

075885 THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, October 6, 2014** at **9:00 a.m.** Chairman Arthur D Swannack, Dean Kinzer and Michael Largent, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

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

Present: Chris Nelson, Mark Storey, Bob Reynolds, Gary Petrovich, Kelli Campbell, Roy Lord, Charles Klaudt, Sally Ousley and Anthony Kuipers.

075886 1. Items discussed included:

- Veterans Relief
- RTPO
- Facilities/Fair Updates
- Palouse Basin Water Summit
- Palouse Knowledge Corridor
- BOCC/Pullman Joint Meeting
- Solid Waste Pres.-Pullman
- 2015 Budget
- Employee Benefits
- Martin Hall

No action taken.

9:45 a.m. - Recess.

10:00 a.m. - Reconvene/Flag Salute.

Present: Eunice Coker, Sally Ousley and Anthony Kuipers.

D075886A 2. Pledge of Allegiance.

Consent Agenda:

D075886B 3. Motion by Commissioner Largent to accept the consent agenda. Motion **seconded** by Commissioner Kinzer and **carried**.

075887-075893 4. General Claims/Veterans' Relief/Payroll warrants numbered 312753-312837 for \$856,973.55 approved.

075894 5. September 29, 2014 minutes approved.

075895 6. Personnel change orders approved.

10:05 a.m. - Chris Nelson.

075896 7. The Chairman explained to the Auditor the discussion that took place during this morning workshop regarding Veterans Relief. As a result of that discussion Commissioner Kinzer moved Commissioner Largent seconded the motion and it carried to table item #7 until November 3, 2014 at 10 a.m. updating the resolution for Veterans Relief usage limits.

075897 8. Commissioner Kinzer moved Commissioner Largent seconded the motion and it carried to approve the service agreement with Orbitcom, Inc. for the 48-month internet service and authorize the Chair of the Board of County Commissioners to sign on behalf of the Board on the service agreement as attached.

10:10 a.m. - Paul Spencer.

Correspondence:

075898 9. The excess levy amounts approved for collection in 2015 was received from Pullman Public Schools.

075899 9A. An executed copy of WA Military Department contract #E15-037 for Whitcom operations received (08/15/15).

075900 9B. An executed copy of the contract between the Government Finance Officers Association (GFOA) and Whitman County to perform a financial assessment was received.

075901 10. Commissioners' pending list reviewed.

075902 11. Conservation District representative Mike Denny was unable to join the meeting as scheduled.

10:15 a.m. - Recess.

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

Present: Phil Meyer, Paul Spencer and Anthony Kuipers.

ACTION ITEMS

075903 12. Commissioner Kinzer **moved** Commissioner Largent **seconded** the motion and it **carried** to approve executing the resolution of intent to vacate a portion of Charles Tobin Road.

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

In the Matter of the Intent to Vacate and)	RESOLUTION NO. 075903
Abandon the Charles Tobin Road, County)	
Road No. 7190 in Section 32, Township)	INTENT TO VACATE AND DIRECTIVE
15 North, Range 37 East, W. M., Whitman)	TO COUNTY ENGINEER FOR REPORT
County, Washington)	

WHEREAS, the Whitman County Board of County Commissioners has received a Petition, for the Vacation and Abandonment of the Charles Tobin Road, County Road No. 7190 located in Section 32, Township 15 North, Range 37 East, W.M., in Whitman County, Washington, and based on RCW 36.87.010 it is hereby declared the intention of the Board of County Commissioners of Whitman County, Washington, to vacate and abandon said Charles Tobin Road, County Road No. 7190.

WHEREAS, pursuant to RCW 36.87.040, before a final decision can be reached on said vacation, the Whitman County Engineer shall investigate and prepare a report on the proposed vacation.

NOW, THEREFORE, BE IT RESOLVED that the Charles Tobin Road, County Road No. 7190 located in Section 32, Township 15 North, Range 37 East, W.M., in Whitman County, Washington, more particularly described as follows: All that portion of Palouse Street lying southwest of the southwest right of way line of Old SR #26, County Road No. 7205, all that portion of Center Street lying between the northerly right of way line of Palouse Street and the southerly right of way line of Washtucna Avenue, and all that portion of Washtucna Avenue lying between the westerly right of way line of Center Street and a line drawn between the northeast corner of Lot 7, Block 3 and the southeast corner of Lot 11, Block 2 to the east, all within the Plat of Palouse Orchards, Whitman County, Washington.

From milepost 0.00 to milepost 0.70, a whole distance of approximately 0.70 miles.

IT IS FURTHER RESOLVED that pursuant to RCW 36.87.040 the Whitman County Engineer shall investigate and prepare a report on the issue of vacating the Charles Tobin Road, County Road No. 7190.

IT IS FURTHER RESOLVED that this resolution be entered upon the minutes of this Board.
DATED at Colfax, Washington, this 6th day of October, 2014.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Arthur D Swannack, Chairman

ATTEST:

Dean Kinzer, Commissioner

Maribeth Becker, CMC
Clerk of the Board

Michael Largent, Commissioner

075904 **13.** Commissioner Kinzer **moved** Commissioner Largent **seconded** the motion and it **carried** to approve publishing the notice of hearing of intent to vacate a portion of Charles Tobin Road.

075905 **14.** Commissioner Largent **moved** Commissioner Kinzer **seconded** the motion and it **carried** to approve executing the resolution of intent to vacate portions of Colfax Airport Road.

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

In the Matter of the Intent to Vacate and)	RESOLUTION NO. <u>075905</u>
Abandon a portion of the Colfax Airport)	
Road No. 8010 lying outside of the new)	
right of way for said Colfax Airport)	INTENT TO VACATE AND DIRECTIVE
Road, in Section 20, 21 & 22, all in)	TO COUNTY ENGINEER FOR REPORT
Township 16 North, Range 43 East, W.M.)	
in Whitman County, WA)	

WHEREAS, the Whitman County Board of County Commissioners considers useless, for the public, a portion of the Colfax Airport Road lying outside of the new right of way of County Road No. 8010, the Colfax Airport Road, in Sections 20, 21 and 22 all in Township 16 North, Range 43 East, W.M., in Whitman County, Washington, and based on RCW 36.87.010 it is hereby declared the intention of the Board of County Commissioners of Whitman County, Washington, to vacate and abandon said portions of the Colfax Airport Road.

WHEREAS, pursuant to RCW 36.87.040, before a final decision can be reached on said vacation, the Whitman County Engineer shall investigate and prepare a report on the proposed vacation.

NOW, THEREFORE, BE IT RESOLVED that a portion of the Colfax Airport Road lying outside of the new right of way of County Road No. 8010, the Colfax Airport Road, in Sections 20, 21 and 22 all in Township 16 North, Range 43 East, W.M., in Whitman County, Washington, more particularly described as follows: All those portions of the Colfax Airport Road being replaced by a new alignment for County Road Project No. C.R.P. 8010-2 Colfax Airport Road, recorded in the Whitman County Engineers office, and lying outside the new County road right of way, as shown on said road construction plans, is preliminarily found to be of no use to Whitman County and that the vacation of said road may be in the best interest of Whitman County.

IT IS FURTHER RESOLVED that pursuant to RCW 36.87.040 the Whitman County Engineer shall investigate and prepare a report on the issue of vacating said portions of the Colfax Airport Road.

IT IS FURTHER RESOLVED that this resolution be entered upon the minutes of this Board.

DATED at Colfax, Washington, this 6th day of October, 2014.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Arthur D Swannack, Chairman

ATTEST:

Dean Kinzer, Commissioner

Maribeth Becker, CMC
Clerk of the Board

Michael Largent, Commissioner

075906 15. Commissioner Largent **moved** Commissioner Kinzer **seconded** the motion and it **carried** to approve publishing the notice of hearing of intent to vacate portions of Colfax Airport Road.

075907 16. Commissioner Kinzer **moved** Commissioner Largent **seconded** the motion and it **carried** to sign the Doneen Quarry lease as presented (10/06/24).

DIVISION UPDATES

Engineering Division:

075908 17. The Director presented a letter from Columbia County regarding the Palouse Regional Transportation Planning Organization (RTPO) interlocal agreement and bylaws. After review it was agreed the Director would draft a letter for the October 20th meeting concurring with Columbia County's comments.

11:10 a.m. - Alan Thomson.

D075908A 17A. The Pullman Airport Road project is complete with the exception of some signage.

Solid Waste Division:

D075908B 17B. The Director gave a presentation to the Pullman City Council about Whitman County Solid Waste and Recycling.

D075908C 17C. A structural engineer has inspected the damage to the current Transfer Station building and nothing will be done until spring.

D075908D 17D. According to Mr. Storey, the new Waste Transfer Building is progressing well.

Maintenance Division:

D075908E 17E. Phil Meyer reported road striping has been completed for the year; ditching, hauling rock and grading is taking place in each district and the state is working on a couple county railroad crossings.

Planning Division:

D075908F 17F. Mr. Thomson said the Planning Commission met and talked about the possible expansion of Cluster Residential Housing. The Evangelical Free Church of the Palouse provided another request verifying that they want to be included in any cluster opportunity zone. They own 97 acres contiguous to the cluster zone on Airport Road. The Commission discussed two expansion options:

- 1) Include Airport Road to the boundary of the North Pullman-Moscow Corridor District and
- 2) Just the 97 acres owned by the church

According to Mr. Thomson, in his estimation the Planning Commission is not in favor of doing either. They did not vote but he gets the sense the majority of the members are not in favor of any expansion of cluster opportunity zone at all. The Planner informed the Commission since they have an official request from the Church, they must go through the hearing process slated for November 5th. The Commission's focus is the Church's request and no other expansion aspects. The Commission can:

- 1) Choose not to accept the Church's request. The church could then appeal that decision to the county commissioners or
- 2) Accept the request, hold a hearing and forward their recommendations to the county commissioners who would also conduct a public hearing.

Mark Storey said the Planning Commission elected to include a couple other small parcels in the past. Mr. Thomson said there is precedence with Sunshine Road and the old Felsted property. In 2004, just after the Cluster Residential District was approved, Mr. Felsted who owned 122 acres north of Sunshine Road. Fifty-four (54) of those acres were not in the Agricultural District they were in the South Pullman-Moscow Corridor making the acreage ineligible for building houses. Mr. Felsted requested rezoning the 54 acres into the Agricultural District so it would be eligible for the Cluster zone and that was done. The Airport Road situation is slightly different. It is outside of the current cluster opportunity zone but it could be added, the same as when the Felsted property was rezoned setting somewhat of a precedence.

When the Planning Commission held its original discussion about cluster, the talk was within a few minutes of Pullman; 5 minutes from Pullman was the wording they focused on because that is where the perceived demand was. However, there was no specific distance during that conversation. They did eventually agree to 1/2 mile from the city limits. After reviewing the Comprehensive Plan, Mr. Thomson believed this is a policy decision. It is not demanded by code, but rather a choice the county commissioners can make. His point is the decision was for a nebulous distance from Pullman, premised on the demand.

Now there is a group of people who own 97 acres adjacent to the cluster opportunity zone that want to develop the land. This property is located in a corridor Mr. Thomson feels is appropriate for development and is directly across the road from the Motley Acres housing development in a corridor that will potentially be developed within the next 5-10 years. Much of the land near the Airport will probably be annexed into the City of Pullman and seems appropriate.

The majority of the Planning Commission is not convinced or swayed by these sentiments. One of their biggest issues is the creeping sense of development sprawl if this request is approved and what is to stop it from being expanded again and the answer is nothing, it is a policy choice.

Other sentiments against were they don't think the current cluster areas developed are good for the area. They don't like them; they don't like what they see, and don't feel it has been successful along Kitzmiller Road and Sunshine Road. That is not a legal defensible situation. Other points they were concerned about are weeds and taking

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farmland out of production. Mr. Thomson said the cluster zone was first established as an alternative to spot development throughout the agricultural district for housing. Since that is a conflict with agricultural activities, the thought was lets concentrate housing in areas close to population centers to help protect agricultural activities rather than have it disbursed county-wide and potentially breaking up agricultural activities. That is expressed in the Comprehensive Plan as a reason for the Cluster Residential zone and a legal precedence the Board of County Commissioners set for granting the opportunity zone. Keep it close to Pullman and allow the landowners the ability to cluster housing rather than countywide disbursements. He reiterated the 97 acres adjacent to the Cluster zone is an appropriate location.

Mr. Thomson's concern is that the Planning Commission will vote this request down November 5th and he has asked Denis Tracy for a legal opinion. He suggested another alternative the Board and that is their option of taking this issue on themselves and it not going before the Planning Commission. He asked the Board to consider this option as provided in the code.

If this issue does go before the Planning Commission he must provide a legal notice of the Planning Commission's hearing by noon on Tuesday, October 14th.

Mr. Thomson clarified if the Planning Commission denies the 97 acre cluster expansion the applicant has the option of appealing that decision to the county commissioners or dropping the issue.

Based on a conversation Commissioner Swannack had with one of the church members, he indicated the issue would be coming to the county commissioners.

Commissioner Largent commented he anticipated the issue will be coming to the county commissioners. It is difficult to go against a recommendation from the Planning Commission that they don't have yet. For a matter of expediency, knowing that the Board will have to deal with this issue regardless, it would save time and a step if the Board deals with the issue directly. Members of the Planning Commission could come to the county commissioners' public hearing and voice their comments while saving a step in the process.

It was Commissioner Largent's recommendation the Planner not advertise for a Planning Commission hearing regarding this matter.

Commissioner Swannack concurred with Commissioner Largent's comments.

Commissioner Kinzer asked if covenants can be initiated by the county to address the Planning Commission's issues. County Code mandates covenants must be written for cluster zones, but that is a private matter and not something the county has a say in other than it is noted in the code.

To clarify, Commissioner Largent said his reasoning for the Board taking this on directly was not that he is anticipating a negative/positive vote by the Planning Commission, but the fact this issue will ultimately be coming to the county commissioners.

This issue will be set for the county commissioners' October 20th agenda.

D075908G 18. Approved documents signed.

D075908H 19. No need for Tuesday, 10/07/14 workshop.

12:00 p.m. - Recess.

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

Present: Kelli Campbell and Gary and Valerie Hunt.

075909 20. Commissioner Kinzer **moved** Commissioner Largent **seconded** the motion and it **carried** to go into executive session with the above individuals until 2:50 p.m. in accordance with RCW 42.30.140(4)(a) for matters related to negotiations.

2:50 p.m. - Return to Open Session/Recess.

6:00 p.m. - Reconvene/Whitman County 2015 Preliminary Budget Hearing.

Present: Gary Petrovich, Cinnamon Brown, Denis Tracy, Brett Myers and Sally Ousley.

075910 21. Hearing convened by the Chairman for the 2015 preliminary budget hearing.

Staff report provided by Cinnamon Brown as follows:

Cinnamon Brown - The pages in front of you are for the 2015 preliminary budget. Current expense is broken out. The last page is the 2014 amended budget. Right now, there is a difference in expenses and revenue of \$515,315.00.

Gary Petrovich - There is probably going to be more error corrections that we will find as we go along and meeting with some of the larger departments. After those error are corrected, hopefully, that will bring the difference down even more and then we will get to the real substance of the budget, which is in the decisions to be made by the BOCC on how to approach the remaining deficient.

Art Swannack - Does anybody have anything to say about what we have seen so far or anything we should be aware of?

Gary Petrovich - I think where we are right now, even though we are a little bit behind the curve in terms of timing, I think we will have enough time to get to a presentable budget by the end of this month.

Michael Largent - I would be interested in looking at a longer term planning horizon as we did last year which would be particular helpful this year in light of the fact that we have an extra payroll period stuck in the mix so that it will play out over a period of time and that will give us a little indication of the nature and extent of the problem. The timing of cash flows in a cash budget is would significantly alter how you would look at that budget.

Gary Petrovich - Last year, Cinnamon did an excellent write up on cash position and identifying our low ebb point in terms of operating cash.

Michael Largent - I'm not thinking of that in particular; I'm thinking in terms of changes to the cash position and projecting those changes into the future, irrespective of the actual position of that cash.

Art Swannack - I'm kind of following you but I'm not sure I am following you all the way.

Michael Largent - There is some question about where our cash position is at, I'm gathering from the newspaper. However, putting that aside for the moment what we budget will drive that up or down by some amount. So we have switched from an accrual type budgeting from cash budgeting and that created a shift in the payroll period to accomplish that, which helped us last year so we will pay for it this year. What we are really interested in is the change over time. So this is an act last year and this year and contains that aberration of that payroll period. There are other changes in other variations of cash flow that may be important as we look at how this budget is really

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impacted. Gary remind me, are we getting close to some of the conversations we had earlier?

Gary Petrovich - You are in that, it is important for us to identify the timing of the expenses that can affect the cash position even on a quarterly basis as we work through those points in time that are important. Now that we have set in 2015 a 24-pay period that can be consistent from here on out for all future years, you won't have any aberration.

Art Swannack - Aberration due to that not being in there because basically we were trying to make it so 2014 didn't have as bad of cuts as we would have had and that was one tool that was available to spread the cuts into the next year.

Gary Petrovich - Right, on a one-time basis.

Art Swannack - Now, you are fully engaged in cash accounting.

Gary Petrovich - Right, and then the other one-time event that occurred was the passage of the tax levy lift which will now affect the budget for some time beyond 2015.

Michael Largent - But not knowing our cash position we could at least estimate the changes to that cash position over time until such time as that cash position is better known.

Gary Petrovich - I believe what we are also seeing in this preliminary submission is in current expense a more conservative estimate of revenues by the departments as opposed to past years. So, that has also been a source of revenue decline in comparison, if you are comparing apples to apples.

Michael Largent - Our capacity to analyze our budget performance is still a work in progress. However, that becomes an important number for a lot of our elected officials and department heads as well as commissioners. Well, we don't have that in place and we can't see necessarily what the past, performance has been. I would say as far as a strategic goal containing that capacity, that information, is really going to be helpful to us to know how well we are budgeting.

Gary Petrovich - It is a good thing the Auditor, Treasurer and Commissioners are taking steps to address that accuracy of information flow and now we are spring boarding on a 2013 financial audit that gives us some basis to project forward with better numbers.

Art Swannack - One thing I know, in previous years there has been a carry-over number that we had in the current expense status. Right now, this is a zero carry-over balance in this budget so that affects, it doesn't affect when you should be budgeting based on revenue for the year, but it does affect whether you can moderate an impact with at the moment and we don't have that number to really know what the end of your balance is.

Gary Petrovich - Every municipality is stuck with that same premise in that they have to estimate how you'll finish the current year before you finalize your next year's budget because it is due by the end of that same year. So, in this particular year for 2014, we estimated an ending balance of about \$174,000. Is that right, Cinnamon? Right now, I just did a quick down and dirty report through September 30th and it looks like we are ahead of the game by about \$46,000-\$50,000, for a total of \$50,000; that is net.

Art Swannack - You mean you are ahead a net of \$50,000, not \$174,000?

Gary Petrovich - Right.

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Michael Largent - The surprises we get during the year are invariably bad ones, a request for additional spending over and above what was allocated in the original budget as passed and then we are trying to budget for those eventualities. Now this budget does contain that operation reserve we talked about?

Gary Petrovich - Yes. I will say, too, in the last couple years working with the departments I have seen a steady decline in terms of their discretionary spending especially in the fourth quarter. They have done a pretty good job of looking ahead and holding the line. Just because they have it in their budget authority doesn't mean that they are spending it.

Dean Kinzer - I am thankful for those elected departments that recognize that.

Art Swannack - The other one we had for review is when we got hit with the accidental error of the Assessor with the Rosalia levies and that one, if I remember right, was about \$50,000 hit and it cost us \$12,000 to collect \$50,000. So that will be collected next year but that decreases the revenue this year by about \$50,000.

Michael Largent - As we make priorities that we have to do to finalize this budget. Having as much information that informed that decision is just for discussion now that we don't have in front of us now will be helpful; realizing, of course, that our capacity at this moment to generate information that we would like is somewhat limited.

Art Swannack - Here is a quick mix, not necessarily expecting a change in the fees and fines for late payment of taxes in the Treasurer has \$150,000 decrease in revenue or \$100,000 decrease in revenue. Just compute it out in changes in State law and there is probably another one coming up this next session.

Dean Kinzer - There are also unforeseen ramifications of this legislative session could be 15% **cut** even though we do our best to get our budget balanced.

Gary Petrovich - We may find ourselves after a year we will be in the same boat as 38 other counties too if that happens and will be negatively impacted by legislative action.

Art Swannack - Does anybody have any other comments?

Dennis Tracy - I appreciate your work.

D075910A 22. Art Swannack - Cinnamon is there anything else you want to express? If there is nothing else then we will continue this hearing to October 13th at 10:30 a.m. We are recessed until next Monday.

6:15 p.m. - Recess.

075911 22. Tuesday, 10/07/14 workshop cancelled.

6:15 p.m. - Recess.

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D075911A THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, October 13, 2014 at 9:00 a.m.** Chairman Arthur D Swannack, Dean Kinzer and Michael Largent, Commissioners and Elinor Huber, Recording Clerk attended.

9:00 a.m. - Reconvene/Board Business Continued.

D075911B 23. Approved documents signed.

075912-075914 23A. General/Veterans' Relief/Payroll warrants numbered **312842-312860** for **\$275,636.84** and **312865-312992** for **\$385,128.54**.

075915-075918 23B. Personnel change orders.

D075918A 24. No need for Tuesday, 10/14/14 workshop.

9:05 a.m. - BOCC Workshop.

Present: Mark Storey, Chris Nelson and Kelli Campbell.

075919 25. Items discussed included:

- Training Opportunities
- Palouse Basin Water Summit
- Palouse Coalition Early Learning
- Retro Pool
- Palouse RTPO
- Martin Hall
- Demolition

No action taken.

10:35 a.m. - Whitman County 2015 Preliminary Budget Hearing.

Present: Cinnamon Brown, Lana Cloaninger and Eunice Coker.

075920 26. The Chairman reconvened the 2015 preliminary budget hearing. A staff report was provided by Cinnamon Brown as follows:

The report in front of you is the same report you from October 6th with updated numbers along with the 2014 amended budget for reference. This does not include figures for the upcoming budget amendment #2.

You also have the 2015 preliminary budget fund level and total Current Expense. The updated deficit is \$318,000. There are still 3 or 4 departments that are submitting reductions and Gary is still meeting with other departments so the deficit number will continue to go down.

Commissioner Swannack asked if Ms. Brown had any estimate of what the total deficit number might be and she said not at this time. She does know of one department that is sending in a \$40,000 reduction and others that are sending in various thousand dollar reductions. However, it will however be significantly lower.

D075920A 27. The hearing was opened to public comment. There being no other comments from those in attendance, the Chairman concluded the 2015 preliminary budget hearing. The commissioners will take action on the 2015 preliminary budget on or before 12/31/14.

075921 28. Tuesday, 10/14/14 workshop cancelled.

10:40 a.m. - Adjournment.

D075921A Commissioner Kinzer **moved** to adjourn the October 6 and 13, 2014 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 **October 20, 2014**. The foregoing action made this **13th** day of **October 2014**.

ss/ DEAN KINZER, COMMISSIONER
ss/ MICHAEL LARGENT, COMMISSIONER

MARIBETH BECKER, CMC
Clerk of the Board

ARTHUR D SWANNACK, CHAIRMAN
Board of County Commissioners