

Minutes for October 19, 2009

Disclaimer: This is only a web copy of the Whitman County Commissioners' Monday Meeting Minutes. Official minutes may be obtained by contacting the Whitman County Commissioners office at (509) 397-5240.

069981 THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, October 19, 2009** at **9:00 a.m.** Chairman Michael Largent, Patrick J. O'Neill and Greg Partch, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

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

Present: Eunice Coker and Monica Krause (9:00 a.m.) and Doug Robinson, Marlynn Markley, Chelsea Low (9:30 a.m.) and Joe Smillie (9:45 a.m.).

069981 1. Items discussed included special claims batches, District Court collection agreement renewal, WSU voter registration, BOCC travel oversight, Public Defense contract, Pullman Health Office, road levy, Step freeze, H1N1, UTBA and King County's WSAC membership. No action taken.

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

Present: Karl Johanson, Bob Lothspeich, Kelli Campbell, Pete Martin, Gale Griggs, Chelsea Low, Sara Mason, Evan Ellis and Joe Smillie.

069982 2. Motion by Commissioner Partch to accept the consent agenda. Motion **seconded** by Commissioner O'Neill and **carried**.

069983 3. Claims/Payroll warrants numbered **232712-232750, 232774-232799, 232817-232826, 232888-232910** and **233002-233229** for **\$1,533,107.60** approved.

| FUND | FUND NAME | AMOUNT | AMOUNT | AMOUNT | AMOUNT |
|------|---------------------------------|-----------|----------|-----------|------------|
| 001 | Current Expense | 53,864.18 | 1,001.45 | 371.80 | 123,585.08 |
| 101 | Self Insurance | | | | 5,028.09 |
| 102 | Building & Development | 1,659.60 | | .86 | 42.89 |
| 103 | Countywide Planning | 3,067.40 | | 2.13 | 166.41 |
| 104 | Developmental Services | | | | 70.00 |
| 108 | Veterans Relief | | 400.00 | | |
| 110 | County Roads | 16,692.40 | | 12,415.56 | 764,638.58 |
| 111 | CETC Building | | | | 53.42 |
| 117 | Boating Safety | | | | 139.98 |
| 118 | Inmate Welfare | | | | 687.30 |
| 120 | Historical Preservation | | | | 420.96 |
| 122 | Sheriff's K-9 Unit | | | | 194.40 |
| 123 | Paths/Trails-BCPT 123.310.001 | | | | 309.69 |
| 125 | Donations-F/FM 125.300.000 | | | | 1,003.89 |
| 127 | Drug Enforcement-Quad City | 400.00 | | 72.46 | 3,451.50 |
| 128 | Crime Victims/Witness-Pros. 000 | 350.00 | | | |

BOCC MINUTES-10/19/09

| | | | | | | |
|-----|------------------------------|-------------|----------|------------|-----------|------------|
| 135 | Prosecutor's Stop Grant | | 150.00 | | | |
| 136 | Electronic Monitoring | | | | | 196.47 |
| 138 | Federal Equitable Sharing | | | | | 194.04 |
| 144 | Emerg. Communicat. | 144.260.001 | 250.00 | | 19.35 | 107,379.74 |
| 300 | CIP Asset Acquisit. | 300.010.001 | | | | 263.03 |
| 300 | CIP Cap. Projects | 300.010.005 | | | 1,031.85 | 4,895.12 |
| 320 | CIP Bond 2002 | 320.010.001 | | | | 387.50 |
| 400 | Solid Waste | | | | 4,471.75 | 18,535.20 |
| 501 | Equipment Rental & Revolving | | 5,047.40 | | 5,139.38 | 70,755.37 |
| 513 | Communications Revolving | | | 657.38 | | |
| 652 | Fire Districts | | | | 13,214.80 | |
| 660 | Whitcom-General | 660.911.000 | | 1,472.15 | | 9,966.95 |
| 660 | Whitcom-Grant | 660.911.001 | | | | 50,889.65 |
| 690 | Clearing Fund | 690.002.000 | | 242,231.32 | | |
| 690 | CAC Agency Svc. | 690.026.001 | | | | 5,869.47 |

069984 4. October 5, 2009 minutes approved.

069985-069994 5. Personnel board orders approved.

069995 6. Bob Lothspeich reported Garfield Cemetery District #2 is requesting a \$2,500 loan to cover expenses through the end of 2009 at which time they would repay the loan at 2.4% interest by 12/31/09. The Treasurer said he has talked to the Finance Department who has no objections. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** authorizing a loan to Garfield Cemetery District #2.

**RESOLUTION NO. 069995
BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS**

WHEREAS, the Board of Whitman County Commissioners met in regular session on the 19TH day of October 2009; and,

WHEREAS, Whitman County Cemetery District #2, Garfield, has requested a short term interfund loan to cover general operating and maintenance expenses of the District for the remainder of 2009; and,

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

WHEREAS, the interfund loan will be repaid on or before December 31, 2009, at an interest rate of 2.40%.

NOW, THEREFORE, BE IT HEREBY RESOLVED that an interfund loan of \$2,500.00 is loaned to Whitman County Cemetery District #2, Garfield, from the Whitman County Current Expense Fund, to be disbursed and repaid as stated.

PASSED, APPROVED AND ADOPTED this 19th day of October 2009.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Michael Largent, Chairman

ATTEST:

Greg Partch, Commissioner

Maribeth Becker, CMC
Clerk of the Board

Patrick J. O'Neill, Commiss.

10:15 a.m. - Mark Storey.

Present: Karl Johanson, Gail Griggs, Chelsea Low, Sara Mason, Evan Ellis and Joe Smillie.

069996 7. Karl Johanson explained the resolution establishing an Unincorporated Transportation Benefit Area (UTBA) and agreement between Whitman County and Council on Aging & Human Services (COA&HS). The agreement authorizes COAST to operate and administrate the UTBA and acquire vanpool vehicles. Both documents have been reviewed by the County Prosecutor with a few changes being made by the Public Works Director.

Whitman County's role as sponsor of the UTBA is to approve its formation by resolution and complete an application for one or more passenger vehicles. However, the application procedure will not be available from the state until mid-November. Money is available from the Vehicle Investment Program (VIP) with a 25% required match. COA&HS has pledged to provide the match against the first 2 vehicles. Once the application is approved, COAST will place an order through General Services Administration for one or two 8, 12 or 15-passenger vehicles.

Upon formation of the UTBA, a Transportation Improvement Plan (TIP) must be completed within the first year. In accordance with the agreement, all paperwork must be prepared by COAST for approval by the Whitman County Public Works Director. COAST would receive all calls and handle all scheduling, make arrangements for riders/alternates, train the drivers, essentially, anything that must be done would be done by COAST with existing grant funds. There is no state requirement as to how frequently COAST reports to the county.

Commissioner O'Neill **moved** and Commissioner Partch **seconded** the motion to accept and sign, when available, a resolution and agreement in reference to the Unincorporated Transportation Benefit Area for the sole purpose of establishing a vanpool service in Whitman County, WA.

Mr. Johanson was reminded that a UTBA can be a taxing authority but no taxes can be levied by the county commissioners. It would be a very

BOCC MINUTES-10/19/09

cumbersome mechanism to operate because the only voting and taxing citizens in a UTBA would be residents that live within the unincorporated areas of Whitman County and probably less than 5% of the people COAST would be serving. The proposed mechanism is being used and considered by other eastern Washington counties in order to access VIP for the purpose of a vanpool.

In light of the county's continued resource problems, Chairman Largent asked if the agreement provides an option for the county to terminate the agreement. Mr. Johanson replied, without cause and without notice the county can cease the agreement. Until the vehicles are fully owned, they would revert back to Washington State who would retain the titles, they would be insured by COA&HS and the registered owner would be Whitman County.

Mark Storey confirmed Section 16 of the agreement provides for immediate termination of the agreement with COAST at any time, at the Board's sole option without notice to the Contractor.

The legislative intent in creating a UTBA is for the sole purpose of creating a vanpool service, not for any other service. It would also be up to the Board's sole discretion if they ever wanted to expand to any other service, operator or contract and that language is incorporated into the resolution.

10:30 a.m. - Kirk Suess, Eunice Coker, Bev Divine, Sharron Cunningham, Peggy Wright, Bob Lothspeich and Janet Schmidt.

The commissioners individually expressed their appreciation to Mark Storey, Karl Johanson and Commissioner O'Neill noting this will be a good thing for Garfield, Palouse and the Oakesdale areas.

Motion passed **unanimously**.

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

| | | |
|--|---|-------------------------------------|
| In the Matter of Establishing an |) | RESOLUTION NO. <u>069996</u> |
| Unincorporated Transportation |) | |
| Benefit Area for the Sole Purpose |) | |
| of Establishing Vanpool Services |) | Establishing Unincorporated |
| in Whitman County, Washington |) | Transportation Benefit Area |

BEFORE THE BOARD OF COUNTY COMMISSIONERS of Whitman County, Washington in the matter of establishing an Unincorporated Transportation Benefit Area within the county;

WHEREAS, it is recognized that the some of the towns and cities in Whitman County

BOCC MINUTES-10/19/09

have identified the need for Vanpool services to Pullman and/or other destinations, as a service to residents, and

WHEREAS, the Whitman County Board of County Commissioners recognize the economic benefits of creating a framework for Vanpool services to aid in economic development or jobs retention, and

WHEREAS, The Whitman County Board of County Commissioners (BOCC) have determined that it is interested in participating in the WSDOT statewide program to purchase subsidized vans for the purpose of Vanpool services, and

WHEREAS, the Board of County Commissioners (BOCC) has established a working relationship with the Council on Aging and Human Services (COAST), as outlined in the Memorandum of Understanding (MOU) dated October 19, 2009, and that the agreement provides for COAST to provide matching funds for purchase of vans through the Washington State Department of Transportation van purchase grant program, for use in the Vanpool Services program, and

WHEREAS, the Board of County Commissioners (BOCC) has established its legislative intent through a series of informal documents known as "BOCC Legislative Intent for Establishing Vanpool services through formation of a UTBA" dated from August 26, 2009 through October 19, 2009, and

WHEREAS, the Board of County Commissioners (BOCC) will not be required to financially support the operation of said Vanpool services, as they will be supported entirely through user fees and COAST capital contributions,

IT IS HEREBY RESOLVED that the Whitman County Board of County Commissioners hereby creates the Unincorporated Transportation Benefit Area (UTBA) for the sole purpose of aiding in the delivery of Vanpool services through COAST, in accordance with the agreement between Whitman County and COAST, dated October 19, 2009.

ADOPTED this 19th day of October, 2009.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Michael Largent, Chairman

Greg Partch, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Patrick J. O'Neill, Commiss.

10:30 a.m. - Initiative 1033 (I-1033).

BOCC MINUTES-10/19/09

Present: Bob Lothspeich, Joe Reynolds, Eunice Coker, Peggy Wright, Sharron Cunningham, Bev Divine, Janet Schmidt, Mark Storey, Kelli Campbell, Kirk Suess, Evan Ellis, Jeff Mannix, Chelsea Low, Sara Mason and Joe Smillie.

069998 9. Bob Lothspeich led the I-1033 discussion by reading the ballot title.

"This measure would limit growth of certain state, county and city revenue to annual inflation and population growth, not including voter-approved revenue increases. Revenue collected above the limit would reduce property tax levies."

At first blush it sounds like a good thing because taxes would be reduced. However, this would affect all general fund revenue except interest, grants and federal funds. These impacts affect state, county and city governments. I-1033 limits the annual growth to the Implicit Price Deflator (IPD), a national inflation indicator plus population. The IPD for 2009 is -.848.

Joe Reynolds said Whitman County is currently collecting 2009 taxes of \$4,200,665. That figure is multiplied by 101% (in accordance with I-747) raising the property taxes to \$4,042,000 plus \$75,721 for new construction credit. Under I-1033, \$150,000 of the \$4,042,000 would be placed in a special fund to lower taxes for the following year thereby reducing the county's usable revenue to \$3,968,000. The same process continues year-after-year. Mr. Reynolds saw this as a spiraling downward affect each year with no means for growth or bonding capacity causing the county to be in a much worse situation than it is now. The process is the same for all cities and the state.

Mr. Lothspeich reiterated, I-747 already limits the county to 1% growth not taking into consideration, education, public safety, long term care, etc. The statistics on these items increases 8-12% per year. If I-1033 passes, Mr. Lothspeich was certain state grants to the county would diminish because the state will want to retain its revenue. Currently, the Whitman County Sheriff, Juvenile, Public Health and Public Works departments are all large recipients of state grants.

Sponsor of I-1033, Tim Eyman, claims property "taxes are obscene and unsustainable". Yet, Washington ranked 29th in the nation in taxes per thousand of personal income throughout the nation. It should also be noted approximately one-half of a property owner's taxes are locally voted district levies such as fire, cemeteries, schools, etc.

The Office of Financial Management (OFM) estimates by 2015 that the state will have lost the ability to receive \$5.9 billion, counties \$2.1 billion

BOCC MINUTES-10/19/09

and cities \$694 million. Whitman County is currently running at a \$300,000 deficit with an over \$600,000 deficit forecasted for 2010.

Since 2007, Whitman County's interest revenue has declined \$1.1 million.

| | |
|------------------|-------------|
| 2007 | \$1,395,000 |
| 2008 | \$ 954,000 |
| 2009 (projected) | \$ 300,000 |

We Lothspeich felt we are at the bottom of the recession but have no room for growth under I-1033. If all revenue is removed above the IPD plus population limited to 1%, we will be back to where we were 2 years ago. This initiative inhibits new develop, especially if bonding is involved because bonding relies on future revenue.

Joe Reynolds commented even without I-1033, the \$75,000 in new construction credit could not be used in 2010 because it is over the 1% and IPD limits.

The Treasurer talked about a similar measure passed in Colorado in 1992. Local spending for K-12 went from 35th in the nation to 48th in personal income. In 1992 Colorado was \$394 below the national average for K-12 funding and by 2007 they were \$1,499 below the national average. The voters have since suspended that initiative.

This initiative will restrict city, county and state governments' ability to make essential public investments and will exacerbate economic and fiscal downturns. If Whitman County had a major disaster, the state would have no way of receiving financial assistance because I-1033 does not allow for it.

Chairman Largent asked for comments from the commissioners.

Commissioner O'Neill thanked the Assessor and Treasurer for getting the information out about the affects of I-1033.

Commissioner Partch explained this is the forum for the Board to put out the facts about the initiative and make a position statement. As the Treasurer and Assessor previously mentioned, the county has worked hard to increase its tax base, particularly in the Corridor (Hawkins Group). That won't happen if I-1033 passes because the way they planned to pay for the infrastructure was through bonding. In order to bond, the county must dedicate future projected new revenue and that is what award of the \$5 million Demonstration Project grant was intended to do. While budgeting very conservatively, the county estimated repayment of the bond while still adding money to the county coiffeurs. Basically, I-1033 eliminates the county's ability to fund these types of projects in the future while generating additional revenue, maintaining services and providing an

BOCC MINUTES-10/19/09

adequate wage for employees. Commissioner Partch read an excerpt from a Spokesman Review article citing Spokane Mayor Mary Verner's position opposing I-1033 which he too supports.

Chairman Largent clarified the Board as a whole has not taken an official position on the proposed initiative.

Sharron Cunningham asked if the initiative will affect only revenue bonds or also general obligation bonds. Bob Lothspeich responded from everything he has read, the initiative would have a huge impact on general obligation bonds. The Treasurer also read an excerpt from Tim Eyman's newsletter. It was Mr. Lothspeich's firm opinion Mr. Eyman continues to run initiatives as a way to provide for his own livelihood, but these initiatives handcuff government.

Kirk Suess asked if the initiative would have any impact on the recently passed \$15 million bond for construction of the new hospital and Mr. Lothspeich stated the initiative does not affect taxing districts. Mr. Suess didn't think the county took as big a hit on investment income as many private investors did, but agreed everyone is in the same boat. In response to Mr. Suess' comment, Bob Lothspeich talked about the 40 less county employees now as opposed to 10 years ago, the commissioners' detailed review of each department's budget, efforts by all departments to save money anyway possible with the bottom line being this recession will have some type of impact on the county's ability to provide services.

Eunice Coker County Auditor pointed out that the county is also experiencing the same less than 1/2% interest revenue on investments and stressed the importance that everyone should read their voter's pamphlet.

Sharron Cunningham asked if there has been any study on the time and cost to implement and maintain this initiative and Mr. Lothspeich said the state is estimating \$50,000 to put the initiative in place.

The Assessor clarified no check would be sent to any taxpayer. Rather, this would be handled by a reduction in the levy. Taxes will not change the first year. The money is simply set aside for the following year. It was the Assessor's opinion that this spiraling downward affect will cause more special levies and won't save the taxpayers a dime because the smaller cities survive on special levies and they will have to be increased. With regard to the bookkeeping time, the Assessor said he would calculate the amount for the Treasurer to set aside.

Any additional questions regarding I-1033 may be directed to the Whitman County Assessor or Treasurer.

11:05 a.m. - Recess.

BOCC MINUTES-10/19/09

(The 11:10 a.m. Public Works meeting follows #070004.)

11:25 a.m. - Board Business Continued.

Present: Kelli Campbell, Alan Thomson, Mark Storey, Joe Smillie.

069999 10. Commissioner Partch **moved** Commissioner O'Neill **seconded** the motion and it **carried** to authorize Mike Otis to quote medical insurance for Whitman County.

070000 11. Commissioner Partch **moved** Commissioner O'Neill **seconded** the motion and it **carried** to authorize a notice of hearing for budget amendment #3.

070001 12. Commissioner Partch **moved** Commissioner O'Neill **seconded** the motion and it **carried** for the Chairman to sign an agreement with the Washington State Patrol for Fire Mobilization.

070002 13. Excess levy amounts approved for collection in 2010 was acknowledged by the Board from Pullman School District #267.

070003 14. A response to the Chairman's letter regarding Community Development Block Grant funds was received from the Department of Commerce.

070004 15. Commissioners' pending list reviewed.

11:10 a.m. - Mark Storey, Public Works Director.

Present: Kelli Campbell, Chelsea Low, Sara Mason and Joe Smillie.

ACTION ITEMS

070005 1. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** that the resolution to close seasonal dirt roads be signed as presented.

RESOLUTION NO. 070005

BEFORE THE BOARD OF COUNTY COMMISSIONERS of Whitman County, Washington, in the matter of closing certain county roads for the period from November 15, 2009 through March 15, 2010 pursuant to R.C.W. 47.48.010;

IT IS HEREBY RESOLVED that the **dirt portion** of the following roads be closed to vehicular traffic from November 15, 2009 through March 15, 2010; provided, however, that a special permit may be obtained by contacting the Office of the Whitman County Engineer prior to traveling on any hereinafter listed road:

BOCC MINUTES-10/19/09

| <u>ROAD NO.</u> | <u>NAME</u> | <u>ROAD NO.</u> | <u>NAME</u> |
|-----------------|-----------------------|-----------------|-----------------------|
| 0015 | Waterman Road | 4380 | Gene Feenan Road |
| 0030 | Merritt Road | 4390 | Ruff Road |
| 0050 | St. John Road | 4410 | McGrady Road |
| 0060 | Wilhelm Road | 4420 | Bob Schultz Road |
| 0100 | Russell Road | 4430 | Morley Road |
| 0115 | Carter Road | 4440 | Bill Wilson Road |
| 0190 | Bourne Road | 4460 | Bixler Road |
| 0310 | Catholic Cemetery Rd. | 4470 | Rogers Road |
| 0410 | Fairbanks North Road | 4480 | Blackwell Road |
| 1140 | Bancroft Road | 4560 | Ballaine Road |
| 1180 | I.N. Balthis Road | 4600 | L Anderson Road |
| 1420 | Faught Road | 5010 | Enos Road |
| 1540 | Bunny Road | 5160 | McKenzie Road |
| 1550 | B. Howard Road | 5170 | Mader Road |
| 2030 | Sheahan Road | 5210 | L West Road |
| 2230 | Tennessee Flat Road | 5220 | Lawson Road |
| 2310 | Peringer Road | 5280 | Mick Parvin Road |
| 2320 | Huggins Road | 5370 | McGreevy Road |
| 2330 | Hubner Road | 5390 | R. Zakarison Road |
| 2350 | J.W. Baylor Road | 5410 | Fulfs Road |
| 2430 | Westacott Road | 5430 | Bidle Road |
| 2440 | Sunrise Road | 5520 | Kitzmilller Road |
| 2520 | Hilty Road | 5525 | Orville Boyd Road |
| 2560 | Mike Johnson Road | 5560 | Wexler Road |
| 3200 | Harwood Hill Road | 5580 | Gray Road |
| 3390 | Gene Nelson Road | 5590 | Reaney Road |
| 3400 | Jim Davis Road | 6120 | Guske Road |
| 3430 | Howard West Road | 6190 | C.J. Ochs Road |
| 3440 | Dickerson Road | 8050 | Hofer Road |
| 3450 | Greenbox Road | 8080 | Musgrove Road |
| 3460 | Trunkey Road | 8090 | Klaus Road |
| 3510 | Tiegs Road | 8200 | Getz-A E Seavers Road |
| 3550 | Hitchings Road | 8250 | Nauert Road |
| 3760 | Mack Lloyd Road | 8310 | Pat O Neil Road |
| 3700 | Jim Henning Road | 8330 | Kincaid Road |
| 3710 | Cordell Road | 8350 | Evans Road |
| 3890 | McGuire Road | 8450 | Babbitt Road |
| 3920 | Miller Home Place | 8460 | Enman-Kincaid Road |
| 4290 | Stubbes Road | 8470 | Carothers Road |
| 4365 | Rattlesnake Road | 8500 | Benedict Road |
| 4375 | Manning Road | 9040 | County Club Road |
| | | 9120 | Gimlin Road |
| | | 9130 | Snow Road |

ADOPTED this 19th day of October, 2009.

BOARD OF COUNTY COMMISSIONERS

Michael Largent, Chairman

Greg Partch, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Patrick J. O'Neill, Commiss.

070006 2. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to publish the notice of road closure for seasonal dirt roads.

Engineering Division:

070007 3. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** that the contracts between Whitman County and Frank Gurney, Inc. for guardrail on the Pleasant Valley Bridge be signed as presented.

Solid Waste Division:

070008 4. Yard waste recycling at the Transfer Station has been awarded through the small works process to ABCO Wood Recycling of Spokane for \$11.75/ton.

070009 5. Effective January 2010, no electronic waste will be allowed for collection at the Whitman County Transfer Station. This action is being taken because the Oregon site where Whitman County solid waste is landfilled will no longer be accepting electronic waste. Currently the Goodwill Industries collection trailer and Pullman Disposal are still accepting these items.

Administrative Division:

070010 6. Chairman Largent convened the hearing for county property and requested a staff report. Mr. Storey indicated there is a total of 3 Sheriff's vehicle proposed for surplus.

There being no comment from those in attendance, the hearing was adjourned. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** that the resolution to dispose of surplus county property be signed as presented.

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

IN THE MATTER OF RESALE

)

RESOLUTION NO. 0700010

OF COUNTY SURPLUS PROPERTY)

WHEREAS, The Whitman County Commissioners have advertised and held a public hearing on October 19, 2009, to hear arguments for or against the declaration of the items listed below, and

WHEREAS, the Board of County Commissioners, after due deliberation, have declared the attached list of items as surplus to the County's needs.

ER&R Vehicles and Equipment:

| Equip. # | Type | Serial # |
|----------|--------------------------|-------------------|
| 9403 | 2001 Ford Crown Victoria | 2FAFP71W41X174082 |
| 9406 | 2002 Ford Crown Victoria | 2FAFP71W82X157576 |
| 9408 | 2002 Ford Crown Victoria | 2FAFP71W42X157574 |

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THIS BOARD OF COUNTY COMMISSIONERS, that the Whitman County Treasurer advertise and sell, according to law, the attached described surplus items, by public auction on November 7, 2009. The sale will be held at the Booker Auction site at the junction of US Highway 395 and Eltopia Road West. Booker Auction will act as the Treasurer's agent.

Dated this 19th day of October, 2009.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Michael Largent, Chairman

Greg Partch, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Patrick J. O'Neill, Commiss.

070011 7. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to publish the notice of sale of surplus property.

070012 8. A report on the reuse of glass collected, crushed and used on the 2009 Almota Road project was received. A total of 697.04 tons was used for this project.

Maintenance Division:

070013 9. The annual winter snow and ice control letter sent to all Whitman County school superintendents, post offices, news media, WSDOT, WSP, WSU and county departments was received.

Planning Division:

070014 10. Alan Thomson presented the formal transmittal for proposed amendments to Whitman County Code Chapters 19.03, 19.10, 19.58, the Comprehensive Plan and new Chapter 19.61 regarding Commercial Wind Energy Generating Facilities.

070015 11. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to set a hearing to take public comment on amending the Whitman County Zoning Ordinances to add a new zoning chapter for commercial wind turbines along with associated changes to Chapters 19.03, 19.10, 19.58 and the Comprehensive Plan, to be held in the Public Service Building Auditorium at 6:30 p.m. on November 2, 2009.

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

Present: Alan Thomson, Bev Divine, Bob Lothspeich, Bob Reynolds, Brett Myers, Brian Beason, Doug Robinson, Eunice Coker, Fran Martin, Greg Partch, Janet Schmidt, Joe Reynolds, Kelli Campbell, Maria Thomas, Mark Storey, Marlynn Markley, Michael Largent, Pat O'Neill, Peggy Wright, Pete Martin, Joe Smillie, and Jeff Mannix.

Excused: Chris Nelson, Denis Tracy and Tim Myers.

070016 The September 2009 month-end financial report was reviewed by Ms. Cunningham.

September 2009 Cash Balance - \$1,565,485
September 2008 Cash Balance - \$2,182,545

September 2009 Revenue - \$7,289,417 - 63.67% of budget.
September 2008 Revenue - \$7,910,729 - %64.05 of budget.

September 2009 Expenditures \$8,109,186 - 68.96% of budget.
September 2008 Expenditures \$8,779,119 - 70.61% of budget.

12:00 p.m. - Recess.

1:15 p.m. - Board Business Continued/BOCC Workshop.

Present: Tim Myers and Joe Smillie.

070017 17. Chairman Largent said the Board will have discussions among the commissioners about possibly two things; 1) opportunities remaining in the 2009 budget cycle for reducing the projected deficit and the timing of some of their decisions and 2) 2010 budget related items.

BOCC MINUTES-10/19/09

Thus far it appears the county has bridged the deficit gap to the tune of \$100,000 (\$311,000 down to \$211,000). As they approach budget amendment #3, he was mildly positive, but knew they have a lot further to go. For the immediate time, this will help a little but is the beginning of the process for making some hard decisions.

As a basis for discussion, Chairman Largent suggested using a list from the Assistant Finance Director who compiled suggestions from various sources for consideration of the 2009 and 2010 budget cycles.

D070017A Public Defense Improvement Funds:

These funds will be transferred to Current Expense through budget amendment #3. No action is required by the Board at this time.

070018 Non-Represented Employees Step Freeze:

Commissioner Partch discussed the possibility of a freeze on non-represented step increases. The ultimate goal is to cut our 2009 budget deficit preferably down to \$0, but he thought they all knew that probably wouldn't happen. Putting a freeze on non-represented employees for the remainder of the year doesn't save a lot of money but is a step in the right direction and something similar may have to be done in 2010. If giving up step increases in order to save 1 or 2 jobs was his goal.

Commissioner Partch **moved** and Commissioner O'Neill **seconded** the motion to freeze all Current Expense and Non-Current Expense, non-represented employees step increases as of this time (1:30 p.m.) through 12/31/09. Commissioner Partch pointed out that the personnel change orders signed earlier today are retroactive to October 1st and not affected by this action.

Chairman Largent stated this will have a minimal impact, but as Commissioner Partch suggested, now is the time to say this is how we are going to begin addressing some of the long-term issues. They will debate how to proceed with the 2010 budget at a later time. Exclusively thinking about 2009 opportunities, this is small, but it's something.

Chairman Largent voiced support for Commissioner Partch' motion adding there are obviously going to be some questions as to equitable distribution that will have to be dealt with over time. However, the compelling nature of the budget is such he felt it important to realize part of what the Board must do is hold the line on salaries, in whatever form, in order to preserve as many jobs and services as possible under the current economic climate. If that is possible or not remains to be seen, but it's time to start making some efforts in that direction.

Commissioner O'Neill also agreed with Commissioner Partch that the Board has to make a statement on wages which they have done and now they need to keep moving forward.

Chairman Largent thought it was also important to note when they make a statement on wages that the commissioners have expressed on more than one occasion that it is a difficult thing to ask our employees to do something like this, but there are difficult choices ahead. They are not suggesting by any means that county employees are somehow overpaid. What they are suggesting is this is what it takes at this time.

Commissioner Partch reiterated if the Board can put a number of these things together, they may save 1 or 2 jobs and ultimately, that is the prime goal but they may not be so lucky in 2010.

The Chairman stated it is not with pleasure they do this. It is difficult and unfortunate, but necessary. Motion **carried**.

070018A Opportunity for Leave With Out Pay (LWOP).

It was noted interest has been expressed by some employees to take leave without pay instead of using their leave accruals in an effort to assist in the budget deficit situation.

Commissioner O'Neill was not opposed to the idea, but didn't think it made good sense to use overtime to pay other employees to accomplish the job of an employee on LWOP and he thought that should be pointed out to the department heads.

Commissioner Partch felt the policy clarifies the role of employees wanting to take LWOP and the proper procedure for doing so. He agreed with Commissioner O'Neill that it wouldn't hurt to include a reminder that nothing is being achieved if other people have to use overtime to pick up the slack for a person on LWOP.

Chairman Largent said this suggestion authorizes a department head/elected official to grant such LWOP for up to 90 calendar days on an individual basis. This policy leaves the granting of the leave under the prevue of the manager(s). The question is whether to provide further instructions to department heads to use their personnel resources wisely, something he would trust the department heads to do. Reminding them they have the option to grant up to 90 days LWOP gives the department head another tool to manage their individual departments.

Commissioner O'Neill questioned the issue of medical insurance coverage for employees on LWOP. Chairman Largent speculated that medical benefits would remain in place during the time of leave. Commissioner Partch thought that would have been clearly pointed out if medical benefits didn't remain in place.

Commissioner O'Neill **moved** to direct the Chairman to write a memo to department heads/elected officials reminding them of the county's policy

BOCC MINUTES-10/19/09

allowing voluntary LWOP for up to 90 days but adding a caution that they hope in doing so they will be mindful of any other costs that may be incurred as a result of this leave, i.e. overtime. Motion passed **unanimously**.

D070018B Remaining Overtime as of September Paid in October:

Commissioner O'Neill said overtime for the different departments is basically summed up as follows: "The thought is to reduce the Current Expense budgets by the remaining overtime budget as of the September payroll paid in October. It would be a bottom-line reduction, so you're not saying that they can't use overtime, but that they have to find it within their remaining bottom line budget."

Commissioner Partch believed based on bottom line budgets, in order to achieve this goal all overtime would have to be decreased to \$0 through the budget amendment process. He had concerns about specific budgets that require additional work; i.e. Planning, Elections and preferred not to make any decision today.

Chairman Largent concurred with Commissioner Partch and suggested he make inquiries of the department heads/elected officials and solicit feedback on how they feel this would impact their departments specifically. He too was concerned about the unintended consequences. There may in fact be departments who are using overtime in order to save staffing. That's the trouble with budget cuts, you are continually concerned about unintentional consequences and want to avoid them all to the extent they can. Commissioner Partch will report his findings to the Board at the October 26th workshop.

Commissioner O'Neill added as a general comment while reviewing 2010 budgets, he discovered that the amount of overtime proposed was quite amazing.

Tim Myers commented depending upon how it is managed, comp time, overtime and furlough time are all intertwined.

D070018C Health Department:

Commissioner Partch noted Fran Martin is researching options for the Pullman Health Office. No action was required of the Board at this time.

D070018D CETC

No action was required of the Board at this time.

D070018E Jail Meals:

No action was required of the Board at this time.

D070018F Tekoa Contract:

No action was required of the Board at this time.

BOCC MINUTES-10/19/09

D070018G Assessing Non-ER&R Vehicles:

No action was required of the Board at this time.

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

Present: Gary Hunt, Kelli Campbell and Sharron Cunningham (2:00 p.m.) and Kelli Campbell (4:00 p.m.).

070019 18. Commissioner Partch **moved** Commissioner O'Neill **seconded** the motion and it **carried** to go into executive session with the above individuals until 5:00 p.m. in accordance with RCW 42.30.110 (1)(g) and 42.30.140(a) for a matter relating to negotiations and employee performance.

5:00 p.m. - Return to Open Session/Recess.

D070019A THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Tuesday, October 20, 2009** at **2:00 p.m.** Chairman Michael Largent, Greg Partch and Patrick J. O'Neill, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

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

Present: Dr. Moody, Fran Martin, Michael Baker and Cinnamon Brown.

D070019A 1. Dr. Moody updated the Board on the West Nile virus, H1N1, seasonal flu, influenza vaccines and clinics.

Fran Martin said influenza information is being relayed to the public via 6 radio stations, 3 newspapers, the internet and the FLU HOTLINE (397-6FLU). The state is currently providing funding, therefore no county funds are being used at this time.

D070019B 2. Michael Baker announced Cinnamon Brown received the "2009 Rookie of the Year" award by the Washington State Environmental Health Association. The Board of Health congratulated Ms. Brown on her achievement.

D070019C 3. Mr. Baker reported he is currently very busy with on-site sewage program permits and site evaluations.

D070019D 4. Bruce Koliba is attending state training and once his training is completed, Whitman County will have two food service inspectors.

BOCC MINUTES-10/19/09

D070019E 5. Mr. Baker advised the Board of a restaurant that failed their inspection. This establishment is now progressing through the compliance schedule steps. A second restaurant refused an inspection and is now proceeding to a revocation of permit meeting with the Health Officer. In accordance with the Food Code, denying entrance to a Health Inspector is grounds for revoking a food permit permanently.

D070019F 6. Fran Martin said the majority of staff has been very busy with H1N1 and the seasonal flu. Work within the schools on absenteeism notification to the Health Department went very well. Dr. Moody and Melissa Elkins visited the school superintendents that did not participate in the absenteeism program.

D070019G 7. With H1N1 and local capacity dollars Ms. Martin was able to shift some of these funds to pay the consultant working on the Health Department Standards and Spokane Regional Health District for their work on the Basic Health Assessment. With the remaining funds, Ms. Martin requested authorization to hire a temporary employee until the end of the year while another employee is on leave. Commissioners Largent and Partch had no objections since this request will not impact Current Expense but they did request the Director inform the Finance Department. Commissioner O'Neill wondered if an employee from another office could be utilized for this purpose which Ms. Martin will look into.

D070019H 8. Ms. Martin and Mr. Baker will be meeting with WSU to discuss Environmental Health services provided on campus by WSU Health & Safety Department and their relationship as a partner to Whitman County Public Health/Environmental Health.

D070019I 9. Ms. Martin also has a meeting with a realtor for determining an assessed value for the Pullman Health Department office followed by a meeting with the Pullman Regional Hospital Foundation Chairman and Finance Director.

D070019J 10. The next Board of Health meeting is November 17th.

2:50 p.m. - Board Business Continued/Executive Session.

Present: Fran Martin.

070020 19. Commissioner Partch **moved** Commissioner O'Neill **seconded** the motion and it **carried** to go into executive session with the above individual until 4:00 p.m. in accordance with RCW 42.30.110(1)(g) for a matter related to employee performance.

4:00 p.m. - Return to Open Session/Recess.

BOCC MINUTES-10/19/09

D070020A THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, October 26, 2009** at **9:00 a.m.** Chairman Michael Largent, Greg Partch and Patrick J. O'Neill, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

9:00 a.m. - Meeting Reconvened/Board Business Continued/BOCC Workshop.

Present: Fran Martin (9:00 a.m.) and Mark Storey, Alan Thomson, Mariah Simpson, Denis Tracy and Joe Smillie (10:00 a.m.).

070021 20. Items discussed included Pullman Public Health, Planning related issues, 2009/2010 budget related issues, overtime update, New World update, Library request, Public Defender contract and Elected Officials meeting. No action taken.

12:20 p.m. - Adjournment.

D070021A Commissioner O'Neill **moved** to adjourn the **October 19, 20** and **26, 2009** meeting. Motion **seconded** by Commissioner Partch and **carried**. The Board will meet in regular session, in their Chambers', in the Whitman County Courthouse, Colfax, Washington, on **November 2, 2009**. The foregoing action made this **26th** day of **October 2009**.

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

MARIBETH BECKER, CMC
Clerk of the Board

MICHAEL LARGENT, CHAIRMAN
Board of County Commissioners