

Minutes for October 10, 2005

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064569 THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **October 10, 2005** at **8:45 a.m.** Greg Partch, Chairman, G.R. "Jerry" Finch and Les Wigen, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

8:45 a.m. - Call to Order/Board Business/BOCC Workshop.

Present: Dane Dunford (8:45 a.m.) and Bev Welch (9:00 a.m.).

064570 1. Items discussed included an employment issue, computer access, .08 allocation for 2006, water summit and CRP/grazing overviews. No action taken.

9:45 a.m. - Recess.

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

Present: Carol LaVerne, Nikkie Pfaff and Tammy Lewis.

D064570A 2. **Motion** by Commissioner Finch to approve the consent agenda. Motion **seconded** by Commissioner Wigen and **carried**.

064571 3. Claims/Payroll warrants numbered **182174-182205, 182240-182271** and **182355-182615** for **\$966,883.26** approved.

| FUND | FUND NAME | AMOUNT |
|------|------------------------------|------------|
| 001 | Current Expense | 87,288.23 |
| 102 | Building & Development | 65.32 |
| 103 | Countywide Planning | 84.00 |
| 104 | Developmental Services | 428.82 |
| 110 | County Roads | 210,403.84 |
| 114 | Bulk Purchasing | 2,525.59 |
| 119 | Emergency Services | 1,594.99 |
| 123 | Paths & Trails | 415.76 |
| 134 | Elections Reserve Fund | 1,986.36 |
| 135 | Prosecutor's Stop Grant | 2,471.98 |
| 137 | Web Site Development | 531.25 |
| 300 | Capital Projects | 1,153.66 |
| 400 | Solid Waste | 3,321.10 |
| 501 | Equipment Rental & Revolving | 13,313.07 |
| 510 | Photocopier Revolving | 8,105.63 |

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|-----|-----------------------------------|------------|
| 660 | Whitcom-General-660.911.000 | 1,930.00 |
| 660 | Whitcom-Grant Funding-660.911.001 | 644.93 |
| 690 | Clearing Fund | 250,188.67 |
| ET | Electronic Transfers | 380,430.06 |

064572 4. October 3, 2005 minutes approved.

064573-064579 5. Personnel board orders approved.

064580 6. Commissioner Finch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve the resolution as read regarding the passage of Proposition No. 1. The Department of Revenue was notified via facsimile.

RESOLUTION NO. 064580

BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS

WHEREAS, the Board of Commissioners of Whitman County previously passed Resolution No. 064297, calling for a special county election and placing on that ballot "Proposition No. 1 - Adult Jail and Juvenile Detention Sales and Use Tax", which proposition would authorize the imposition of one-tenth of one percent sales and use tax, all in conformance with RCW 82.14.350; and,

WHEREAS, that Proposition No. 1 was placed on the county's ballot during the election that was held on September 20, 2005; and,

WHEREAS the Whitman County Auditor reports that Proposition No. 1 passed by a majority of votes in that election.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Whitman County Commissioners that the sales and use tax of one-tenth of one percent, authorized by RCW 82.14.350, and approved by the voters of Whitman County on September 20, 2005 shall be implemented beginning January 1, 2006 at 12:01 a.m. The tax imposed shall be in addition to any other taxes authorized by law and shall be collected from those persons who are taxable by the state under the Revised Code of Washington Chapters 82.08 and 82.12 upon the occurrence of any taxable event within the county. The rate of tax shall equal one-tenth of one percent of the selling price in the case of a sales tax, or value of the article used, in the case of a use tax.

DATED this 10th day of October 2005.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Greg Partch, Chairman

ATTEST:

G.R. Finch, Commissioner

Maribeth Becker, CMC
Clerk of the Board

Les Wigen, Commissioner

064581 **7.** Commissioner Finch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve the resolution as read for the Solid Waste Fund loan to the Public Facilities Improvement fund.

RESOLUTION NO. 064581

BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS

WHEREAS, the Board of Whitman County Commissioners met in regular session on the 10th day of October; and,

WHEREAS, the Public Facilities Improvement Fund (.08) (112.012.000) has requested an interfund loan from Solid Waste to, in part, fund the Isothermal Systems Research (ISR) Building Project in Pullman, Washington; and,

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

WHEREAS, the Solid Waste interfund loan of \$200,000.00 will be repaid once a year for four consecutive years beginning October 31, 2006. Each payment will be \$50,000.00 with the interest rate being equal to the monthly average of the Local Government Investment Pool (LGIP) of the State of Washington for the month during which the interfund loan is to be paid.

NOW, THEREFORE, BE IT HEREBY RESOLVED that an interfund loan of \$200,000.00 is loaned to the Public Facilities Improvement fund (112.012.000) from Solid Waste, to be repaid as stated.

PASSED, APPROVED AND ADOPTED this 10th day of October 2005.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Greg Partch, Chairman

ATTEST:

Les Wigen, Commissioner

Maribeth Becker, CMC
Clerk of the Board

G. R. Finch, Commissioner

064582 **8.** Commissioner Wigen **moved**, Commissioner Finch **seconded** the motion and it **carried** to approve the resolution as read for the Public Facilities Improvement Fund loan to the Port of Whitman County.

RESOLUTION NO. 064582

BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS

WHEREAS, the Board of Whitman County Commissioners met in regular session on the 10th day of October; and,

WHEREAS, the Port of Whitman County has requested an interfund loan from the Public Facilities Improvement Fund (.08) to, in part, fund the Isothermal Systems Research (ISR) Building Project in Pullman, Washington; and,

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

WHEREAS, the interfund loan of \$200,000.00 will be repaid once a year for four consecutive years to the Whitman County Treasurer beginning October 31, 2006. Each payment will be \$50,000.00 plus interest equal to the monthly average of the Local Government Investment Pool (LGIP) of the State of Washington for the month during which the interfund loan is to be paid.

NOW, THEREFORE, BE IT HEREBY RESOLVED that an interfund loan of \$200,000.00 is loaned to the Port of Whitman from the Public Facilities Improvement Fund (.08) (112.012.000), to be repaid as stated; and,

BE IT FURTHER RESOLVED that said loan would be made available to the Port of Whitman County upon written agreement from the Port of Whitman County in accordance with the terms set forth in Whitman County Commissioners' Resolution No. 064567.

PASSED, APPROVED AND ADOPTED this 10th day of October 2005.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Greg Partch, Chairman

ATTEST:

G.R. Finch, Commissioner

Maribeth Becker, CMC
Clerk of the Board

Les Wigen, Commissioner

10:15 a.m. - Sharron Cunningham.

064583 9. Commissioner Finch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to allow \$100,000 from the Public Facilities Improvement Fund (.08) for the 2006 allocation.

064584 10. In response to an email received from Ken Olson, Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to appoint Commissioner Finch as a member of the Palouse Economic Development Council Board. Nominations for 3 other representatives for the PEDC Board to consider are forthcoming.

064585 11. A letter was distributed to all departments advising that effective immediately, industrial insurance must be paid on all members of the county's boards/committees.

064586 12. A letter was sent to V. Lane Rawlins, WSU President asking to begin a dialog concerning student services provided by the county.

064587 13. Information was received from the Washington State Liquor Control Board regarding liquor licenses due to expire January 31, 2006.

14. Executed copies of the following documents received:

064588 Administrative Office of the Courts CASA contract #IAA06029

064589 Administrative Office of the Courts BECCA contract #IAA06064

064590 Military Department E911 Wireless contract #E06-109 for 2006

064591 Military Department E911 Wireline contract #E06-110 for 2006

D064591A 15. Commissioners' pending list reviewed.

10:30 a.m. - **Bev Welch, Information Services.**

Present: Kris Bunch, Sharon Roberts, Brandon Burch, Sharron Cunningham and Tammy Lewis.

D064591B Mr. Bunch said Information Systems is recommending awarding the RFP for the county's new financial software system to New World Systems for \$331,600. The company was allowing a \$45,000 discount had a contract been signed in September, which it was not. However, the company will continue that incentive if a contract is signed by October 11th.

Ms. Welch commented that the county's current financial software programs were written in the late 70's/early 80's. The hardware was purchased in

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1990-1991. Staff holds their breath everyday that the system doesn't fall apart.

Commissioner Wigen pointed out software is what runs the county's financial system.

Commissioner Finch said the county would be absolutely remiss if this issue is not addressed at this time. This will make county government more efficient. It will provide quicker data and a cost savings to the taxpayers down the road. He appreciated and commended staff for their hard work and diligence in this process. He thought the time had come, noting it is expensive, but the county can't afford not to proceed.

Commissioner Wigen stated all department heads/elected officials were invited to participate in the process making it a team effort.

Chairman Partch explained this is not a complete package. The Assessor/Treasurer RFP is still in process. The current system is still on very shaky ground. The county is no longer able to obtain computer support. Should the system go down, it would take 4-6 weeks before it was up and running again. In early 2000, the software cost was estimated at \$1.2 million, but due to market changes, that cost is very reduced.

Kris Bunch also stated Whitman County is receiving an additional \$10,000 to be a reference for other counties.

064592 Commissioner Finch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve the recommendation as presented.

064593 The commissioners signed the contract between Whitman County and New World Systems.

Bev Welch thanked Kris Bunch for his lead with this project.

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

Present: Mark Storey, Mark Bordsen, Alan Thomson and Tammy Lewis.

Action Items:

064594 1. The official transmittal for the Darin McKee zone change was received.

064595 Commissioner Finch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to accept the Planning Commission's recommendation to approve the Zoning Map change for Darin McKee (McKee Short Plat #2, Cluster C), rezoning 32.9 acres from the Agricultural District to Cluster Residential District (05-07).

ORDINANCE NO. 064595

AN ORDINANCE AMENDING THE WHITMAN COUNTY ZONING MAP TO CHANGE THE ZONING FROM AGRICULTURAL DISTRICT TO CLUSTER RESIDENTIAL DISTRICT.

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 Recommendations and Findings of Fact of the Whitman County Planning Commission that these should be accepted and this action is consistent with the Whitman County Comprehensive Plan.

Change the zoning of the Darin McKee 32.9 acres (McKee Short Plat #2, Cluster C) from the Agricultural District to Cluster Residential District as may be allowed by the Whitman County Zoning Ordinance, Chapter 19.04. The site of this proposed rezone is located on Kitzmiller Road north of Pullman, approximately 1.5 miles east of the intersection between Whelan Road and Kitzmiller Road, in the SW ¼ of Section 27, Township 15 N., Range 45 E.W.M., Whitman County, Washington.

PASSED AND APPROVED by the Board of Whitman County Commissioners of Whitman County, Washington on the 10th^d day of October 2005.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Greg Partch, Chairman

G.R. Finch, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Les Wigen, Commissioner

064596 2. Commissioner Wigen **moved**, Commissioner Finch **seconded** the motion and it **carried** to publish the ad for the Small Works/Vendor roster.

064597 3. Commissioner Finch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to publish the ad for the Professional Services roster.

Engineering Division:

D064597A 4. Mark Storey briefed the commissioners on the status of the Judson, White Elephant and Peterson bridge projects.

Maintenance Division:

D064597B 5. Dane Dunford talked about work being performed by the Maintenance and Bridge crews.

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11:15 a.m. - Recess.

11:30 a.m. - Fran Martin, Emergency Management/Public Health.

Present: Bev Welch.

064598 1. Ms. Martin received information from the National Association of Counties (NACo) concerning the nationwide prescription drug discount card program (Managed Pharmacy Benefit Services) with the county's name that can be used by any resident in the county along with a news release explaining the program. It is a free card to the individual. The average savings at the pharmacy is 20%. There are no income or family requirements. The card can be used anytime for prescriptions, even prescriptions not covered by insurance. It would be very beneficial for county employees and other residents. All Whitman County pharmacies have agreed to participate.

It is recommended that each county apply for at least 10% of its population, therefore, Ms. Martin planned to request 4,000 cards. Once a card has been issued, all family members can use the same card. Even prescription pet medication can be discounted. There are currently 57,000 retail pharmacists nationwide accepting the card.

Chairman Partch suggested requesting 10,000 cards and also offering them to WSU students.

Commissioner Wigen **moved**, Commissioner Finch **seconded** the motion and it **carried** to authorize the Chairman to sign the benefit services agreement.

064599 2. Through Public Health Ms. Martin applied for a grant to provide her entire staff on-line educational training i.e. software programs business related courses, bloodborne pathogen training and numerous public health courses. It is a state-of-the-art learning management system that keeps track of employee education. Public Health received a one-year subscription to this service via the grant and has since learned that service can be extended to all county employees.

Adam Roberts of Information Services will be trained to act as the program resource person. The license cost is \$45/computer but that cost is covered through the grant for one year. Ms. Martin requested authorization to approach the department heads/elected officials to offer them this option.

Commissioner Finch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve Ms. Martin's request. The Director will present this proposal at the next EAT Committee meeting.

12:00 p.m. - Recess.

6:30 p.m. - Comprehensive Plan and Zoning Ordinance Hearing.

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064600 Dane Dunford, Mark Storey, Mark Bordsen, Alan Thomson, Tom Handy, Margaret Paden, Megan Doyle and Thing Nguyen.

064601 The Chairman convened the hearings for proposed revisions to the Comprehensive Plan North and South as they pertain to the Pullman-Moscow Corridor. After introductions and instructions, the Chairman called on staff for report.

Alan Thomson provided the history on the Pullman-Moscow Corridor ordinance dating back to 1988.

The Planning Commission studied the process and the task was to create a new district in the corridor. Up to that point, the corridor had a number of different zones, but there was no ability to develop retail activities. In 1999 the current ordinance was enacted with the thought changes could be made in the future.

Changing and revamping the ordinance began in August 2004. The normal process would have been to proceed through the Planning Commission and then onto the County Commissioners. However, the Planning Commission was very busy with other business at that time so the County Commissioners asked them if they could take this project on themselves and the Planning Commission agreed. That is the reason the County Commissioners are dealing with this project directly.

In August 2004 Planning staff and the county commissioners began the process of looking into changes in the corridor ordinance. Commissioner Finch distributed the current ordinance to citizens in the county requesting feedback as to how the ordinance could be improved. A total of 3-4 responses were received and that was the template used to begin the process.

On March 8, 2005 the first public hearing was held to present the proposed changes to the public. Some of the major differences presented on March 8th included:

- Maximum building coverage increased from 50%-75% for development.
- Minimum parcel size reduced from 10 to 3 acres.
- Frontage requirement eliminated.
- Parcel depth eliminated.
- Administrative review allowed for changes to parcels without going through the conditional use process.
- Signage - added electronic changeable signs allowed and the County Planner was given discretion to allow additional signs.
- Performance guarantees eliminated.
- Mining can continue on south side of SR 270 but no new mining allowed on north side in order to attract commercial/retail business.

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It was decided that if there were going to be any significant changes made to the proposed ordinance after the March 8th hearing, another hearing would be held.

- Corridor was split into two sections, north and south to make it easier to allow for continued mining on the south side and no new mining on the north side.
- North side focus is for commercial/retail potential.
- Equal weight will be given to both north and south regarding primary uses, transportation corridor and commercial/economic development goal.
- Future frontage roads developed will be private roads only on both the north and south side.
- No more billboards allowed on the north or south side. The existing billboards may remain but cannot be moved.
- Signage - the bottom of freestanding signs can be no higher than 15' above the adjacent road grade elevation and no higher than a maximum of 30'.
- Dairying will not be allowed on either side.
- Conditional uses added - motels, inns, assisted living care facilities, emergency health care, watercraft and winter sports equipment on both sides.

The Chairman said the Bill Chipman Palouse Trail was also one of the driver's in creating the north/south zone.

The hearing was then opened to comments from those in attendance.

Tom Handy of Pullman (corridor resident) said a number of businesses are being grandfathered in but not existing residential for further development like accessory units.

Mark Bordsen explained housing is grandfathered in as non-conforming, the same as mining is, but no new residences. (Example: If a home burns down, it can be rebuilt.) As to the issue of residences, there was much debate, even years ago. Residences tend not to be very compatible with business development. The county needs sales tax revenue and it was felt the corridor is the best place for retail business. Because of the location of Mr. Handy's property he may have the option of seeking annexation to Pullman or removing his property from the corridor district through a zone change.

Margaret Paden of Pullman (corridor resident) asked about the gravel pit concept on the north side because the county just allowed Atlas Sand and Rock to expand on the north side.

Mark Bordsen responded saying the Atlas operation was a grandfathered non-conforming operation. They had an active Department of Natural Resources (DNR) permit dating back years. In many parts of the county mining and crushing has the potential for being controversial. Unless it is in a very

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remote area, there is usually concern and the reason mining is a conditional use. One of the concerns the Planning Commission faced when they rewrote the mining chapter a few years ago was people who had mining and crushing operations didn't want to be faced with the conditional use process for an existing quarry they had been mining for a long time or even if they had just begun. Whitman County Public Works operates a number of quarries throughout the county as does the Washington State Department of Transportation and other private quarries. The concept of applying for another permit each time they wanted to do some crushing was felt to be a great disadvantage. Therefore, the Planning Commission tried to write the ordinance in such a way as to say, "if you have an active mining, crushing or stockpiling operation, or if you held a DNR reclamation permit, that would be considered a continuing mining operation and grandfathered non-conforming". It just so happened that Poe Asphalt held the DNR permit, kept it active and paid a hefty licensing fee to the state every year. They were in the process of reclaiming, but didn't finish when their lease came up. The property owner wanted to sell the land. It was transferred to Atlas who was able to obtain the DNR permit from Poe Asphalt, making them legal in the system.

Ms. Paden asked about the effects of a retail business near a mining or crushing site. The commissioners don't think rock mining and crushing is very compatible with retail business, but because they were grandfathered non-conforming, the county didn't have the option of denying them. Since that was occurring and beyond the county's control, Atlas then asked for a conditional use permit for their concrete pre-mix plant. The Board of Adjustment held a hearing and the permit was granted.

064602 The Chairman read a letter from Gary Kopf expressing his comments about frontage, deletion of the word "franchised" in conditional use #7, adding assisted living and nursing homes as a use and site grading.

There being no further comments from those in attendance on the proposed Comprehensive Plan North and South, the hearings were adjourned.

No further written or oral comments will be accepted on these issues.

7:10 p.m. - Recess.

The Chairman convened the hearings for the proposed Zoning Ordinance north and south amendments as they pertain to the Pullman-Moscow Corridor.

The staff report was handled during the Comprehensive Plan hearings.

There being no further comments from those in attendance on the proposed Zoning Ordinances North and South, the hearings were adjourned.

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No further written or oral comments will be accepted on these issues. The date for the commissioners' decisions will be announced through their agenda process.

7:35 p.m. - Adjournment.

D064602A Commissioner Finch **moved** to adjourn the **October 10, 2005** meeting. Motion **seconded** by Commissioner Wigen and **carried**. The Board will meet in regular session, in their Chambers', in the Whitman County Courthouse, Colfax, Washington, on **October 17, 2005**. The foregoing action made this **10th** day of **October 2005**.

ss/ G.R. FINCH, Commissioner
ss/ LES WIGEN, Commissioner

MARIBETH BECKER, CMC
Clerk of the Board

GREG PARTCH, CHAIRMAN
Board of County Commissioners