

Minutes for November 4th, 2002

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060337 THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **November 4, 2002** at **10:00 a.m.** Greg Partch, Chairman, Jerry Finch, and Les Wigen, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

10:00 a.m. - Board Business.

D060337A 1. Call to Order/Pledge of Allegiance.

Present: Chris Anderson, Jerry Jones, Kelli Campbell, and Bob Lothspeich.

D060337B 2. Motion by Commissioner Finch to approve the Consent Agenda. Motion **seconded** by Commissioner Wigen and **carried**.

060338 3. Claims/Payroll warrants numbered 141793-141836 for \$334,137.97 approved.

FUND	FUND NAME	AMOUNT
001	Current Expense	\$15,394.36
102	Building & Development	228.54
103	Countywide Planning	84.29
107	Chemical Dependency	813.42
110	County Roads	111,882.80
128	Crime Victims/Witnesses	14.68
400	Solid Waste	72,858.11
410	Solid Waste Reserve	582.26
501	Equipment Rental & Revolving	132,096.65
513	Communications Revolving	182.86

060339 4. October 28, 2002 minutes approved.

060340-060345 5. Personnel board orders approved.

060346 6. Motion by Commissioner Finch **seconded** by Commissioner Wigen and **carried** to transfer the remaining 5 of 7 LEOFF 1 members currently on the Standard PPO medical insurance plan to the Washington Counties Insurance Fund "New Standard PPO" plan as of January 1, 2003.

060347 7. Motion by Commissioner Wigen **seconded** by Commissioner Finch and **carried** to appoint James J. Hudak to the Blue Ribbon Advisory Task Committee.

060348 8. Motion by Commissioner Wigen **seconded** by Commissioner Finch and **carried** to appoint James B. Cochran and Randy Seuss to the Salmon Recover Board representing Whitman County.

060349 9. Pursuant to County Code regarding delegation of purchase orders, claims and payroll responsibilities, an authorization form was received from the Web Page Committee, signed by the Board and forwarded to the Auditor's office. **Motion** by Commissioner Finch **seconded** by Commissioner Wigen and **carried** to sign the delegation order.

060350 10. **Motion** by Commissioner Finch **seconded** by Commissioner Wigen and **carried** to acknowledge a claim for damages filed by Peter Laufenberg. The claim was then forwarded to the Risk Manager.

060351 11. A copy of a letter sent to the Governor was received from Colfax City Mayor Norma Becker opposing the action by Washington State Department of Transportation requiring SR 26 businesses to remove their business signs.

060352 12. A request for completion of a Customer Satisfaction survey was received from the State Auditor's Office. This item tabled for workshop discussion.

060353 13. A letter of appreciation was received from former Acting Auditor Naomi Daubert thanking the commissioners for their assistance during her interim term.

060354 14. The Department of Community, Trade and Economic Development forwarded the 2003 CDBG Public Service application handbook.

060355 15. The commissioners signed a letter to the Governor concerning Washington State Department of Transportation's (WSDOT) letters to businesses in Whitman County instructing them to remove their business signs along SR 26. Commissioner Wigen received a copy of one of these letters along with a picture of the business sign located on private property adjacent to SR 26. According to the owner, 50% of their business is derived from the sign. Three other businesses in the Dusty/Lacrosse area also received similar letters from WSDOT stating their signs are not in compliance with the Scenic Vista Act of 1971. Commissioner Wigen thought the state's action was ridiculous. He has spoken to David Burkey and Al Gilson at the Spokane WSDOT office.

The state is basing their actions on the Scenic Vista Act of 1971 and 31 years later when the state's budget is \$3 billion in the hole, state employees are driving around, taking pictures, and writing letters to private businesses, that are just trying to make a living, saying their signs must be removed. According to the letter, the state is attempting to bring the signage into compliance with the Act or abate them on a case-by-case basis. Commissioner Wigen thought the state should have come to the commissioners and the Natural Resources Advisory Committee (formerly Coordinating Committee) in accordance with the County Code, to discuss this matter before overruling private citizens and county government.

Since the letters were sent out in June of 2002, 2 businesses have already removed their signs. Commissioner Wigen thought there were better ways for the state to spend its money than driving around, taking pictures, sending

letters, and threatening to take business owners to the attorney general. If the state wants the signs removed, they should get a court order. These signs are on private property and he didn't believe the state has any right to do what they are doing because of a law passed 31 years ago. Commissioner Wigen thought it was important to stand behind its citizens who have invested so much in their business. He also learned there are exemptions to this law.

Chairman Partch said the commissioners do plan to discuss this issue with state and federal legislators.

060356 16. Information pertaining to rates for LEOFF 1 members long-term care insurance was reviewed and tabled for further discussion.

060356A 17. Commissioner Finch presented a certificate of appreciation to KCLX Reporter, Chris Anderson, for his Palouse Country Survivor skills. Chris graciously accepted the certificate and thanked the commissioners and people of Whitman County for making his transition from a big city to a small town very comfortable.

D060356B 18. Commissioners' pending list reviewed.

10:40 a.m. - Recess.

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

Present: Phil Meyer, Mark Storey, Mark Bordsen, and Jean Wardwell.

Action Items:

060357 1. **Motion** by Commissioner Wigen **seconded** by Commissioner Finch and **carried** that the fuel bid with Busch Distributors, Inc. be extended for calendar year 2003.

060358 2. **Motion** by Commissioner Finch **seconded** by Commissioner Wigen and **carried** that the weed contract with Darry-Air, Inc. be extended for calendar year 2003.

060359 3. **Motion** by Commissioner Wigen **seconded** by Commissioner Finch and **carried** that the oil and grease bid with Petroleum Distributing Company, Inc. be extended for calendar year 2003.

060360 4. **Motion** by Commissioner Finch **seconded** by Commissioner Wigen and **carried** that the local agency agreement supplement for the Wawawai Road guardrail project be signed as presented.

Planning Division:

060361 5. The official transmittal for the Schoepflin zone change was received. Ms. Wardwell pointed out there was no one in attendance at the hearing other than the applicant. Mr. Bordsen said if approved, a zoning map must be signed. The applicant's representative is working on the map. In the past the department has tried to have the map ready on the commissioners' decision date. However, the commissioners can sign the map

subsequent to that date. **Motion** by Commissioner Wigen **seconded** by Commissioner Finch and **carried** to set the date of November 12, 2002 at 11:00 a.m. for a decision on this request.

11:05 a.m. - Tammy Lewis.

Solid Waste Division:

D060361A 6. The Director reminded the Board that the employee book and magazine exchange began today and runs through Friday. According to Julie Fox, any remaining books will be donated to the schools and hospitals.

Maintenance Division:

D060361B 7. Phil Meyer reported that the crews are taking care of a variety of miscellaneous items while the weather permits.

11:30 a.m. - **Solid Waste Advisory Committee (SWAC) Bylaws.**

Present: Julie Fox, Dane Dunford, and Tammy Lewis.

060362 Hearing convened by Chairman Partch. Julie Fox gave a staff report. The main changes involve the addition of a WSU student membership clause, addition of a reappointment process clause, and quorum change to 50% of the membership. There being no other comments from the audience the hearing was closed.

Motion by Commissioner Finch **seconded** by Commissioner Wigen and **carried** to accept the recommendations of SWAC and approve the revised bylaws.

RESOLUTION NO. 060362
Whitman County
Solid Waste Advisory Committee
Revised By-Laws

Chapter 2.60

Sections:

- 2.60.000 Creation and Legal Basis
- 2.60.010 Scope
- 2.60.020 Composition
- 2.60.030 Staff
- 2.60.040 Meetings
- 2.60.050 Recommendations
- 2.60.060 Amendments
- 2.60.070 Savings Clause

Section 2.60.000 - Creation and Legal Basis

Whitman County Solid Waste Advisory Committee, hereafter SWAC, has been established by Whitman County Resolution No. 045185 pursuant to Chapter 123, 1984 Laws of Washington, revised by Resolution No. 046341 dated 6/7/93.

Section 2.60.010 - Scope and Charge

The scope and charge of the Whitman County Solid Waste Advisory Committee shall be to:

- A. Advise Whitman County on all aspects of solid waste management planning.
- B. Assist Whitman County in the development of programs and policies concerning solid waste management.
- C. Review and comment on proposed solid waste management rules, policies, or ordinances prior to their adoption.

Section 2.60.020 - Composition

- A. Members - The SWAC shall be composed of up to 18 members representing a balance of interests among the following groups: citizens, public interest groups, businesses, the waste management industry, Washington State University, and local elected officials. Members shall provide on-going public input, coordination, and information exchange between the groups.
- B. Ex-Officio members - The Whitman County Commissioners may appoint non-voting ex-officio members to the SWAC, who will serve at the Commissioners' discretion.
- C. Appointment - A letter requesting membership to SWAC must be presented to the Director of Public Works. Members shall be considered for appointment by the Whitman County Commissioners after receiving recommendation from SWAC.
- D. Terms -Members shall serve a term of three years except as may be required to ensure staggered appointments until their successor is appointed and confirmed as provided in the SWAC by-laws. The term of a member of SWAC starts on the date that the member is appointed and shall run for three years from that date or until May 31st of the third calendar year after the appointment, whichever is shortest.

Members from the Associated Students of Washington State University (ASWSU) clubs and/or organizations actively involved in environmental issues will be allowed to serve terms of less than three years. Members can serve a minimum of one academic year. Fall and spring semesters, or fall, spring and summer sessions could constitute an academic year. Terms can be extended for up to three academic years.

- E. Chair - A majority of the Committee shall elect one of its members as Chair to serve a term of one year. The chair shall be elected at the March meeting. The election year and term of the Chair will begin at the March meeting of each year. The Chair shall be a voting member.

- F. Vice Chair - A majority of the Committee shall elect one of its members as Vice-Chair. The term of the Vice Chair shall be for one year. The election year and term of the Vice Chair shall begin at the March meeting of each year. The Vice Chair shall be a voting member.
- G. Vacancies - Vacancies shall be filled in the same manner new appointments are made for the remainder of the term of the vacant position in the manner described in the initial appointment.
- H. Attendance - A member of the SWAC who misses three consecutive meetings without notification to the Solid Waste Coordinator may be removed from office by the recommendation of SWAC and approved by the Whitman County Commissioners or at the discretion of the Whitman County Commissioners.
- I. Reappointment - As terms expire, the Whitman County Commissioners will send a letter for reappointment to those members whose terms are expiring. The Committee shall not vote for the reappointment of members, it shall be at the discretion of the Whitman County Commissioners to reappoint a member's term.
- J. Duties of Secretary or Solid Waste Coordinator:
 - 1. Take minutes of all meetings.
 - 2. Give Commissioners a copy of minutes at least one week prior to the next SWAC meeting.
 - 3. Schedule meeting room for next meeting.
 - 4. Email or mail draft minutes to members of SWAC, Ex-Officio members, D.O.E. representative at least one week prior to next meeting.
 - 5. Place public notice in official county newspaper of time and place of next meeting, to be published one week before meeting date.
 - 6. Notify members one month in advance of expiration of term.
 - 7. Keep a record of each member as appointed and note their term of office.

Section 2.60.030 - Staff

The Whitman County Solid Waste Coordinator shall consult with the Chairperson of SWAC to coordinate staffing needs for the Committee.

Section 2.60.040 - Meetings

- A. At least one week's notice will be given for meetings.
- B. County shall provide for keeping of minutes and preparations of agendas.
- C. Public Access - All meetings shall be open to the public. Provision shall be made for public comment at each meeting. **Approved** minutes shall be available to the public upon request. Meeting minutes shall be approved by a quorum of the members.

- D. Quorum - At least 50 percent of SWAC members constitutes a quorum, and a simple majority of a quorum present may take action, make decisions, and make recommendations.
- E. The Committee shall meet and conduct at least three quorum-voting meetings per calendar year.

Section 2.60.050 - Recommendations

The SWAC shall advise and make recommendations to the Whitman County Commissioners on matters within their scope and charge as provided for in SWAC by-laws.

Section 2.60.060 - Amendments

To the extent that such an amendment would not conflict with the Ordinance, any of these by-laws may be amended or repealed, and new by-laws may be adopted, by two-thirds of a voting quorum and a letter of approval from the Whitman County Commissioners.

Section 2.60.070 - Savings Clause

Should any portion of these by-laws be declared unconstitutional or otherwise contrary to law, such decision shall not affect the validity of the remaining portion of these by-laws.

DATED this 4th day of November 2002.

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

11:35 a.m. - Recess.

1:30 p.m. - Kelli Campbell, Human Resources Director.

Commissioner Wigen was not in attendance.

D060362A Ms. Campbell explained that the Health Insurance Portability and Accountability Act (HIPAA) was adopted in 1996 and is meant to help with the privacy of personal health information or access to the information by employees and doctors. The Act was initially intended to assist employees in accessing medical coverage when changing from one job to the next without permanent, pre-existing condition exclusions. The Act has now grown to include other items. The government now says every entity that not only has public health, personal health, and personal employee information, i.e.

social security numbers, addresses, phone numbers, etc. must formalize how they plan to handle, store, communicate, and destroy this type of information.

What this means for Whitman County is:

- Formalizing our policies and procedures,
- Creating logs for access to the information,
- Obtaining signed releases from employees requesting assistance by HR,
- Sending notices to the employees about our policies and procedures,
- Making sure all county vendors comply with HIPAA,
- Appointing a compliance officer(s),
- Providing HIPPA training, and
- Possible background checks for individuals handling the information.

The county must develop and implement a plan by April 14, 2003. The Policies and Procedures Committee will be working on this federal requirement.

1:40 p.m. - Recess.

3:00 p.m. - Reconvene/Board Business Continued/BOCC Workshop.

Present: Fran Martin.

060363 19. Items discussed included disaster management, 2003 budget, Whitcom, and budget authority. No action taken.

4:30 p.m. - Recess.

D060363A THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **November 5, 2002** at **9:00 a.m.** Greg Partch, Chairman, Jerry Finch, and Les Wigen, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

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

Present: John Peterson (9:00 a.m.), Bob Lothspeich (11:00 a.m.), Dane Dunford and Mark Bordsen (11:45 a.m.).

D060363B 20. Items discussed included budgets, personnel, road issue, and State Auditor's survey. No action taken.

12:00 p.m. - Recess.

D060363C THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **November 8, 2002** at **10:00 a.m.** Greg Partch, Chairman, Jerry Finch, and Les Wigen, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

10:00 a.m. - Reconvene/Board Business Continued/BOCC Workshop.

Present: John Peterson (9:00 a.m.), and Fran Martin (10:00 a.m.).

D060363D 21. Items discussed included disaster management and the 2003 budget. No action taken.

12:00 p.m. - Adjournment.

D060363E Commissioner Finch **moved** to adjourn the **November 4, 5, and 8, 2002** 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 **November 12, 2002**. The foregoing action made this **8th** day of **November 2002**.

ss/ JERRY FINCH, Commissioner
ss/ LES WIGEN, Commissioner

MARIBETH BECKER, CMC
Clerk of the Board

GREG PARTCH, Chairman
Board of County Commissioners