facilities powered by natural gas; and allow existing houses in both the North and South Pullman/Moscow Corridor Districts to build an accessory dwelling unit subject to the same requirements as written in the Agricultural District code. These changes are consistent with the Whitman County Comprehensive Plan and Zoning Ordinance.

BE IT ORDAINED and enacted by the Board of County Commissioners of Whitman County, State of Washington, it having been determined by the Board after hearing the Planning Commission's Recommendation and Findings of Fact, after the Board's public hearing and adoption of Findings of Fact.

PASSED AND APPROVED by the Board of Whitman County Commissioners of Whitman County, Washington on the 10th day of September 2012.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Greg Partch, Chairman

ATTEST:

Patrick J. O'Neill, Commiss.

Maribeth Becker, CMC
Clerk of the Board

Michael Largent, Commissioner

CHAPTER 19.06 - - BOARD OF ADJUSTMENT

Section 19.06.015 - - Minimum Standards for Conditional Uses

Surface Mining and Rock Crushing shall be subject to minimum standards of Chapters 19.59 and 19.60

Section 19.06.020 - - Variance

A. The Board of Adjustment shall hear and decide all applications for variances from the requirements of this title, PROVIDED that any variance granted shall be subject to such conditions as will insure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the standards and limitations applied to other properties in the use district in which the subject property is situated, and that the findings of fact adopted by the Board of Adjustment to support their decision indicate that the following circumstances apply:

1. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning standards is found to deprive the subject property of rights and privileges enjoyed by other properties under identical zone classifications;
2. That the granting of the variance will not be detrimental to the public health, safety and welfare or be injurious to other properties and improvements in the vicinity of the subject property;
3. That the variance is not required solely due to actions by the applicant that prevent direct compliance with use standards applicable to the subject property;
4. That the variance shall not constitute a grant of special privileges inconsistent with the standards and limitations applied to other properties in the use district in which the subject property is situated.

5. In the case of a landowner seeking a variance from the 1,500-foot viewshed restriction of Section 19.10.060, the parcel under consideration:
 - a. was in existence at the time of the passage of this ordinance; and
 - b. has not been subdivided since the passage of this ordinance; and
 - c. no prior variance has been granted for an existing RHC for that particular viewshed.

B. No variance shall be granted permitting a use not authorized in a zone.

Section 19.06.021 - - Administrative Variances

The planning director may grant an administrative variance to the following:

Front yard setbacks within the Agricultural District (Section 19.10.040), the North Pullman-Moscow Corridor District (Section 19.15.070(3)), the South Pullman-Moscow Corridor District (Section 19.16.080(3)), Heavy Commercial District (Section 19.20.040 (1)), Highway/Waterway Commercial District (Section 19.22.040), Light Industrial District (Section 19.30.040 (1)) and Heavy Industrial District (Section 19.31.040 (1)) after review and approval by the state or local agency with road jurisdiction. If the agency with road jurisdiction should not approve the variance, or if review is not completed within fifteen (15) days, the applicant may request variance pursuant to 19.06.020.

CHAPTER 19.10 - - AGRICULTURAL DISTRICT

Section 19.10.080 - - Short Plat and Subdivision

No short plat or subdivision for residential use shall be accepted by the Planning Office unless such plat complies with this chapter:

1. No short plat creating more than three (3) lots, including the remainder of the original parcel of land, shall be approved within the Agricultural District.
2. No long subdivision plat shall be approved within the Agricultural District.
3. A short plat may be used to separate out a parcel on which is located a residence in existence prior to the adoption of this ordinance. This home site must meet the requirements of Section 19.10.060. It will then be considered a conforming rural residential use, and shall be issued a Rural Housing Certificate.
4. The creation of parcels of less than twenty (20) acres in area is permitted for non-residential, agricultural, conservation and/or habitat purposes. It is also permitted for isolating

non-agricultural features for separate ownership purposes such as a well, a residential wind turbine and similar features.

1. Language describing the use limitations for agriculturally related short plats shall be placed on the plat. The short plat survey shall include the following statement: "This parcel and its structures are limited to agricultural use only. This parcel has not been evaluated as a building site for any other use. If there is a future intent to try to use this parcel and its structures for any uses other than agriculture, further review for compliance with Whitman County code is required, and it is possible that this parcel will not be able to comply and be approved for different uses."
2. If, in the future, there is a desire to change the use of this parcel, such as enlarging it to be part of a future residential or other use, the properties will have to be reviewed again to see if such proposed use can comply with land use regulations. If such approvals can be obtained, a revised plat containing language reflecting changes must be filed with the County Auditor.

Section 19.10.090 - - Conditional Uses and Administrative Permits

A. Because of considerations of traffic, noise, lighting, hazards, health and environmental issues, the following uses shall not be permitted in the Agricultural District unless a conditional use permit authorizing such use has been granted by the Board of Adjustment; provided, however, that in situations described herein where an administrative use permit may be granted in lieu of a conditional use permit, the use of the land shall not be permitted until such time as an administrative use permit has been granted by the County Planning Office. (*Revised 11/18/91, Ordinance #45331.*)

1. Public or private substations, renewable energy generating facilities, energy storage facilities and energy facilities fueled by natural gas. (*Revised 11/16/09, Ordinance #070081.*)
2. Small wind energy generators greater than 125 feet in height and greater than 100 Kw. cumulative generating capacity. (*Revised 10/20/08, Ordinance #068810.*)
3. Utility storage and transportation facilities.
4. Private and public recreational facilities such as campgrounds, golf courses, rifle ranges, and similar uses.
5. Churches.
6. Airstrips.
7. Solid waste site or transfer station.
8. Feedlots.
9. Commercial grain elevators.
10. Veterinary clinics, boarding kennels, and similar uses.
11. Surface mining and crushing subject to the minimum standards

- listed in Chapters 19.59 and 19.60.
12. Home-based businesses that exceed the threshold of a permitted use may be allowed as an administrative use or a conditional use. (For more information on home-based businesses permitting, see Chapter 19.56) (*Revised April 21, 2008; Resolution No. 068024.*)
 13. Gun clubs and fraternal organizations.
 14. On-site hazardous waste treatment and storage facilities, provided that such facilities are accessory to a permitted or conditional use, and provided that such facilities meet the state siting criteria adopted pursuant to RCW 70.105.210.
 15. Landfill for inert materials (earth, concrete and asphalt) of more than 2,000 cubic yards of material (including over 2,000 cubic yards of aggregate stockpile materials on a separate parcel from the mining operation) [For earth fills less than 2,000 cubic yards, see Section 19.05.020.
 16. Recycling Facility, provided, however, that hazardous material, infectious material and/or radioactive material which federal or state regulations would allow to be recycled but which the County may deem to be unsafe or detrimental to public welfare, shall not be allowed without a Conditional Use Permit issued by the Board of Adjustment and a Special Permit issued by the Whitman County Health Department. Said permits shall establish specific conditions for the processing/handling of the hazardous material, infectious material and/or radioactive material, where the State of Washington or the Federal Government has not otherwise preempted all control and regulation of said materials. (*Revised 11/18/91, Ordinance #45331.*)
 17. Temporary asphalt and/or concrete batch plant.
 18. Agricultural Research Facility, such as but not limited to greenhouses, laboratories, machine sheds, arboretum, animal science facilities, farm equipment service and maintenance operations associated with a principal conditional use listed herein, and a care-taker residence. (*Revised 4/26/95, Ordinance #048077.*)
 19. Mining, quarry, and/or other similar natural resource operations located within 1,000 feet of any residence or within one mile from any incorporated community or designated unincorporated rural community, subject to the minimum standards in Chapter 19.59 and Chapter 19.60.

CHAPTER 19.15 - NORTH PULLMAN-MOSCOW CORRIDOR DISTRICT

Section 19.15.040 - - Permitted Uses

The following are the permitted uses within the N-PMC:

- A. Agriculture, including but not limited to, cropping, grazing of

BOCC MINUTES-09/04/12

livestock, horticulture and floriculture. Feedlots, farrowing operations and dairying shall not be allowed.

B. Temporary stands for the sale of agricultural non-livestock products produced on the premises.

C. Accessory uses and structures common or incidental to agricultural and presently existing residential use, including but not limited to garages, barns, tack rooms, equipment sheds, home storage elevators, fences and corrals; provided that such accessory uses and structures conform to the yard requirements of this chapter.

D. Accessory dwelling units conforming to the requirements of Section 19.10.065 in the Agricultural District code.

E. In presently existing residences, home-based businesses utilizing only those accessory buildings and structures permitted under this chapter, and which from the premises' property line cannot be seen or heard or felt or smelled and will not have customer visits. (For more information on home-based businesses permitting, see Chapter 19.56) (*Revised April 21, 2008; Resolution No. 068024.*)

F. Temporary mining, rock crushing, asphalt and concrete processing plants in the right-of-way of State Route 270, or contiguous property for stockpile purposes only, as it now or hereafter exists for its road construction. Temporary is defined for this purpose as two years with a two year extension granted at the sole discretion of the County Engineer. (*Revised 6/1/09, Animal Density Struck, Ordinance #069589.*)

G. Level 1 and Level 2 Electric Vehicle Charging Stations. (*Amended October 17, 2011, Ordinance 072330.*)

Section 19.15.050 - - Conditional Uses

A. A development proposal or a change-in-use proposal for a listed conditional use shall be subject to compliance with the requirements of this chapter and the provisions of Whitman County Code 19.06, as applicable to conditional uses.

B. All uses must demonstrate compliance or it will be denied.

C. All conditional uses shall require SEPA review.

D. Conditional uses in the N-PMC are based upon their probable impact upon transportation, and whether or not the use requires linkage to urban services for water and sewer facilities.

E. Authorized Conditional Uses and Mandatory Conditions:
(*Amended July 7, 2008, Ordinance 068376.*)

1. Campgrounds.
2. Carpet dealer and floor coverings.
3. Child care.
4. Communications towers and facilities. (Antenna support structures reference Applicability (Section 19.15.025 and Chapter 19.58). (Revised 5/14/01, Ordinance #058050.)
5. Assisted Care facilities, nursing homes and similar uses.
6. Hospitals (if urban-level water, sewer and fire services are utilized).

CHAPTER 19.16 - SOUTH PULLMAN/MOSCOW CORRIDOR DISTRICT

Section 19.16.050 - - Permitted Uses

The following are the permitted uses within the S-PMC:

A. Agriculture, including but not limited to, cropping, grazing of livestock, horticulture and floriculture. Feedlots, farrowing operations and dairying shall not be allowed.

B. Temporary stands for the sale of agricultural non-livestock products produced on the premises.

C. Accessory uses and structures common or incidental to agricultural and presently existing residential use, including but not limited to garages, barns, tack rooms, equipment sheds, home storage elevators, fences and corrals; provided that such accessory uses and structures conform to the yard requirements of this chapter.

D. Accessory dwelling units conforming to the requirements of Section 19.10.065 in the Agricultural District code.

E. In presently existing residences, home occupations employing not more than one individual who is not a resident of the premises, and utilizing only those accessory buildings and structures permitted under this chapter. (Revised 6/1/09, Animal Density Struck, Ordinance #069589.)

F. Level 1 and Level 2 Electric Vehicle Charging Stations. (Revised October 17, 2011, Ordinance #072330.)

Section 19.16.060 - - Conditional Uses

A. A development proposal or a change-in-use proposal for a listed conditional use shall be subject to compliance with the requirements of this chapter and the provisions of Whitman County Code 19.06, as applicable to conditional uses.

B. All uses must demonstrate compliance or it will be denied.

BOCC MINUTES-09/04/12

C. All conditional uses shall require SEPA review.

D. Conditional uses in the S-PMC are based upon their probable impact upon transportation, and whether or not the use requires linkage to urban services for water and sewer facilities.

E. Authorized Conditional Uses and Mandatory Conditions:

1. Campgrounds.
2. Carpet dealer and floor coverings.
3. Child care.
4. Communications towers and facilities. (Antenna support structures reference Applicability Section 19.16.025 and Chapter 19.58). (*Revised 5/14/01, Ordinance #058050.*)

11:25 a.m. - Adjournment.

D073358A Commissioner O'Neill **moved** to adjourn the **September 4** and **10, 2012** meeting. Motion **seconded** by Commissioner Largent and **carried**. The Board will meet in regular session, in their Chambers', in the Whitman County Courthouse, Colfax, Washington, on **September 17, 2012**. The foregoing action made this **10th** day of **September 2012**.

ss/ PATRICK J. O'NEILL, COMMISSIONER
ss/ MICHAEL LARGENT, COMMISSIONER

MARIBETH BECKER, CMC
Clerk of the Board

GREG PARTCH, CHAIRMAN
Board of County Commissioners