

Minutes for November 7, 2011

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072373 THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, November 07, 2011** at **9:00 a.m.** Chairman Greg Partch, Patrick J. O'Neill and Michael Largent, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

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

Present: Gary Petrovich, Kelli Campbell and Kelli Hadley.

072374 1. Items discussed included 2012 preliminary budget, 2010 cash basis reporting financial statements closure, 2012 county employee medical insurance, Selective Service Board, Jennifer Boie, Veterans Day Observance at Garfield-Palouse Middle School. No action taken.

9:20 a.m. - Recess.

072375 2. Not used.

10:00 a.m. - Board Business Continued/Pledge of Allegiance.

Present: Kelli Campbell, Kelli Hadley and Bill Spence.

D072375A 3. Motion by Commissioner O'Neill to accept the consent agenda. Motion **seconded** by Commissioner Largent and **carried**.

072376 4. Claims/Payroll warrants numbered **259171-259269** for **\$169,220.44** approved.

072377 5. October 31, 2011 minutes approved.

072378-072386 6. Personnel change orders approved.

072387 7. Commissioner O'Neill **moved** Commissioner Partch **seconded** the motion and it **carried** to reappoint Commissioner Largent as the Board's LEOFF I representative. This term will expire 12/31/13.

10:10 a.m. - Joe Smillie.

072388 8. Kelli Campbell said the Board still has one employee group to move to a new medical insurance carrier for 2012, the Non-Represented Administrative Professionals group. On September 27th the Board voted to

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remove that group as well as other groups out of WCIF. On October 31st the Board voted to postpone their decision on a carrier for the Non-Represented Administrative Professionals until further information came to the Board from this group. Ms. Campbell recommended a deadline for how long the Board will wait and that the deadline is November 14th so the carrier and Human Resources have time to process their enrollment in a timely manner so that insurance coverage begins January 1, 2012. Commissioner Largent **moved** Commissioner O'Neill **seconded** the motion and it **carried** to accept Ms. Campbell's recommendation as presented.

072389 9. Commissioner Largent **moved** Commissioner O'Neill **seconded** the motion and it **carried** to authorize a one-year extension (11/01/12) to the Town of Lamont's 2010 .09 award.

072390 10. Commissioner O'Neill **moved** Commissioner Largent **seconded** the motion and it **carried** to authorize the publishing of a notice of hearing for a proposed zone change in the Pullman-Moscow Corridor District.

072391 11. Chairman Partch said he attended the Veterans Day ceremony last week at the Garfield-Palouse Middle School. The school held an essay contest about veterans and the winner of the contest was 7th grade student Ashley Swall who read her essay at the ceremony. Chairman Partch read Ms. Swall's essay and thought perhaps Whitman County could have some type of similar essay challenge in the future for Veterans Day.

072392 12. Commissioners' pending list reviewed.

10:25 a.m. - Recess.

10:30 a.m. - John Audley, Deputy Director of Renewable Northwest Project (RNP) and Brian Walsh, Business Developer for Iberdrola Renewables.

Present: Mark Storey, Alan Thomson, Iris Mayes, Joe Smillie, Kelli Hadley and Bill Spence.

072393 13. Mr. Audley and Mr. Walsh met with the Board to discuss the Renewable Northwest Project and its impacts on southeast Washington.

Mr. Audley stated he is the Deputy Director for the Renewable Northwest project. For 18 years RNP has been an advocate for responsible sited renewable energy facilities in Montana, Idaho, Oregon and Washington, basically the footprint of the Bonneville Power Administration. We promote policies that create markets both voluntary and mandatory for renewable energy. They spend much time on transmission related issues; building transmission lines, administration of the transmission system and policies that reflect the siting and how projects themselves are sited. Their members are both non-profit and for-profit organizations, such as Iberdrola Renewables.

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Brian Walsh said when Iberdrola Renewables first came to Whitman County they were known as TKM Energy. This company was a division of Pacific Power that was involved in power marketing, gas-fired generation, wind generation, solar and bio-mass analogy as well. In 2007 Iberdrola Renewables/Utility bought Scottish Power which owned TKM Energy. They are the world's largest renewable developer with the world's largest amount of renewable operating assets. They first came to Whitman County in 2005 or 2006 when they submitted an interconnect request to interconnect to Avista's system and begin prospecting in Whitman County. They signed up 10,000-12,000 acres in Whitman County and began measuring wind resources.

Mr. Walsh said Iberdrola owns and operates 1600 megawatts; 400 being in Washington (Klickitat County). They continue to grow on the Oregon side with 1000 megawatts installed there. Mr. Walsh said he works with and is teaming up with John Audley to ask the Board to lobby the State Legislators about the Renewable Portfolio Standards (RPS-15% by 2020 in 3-staged segments) and proposed plans to change the RPS in 2012. It is the mechanism that creates the demand for renewables. In particular, in Whitman County with Avista being the utility to interconnect with, when the Washington RPS is reduced, it reduces the likelihood of Iberdrola building a project in Whitman County. A change in the RPS will negatively impact the State of Washington.

Commissioner Largent asked about any negative impacts to rate payers. Mr. Audley said it is their belief if you compare new energy sources across the range of the technologies. As an example, the power for the Palouse project in Whitman County is cost-competitive with other forms of energy. The cost to the rate payer, assuming the utility needs power, would be the same.

Commissioner Largent wondered if these projects move forward with or without government required approval. Mr. Audley said he would love to see all forms of energy on the same playing field. However, different technologies are incentivized in different fashions. The hydro system that provides 70% of Washington's power was paid for largely by the federal government. The wind energy we are talking about today, the technology that is most interesting for developers in this part of Washington, receives projection tax credit from the federal government. Based on RNP's studies, the incentives provided by the government are about 1/10 what the fossil industry receives for their energy projects. Mr. Audley didn't believe renewable energy cost customers more than other forms of energy when building from scratch. In exchange for this, over \$40 million was paid on taxes for wind only projects and over \$90 million for all the technologies was received in taxes in Washington. When Iberdrola signs a 20-year lease with a landowner and builds a project, that means 20 years of paying taxes and royalties. RNP thinks that is worry of public assistance that they have earned over time and again,

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these are companies that are investing in natural resources in NE Washington and bringing jobs and economic development.

Brian Walsh said one way Whitman County receives money from renewable energy property tax dollars go right back into the community for schools, fire departments, ambulance, etc. In Oregon every member of two counties are recipients of a \$500-\$600/year check from tax surplus funds.

John Audley indicated hydro by state law is a renewable energy; the distinction that is drawn is when you create a policy that is designed to increase the percentage of the state's energy from renewable resources, the policy itself is designed to start from the hydro facilities that exist and grow beyond that. You could build certain types of hydro facilities from here forward, you could go bio-mass facilities and that power would count towards the state RPS. The standard itself was designed to build off of the state's renewable resources and increase the percentage.

Mr. Audley said as they focus their attention on Olympia in the coming months is for example, when a hydro facility upgrades the turbines and increasing the generation, shouldn't that upgrade count towards the utility's efforts to meet the new RPS? They think that makes sense. There are some fixes to the law that do need to be addressed. The problem has been so far, is given the state's utility community (approximately 6), every time you try to fix in one area it has a different impact on another area.

Mr. Audley thought the Palouse First Wind project is wonderful and they would like to see other projects in Whitman County. The market for the power has to exist and the RPS helps create that market.

Mr. Audley reviewed the Washington Renewable Energy Economic Development created by legislative districts and counties for capacity, capital investment, construction, operating jobs and property taxes.

Commissioner Largent asked if the utility companies subject to the RPS are supportive for increasing the standards, i.e. Avista and Inland Power & Light and Mr. Audley said they are not supportive. Now that Avista has acquired the power from the First Wind project, he was hopeful their position will change. Brian Walsh said their membership sees this as being in the best interest of their local communities.

Mr. Audley pointed out it is important to respect differences of opinion. What RNP is trying to ensure, if counties, in particular natural resource dependent parts of the state want to see these economic opportunities available to them to help diversify revenue streams for landowners so that maybe the second revenue stream for a farmer/rancher isn't off property and can help preserve a way of life that has lasted for generations.

Commissioner Largent asked if the revenue stream is at the expense of another revenue stream i.e. increased rates to rate payers. Brian Walsh thought since Avista has now purchased power from First Wind it would be interesting to have a conversation with Avista about their feelings regarding wind energy since they purchased the power at a very competitive rate. Avista had developed a wind project but decided to purchase the power from First Wind instead of building a facility. Avista's renewable goals have been met by purchasing First Wind power until 2017 or 2018.

John Audley said one of the strengths of the long-term power purchase agreements that utilities negotiate is the power price is fixed for a very long time. It eliminates the volatility with the natural gas market and you are hedging against anticipated program costs.

Commissioner O'Neill asked about possible goal for Whitman County. He had heard that Iberdrola pulled all the leases on the Snake River. Brian Walsh said they have moved away from that area because the wind resources measured was not of a commercial grade scale. They made a strategic decision to focus on other areas in Whitman County.

In response to Commissioner Largent, John Audley said Initiative 937 established the RPS. He added legislative work sessions are occurring at the Committee level between now and commencement of the 2012 legislative session.

There being no further questions, Chairman Partch thanked the gentlemen for their presentation.

ACTION ITEMS

Present: Mark Storey, Kelli Hadley and Bill Spence.

Engineering Division:

D072393A 14. Commissioner O'Neill **moved** Commissioner Largent **seconded** the motion and it **carried** that the contracts between Whitman County and Seubert Excavators, Inc. for crushing at Gnaedinger Quarry be signed as presented when they are received

11:05 a.m. - Recess.

11:30 a.m. - Board Business Continued/Workshop.

Present: Gary Petrovich, David Ledbetter, Joe Smillie, Kelli Hadley, Bill Spence (11:30 a.m.), Chris Nelson, Denis Tracy (1:00 p.m.) and Brett Myers (1:15 p.m.).

072394 15. The 2012 preliminary budget discussed. No action taken.

1:30 p.m. - Mike Berney, Greater Columbia Behavioral Health (GCBH).

072395 16. Report from the regular GCBH Board meeting held on November 3, 2011.

D072395A 17. Requests for action from the Funding Committee: An inpatient claim for a Whitman County resident had 2 parts. The first part of the stay was approved according to the rules for that process. The second part of the stay was not approved; the denial was appealed by the facility and eventually denied again. The facility then requested a Fair Hearing and the patient was then allowed to stay in the facility while the Fair Hearing was conducted. After many delays, the Administrative Law Judge found in favor of the facility. The person representing the State and thus GCBH was not an attorney and was clearly over matched in the Fair Hearing process. As part of the treatment planning for this individual Whitman County had offered an appropriate level of service in the community. Whitman County paid for the approved portion of this claim. The Board voted unanimously to accept the recommendation from the Funding Committee for GCBH to pay for the unapproved portion of this claim. Whitman County abstained.

D072395B 18. Creation of a Nominating Committee: According to the GCBH By-Laws the Board must elect officers at the December meeting. It was decided to have the current members of the Executive Committee act as the Nominating Committee. A slate of officers will be presented at the December Board meeting.

D072395C 19. Regional Office Update: Three items of note were presented in this section: 1) Professional Services Agreement [\$150/hr] with Dr. Lippman to cover second level appeals (a Medicaid requirement); 2) disposition of 10 mobile homes in Pasco [direct contract now], and 3) continued discussion on some of the proposals developed by the Governor to deal with the revenue shortfall. Most discussion was around the proposal to decrease the number of RSNs. Good and bad news. Outcome: 1) Unanimous vote to authorize a PSA with Dr. Lippman; 2) Unanimous vote to transfer title of the 10 mobile homes in Pasco; 3) Information only.

072396-072398 20. Request to designate 3 new Designated Mental Health Professionals for Whitman County. Commissioner Largent **moved** Commissioner O'Neill **seconded** the motion and it **carried** to designate Stephanie Wilmore, Kelly Heinlen and Elizabeth Hillman as Designated Mental Health Professionals.

IN THE MATTER OF APPOINTING)
DESIGNATED MENTAL HEALTH) RESOLUTION NO. 073396
PROFESSIONALS UNDER RCW)

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71.05 AND RCW 71.34

WHEREAS, Whitman County has responsibility for implementation of RCW 71.05 and RCW 71.34 (Mental Illness) which mandates that a coordinated system of evaluation and treatment services be provided to involuntary patients and persons voluntarily seeking treatment for mental disorder; and,

WHEREAS, the Director of Palouse River Counseling has petition the Board to appoint Stephanie Wilmore as Designated Mental Health Professional, finding that said appointee meets the requirements as specified by law.

BE IT HEREBY RESOLVED by the Board of Whitman County Commissioners that Stephanie Wilmore be appointed a Designated Mental Health Professional for Whitman County.

Done this 7th day of November 2011.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Greg Partch, Chairman

Patrick J. O'Neill, Commiss.

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Michael Largent, Commissioner

**IN THE MATTER OF APPOINTING)
DESIGNATED MENTAL HEALTH)
PROFESSIONALS UNDER RCW)
71.05 AND RCW 71.34**

RESOLUTION NO. 073397

WHEREAS, Whitman County has responsibility for implementation of RCW 71.05 and RCW 71.34 (Mental Illness) which mandates that a coordinated system of evaluation and treatment services be provided to involuntary patients and persons voluntarily seeking treatment for mental disorder; and,

WHEREAS, the Director of Palouse River Counseling has petition the Board to appoint Kelly Heinlen as Designated Mental Health Professional, finding that said appointee meets the requirements as specified by law.

BE IT HEREBY RESOLVED by the Board of Whitman County Commissioners that Kelly Heinlen be appointed a Designated Mental Health Professional for Whitman County.

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Done this 7th day of November 2011.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Greg Partch, Chairman

ATTEST:

Patrick J. O'Neill, Commiss.

Maribeth Becker, CMC
Clerk of the Board

Michael Largent, Commissioner

**IN THE MATTER OF APPOINTING)
DESIGNATED MENTAL HEALTH)
PROFESSIONALS UNDER RCW)
71.05 AND RCW 71.34**

RESOLUTION NO. 073398

WHEREAS, Whitman County has responsibility for implementation of RCW 71.05 and RCW 71.34 (Mental Illness) which mandates that a coordinated system of evaluation and treatment services be provided to involuntary patients and persons voluntarily seeking treatment for mental disorder; and,

WHEREAS, the Director of Palouse River Counseling has petition the Board to appoint Elizabeth Hillman as Designated Mental Health Professional, finding that said appointee meets the requirements as specified by law.

BE IT HEREBY RESOLVED by the Board of Whitman County Commissioners that Elizabeth Hillman be appointed a Designated Mental Health Professional for Whitman County.

Done this 7th day of November 2011.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Greg Partch, Chairman

ATTEST:

Patrick J. O'Neill, Commiss.

Maribeth Becker, CMC
Clerk of the Board

Michael Largent, Commissioner

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D072398A 21. Licensing visit for the Chemical Dependency program was conducted and suggested improvements are being implemented.

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

Present: Mark Storey.

072399 22. Commissioner Largent **moved** Commissioner O'Neill **seconded** the motion and it **carried** to go into executive session with the above individual until 2:30 p.m. in accordance with RCW 42.30.110(1)(g) for matters related to employee evaluations.

2:30 p.m. - Return to Open Session/BOCC Workshop.

Present: Brett Myers and Mark Storey (2:30 p.m.).

072399A 23. Sheriff's staffing discussed. No action taken.

2:40 p.m. - Recess.

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

Present: John Love, Dan Boone, Dick Watters and Joe Poire.

072400 24. Items discussed included fiber optic project update, Whitman County's 2012 preliminary budget and the 9th Legislative District representative meeting. No action taken.

072400A 25. The contracts between Whitman County and Seubert Excavators, Inc. for the Gnaedinger Quarry crushing project were received and signed by the Board as authorized 11/07/11.

4:30 p.m. - Recess.

D072400B THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Tuesday, November 8, 2011 at 1:00 p.m.** Chairman Greg Partch and Michael Largent Commissioners and Maribeth Becker, CMC, Clerk of the Board attended. Commissioner O'Neill was unavailable.

1:00 p.m. - Meeting Reconvened/Board Business Continued/Workshop.

Present: Senator Mark Schoesler, Krista Winters, Gary Petrovich, Nathan Weller, Barney Waldrop, Bob Lothspeich, Jim Potts, Fran Martin and Joe Smillie.

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072401 26. Various upcoming legislative issues affecting Whitman County were discussed. No action taken.

3:00 p.m. - Recess.

D072401A THE BOARD OF WHITMAN COUNTY COMMISSIONERS met at Denny's Restaurant in Pullman, Washington for **Wednesday, November 9, 2011 at 7:30 a.m.** at the Old European Restaurant in Pullman. Chairman Greg Partch and Patrick J. O'Neill, Michael Largent Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

7:30 a.m. - Meeting Reconvened/Board Business Continued/Workshop.

Present: Jennifer Barrett, Dave McGraw, Susan Peterson and Gary Petrovich.

072402 27. Joint Latah/Whitman County related issues discussed. No action taken.

8:30 a.m. - Recess.

D072402A THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, November 14, 2011 at 9:00 a.m.** Chairman Greg Partch, Patrick J. O'Neill and Michael Largent Commissioners and Elinor Huber, Recording Clerk attended.

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

Present: Gary Petrovich, Marshall Doak (SEWEDA) and Elinor Huber.

072403 28. Items discussed included a financial update and \$1,500 financial request from Southeast Washington Economic Development Association (SEWEDA). No action taken.

9:20 a.m. - Executive Session.

Present: Gary and Valerie Hunt and Kelli Campbell.

072404 29. Commissioner Largent **moved** Commissioner O'Neill **seconded** the motion and it **carried** to go into executive session with the above individuals until 10:00 a.m. in accordance with RCW 42.30.140(4)(a) for a matter relating to negotiations.

10:00 a.m. - Return to Open Session/Board Business Continued.

Present: Kelli Campbell and Brett Myers.

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072405 30. Claims/Payroll warrants numbered **259306-259402** for **\$2,518,940.85** approved.

072406-072414 31. Personnel change orders approved.

072414A 32. Kelli Campbell stated the Board still has the Non-Represented Administrative Professional group without a carrier for 2012. On September 27th they were removed from WCIF. She was in hopes the Board would assign this group to a carrier today for 2012 and her recommendation to move this group to Cigna remains to keep the county group whole under the same conditions and plans as the Board voted on for the other non-represented employees on October 31st.

Motion by Commissioner O'Neill and **seconded** by Commissioner Largent to accept Ms. Campbell's recommendation.

Brett Myers said he was speaking for Prosecutor Denis Tracy who was not available this morning. The Sheriff asked the commissioners to hold their vote until next week because there is a Teamsters option. They are just waiting for official word and that decision has to be certified at a board meeting. The concern is the three Cigna plans presented, the middle plan, just in premium is \$12,000 a year versus an option that reduces that to \$4,000-\$5,000 a year. Sheriff Myers indicated it is the consensus of the non-represented administrative professionals group to wait wouldn't set the Board back. He recommended if the Board did make a motion that it includes something that allows for Teamsters consideration if Teamsters come through. He voiced his concern about the three Cigna plans being offered with no additional plan that offers coverage at a composite level. Otherwise, he wouldn't have any problem with Cigna if they offered an affordable family option.

Commissioner Largent asked if it was his understanding the county doesn't have the Teamsters option at this time. Ms. Campbell responded that she had not received any word from Dean McGinnis of the Teamsters. Sheriff Myers indicated he had sent Mr. McGinnis an email last week and would do everything he could to get an answer to him by Thursday (November 17th).

Commissioner Largent asked what would be the consequences of tabling the motion for a week. Ms. Campbell said if the Board waits to move this particular group back to WCIF you will run out of time because there are mandatory WCIF deadlines that have to be met. Cigna wants all of the enrollments by the end of the month so you are also running extremely short on time with Cigna as well. She had great concern about splintering the group as a whole and weakening the group that remains.

In response to Sheriff Myers inquiry about the plan for the Deputy Sheriff's Association Ms. Campbell said the original plan was to leave

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them with WCIF and that was approved by WCIF before the vote took place September 27th. After the vote took place, WCIF wrote back and said, "we may not, Premera may not agree with that" and then there was some correspondence that went back and forth between WCIF and herself. Toward the end of October she had confirmation from WCIF that Premera and WCIF would not accept their enrollment under the conditions the Board voted on September 27th, which was removing all the other groups except for them. In essence, the county will have to move the Deputy Sheriff's Association from WCIF to Cigna plans. The specific Cigna plans are in negotiation but it would probably be one of the three plans currently being offered.

Partch - The motion is to move the Non-Represented Administrative Professional group to Cigna under the same plans and conditions as the other non-represented employee group that the Board voted on October 31st.

Brett Myers noted his recommendation is for the Board to wait until next Monday before making a decision.

There being no further discussion, the vote was taken and the motion **carried**.

33. Letters were received from the following Garfield residents thanking the commissioners for holding an informational meeting on the Ruckelshaus legislation and urging them to opt into the Voluntary Stewardship Program quickly:

072415 Jimmy E. Anderson
072416 Janiece J. Anderson
072417 Burgess Lange

072418 **34.** Notice of liquor licenses due to expire 02/29/12 was received from the Washington State Liquor Control Board.

072419 **35.** A copy of the annual required attorney representation letter sent to the State Auditor's Office for the period 01/01/10 to present was received from the Prosecutor.

072420 **36.** A letter was received from the John Sherman, City of Pullman inviting Whitman County to make a presentation to make a Pullman 2020 visioning presentation to the Council.

072421 **37.** A letter was received from Mark Napier, Project Manager regarding the City of Tekoa Willard Field Airport Expansion Feasibility Study.

10:30 a.m. - Recess.

2:00 p.m. - Meeting Reconvened/Board Business Continued/Workshop.

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Present: Gary Petrovich and David Ledbetter.

072422 38. The 2012 preliminary budget was discussed. No action taken.

5:00 p.m. - Adjournment.

D072422A Commissioner O'Neill **moved** to adjourn the **November 7, 8, 9 and 14, 2011** 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 **November 21, 2011**. The foregoing action made this **14th** day of **November 2011**.

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

MARIBETH BECKER, CMC
Clerk of the Board

GREG PARTCH, CHAIRMAN
Board of County Commissioners