

Minutes for December 4, 2006

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)-397-6200.

066159 THE BOARD OF WHITMAN COUNTY COMMISSIONERS met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **December 4, 2006** at **9:00 a.m.** G.R. Finch, Chairman, Greg Partch and Les Wigen, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

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

Present: Kelli Campbell.

066160 1. The rural residential housing issue was discussed. No action taken.

9:45 a.m. - Recess.

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

Present: Jana Davidson and Joe Smillie.

D066160A 2. Motion by Commissioner Wigen to accept the consent agenda with the deletion of item #1b1. Motion **seconded** by Commissioner Partch and **carried**.

066161 3. Claims/Payroll warrants numbered **197604** and **197806-197908** for **\$144,335.05** approved.

FUND	FUND NAME	AMOUNT	AMOUNT
001	Current Expense	379.94	26,017.18
102	Building & Development		63.35
103	Countywide Planning		207.00
110	County Roads		11,155.97
111	CETC Building		91.02
118	Inmate Welfare	9.20	
123	Paths & Trails	4.68	
132	Auditor's Document Preservation		1,520.51
136	Electronic Monitoring		178.25
143	Trial Court Improvement-143.030.000		1,512.79
300	Capital Projects Asset Acq.-300.010.001		1,342.21
300	Capital Projects Doc. Mgmt.-300.010.006		1,417.88
400	Solid Waste	2,835.67	16,993.32
410	Solid Waste Reserve	2.63	1,124.76
501	Equipment Rental & Revolving	182.10	2,342.24
510	Photocopier Revolving		32.81

BOCC MINUTES-12/04/06

513	Communications Revolving		743.71
660	Whitcom-General-660.911.000		70,582.99
660	Whitcom-Grant Funding-660.911.001		5,594.84

066162 4. November 27, 2006 minutes approved.

066163-066169 5. Personnel board orders approved.

10:05 a.m. - Michael Largent.

066170 6. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to publish a notice for budget amendment #5 hearing to be held December 18th at 10:45 a.m.

066171 7. Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to publish a notice for the rural residential housing hearing to be held December 18th at 6:30 p.m. at the Public Service Building.

066172 8. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to sign the 2007 mileage reimbursement rate resolution.

RESOLUTION NO. 066172
OF
THE BOARD OF WHITMAN COUNTY COMMISSIONERS
FOR WHITMAN COUNTY, STATE OF WASHINGTON

WHEREAS, the Board of County Commissioners for Whitman County, State of Washington, met in regular session on Monday, December 4, 2006; and,

WHEREAS, the Board of County Commissioners for Whitman County, State of Washington recognizes the need to adjust the mileage rate for 2007; and,

WHEREAS, the Board of County Commissioners believe that the mileage rate should be fixed at the IRS rate of 48.5 (\$.485) cents per mile as of January 1, 2007.

NOW, THEREFORE, IT IS HEREBY RESOLVES by the Whitman County Commissioners that Whitman County will reimburse mileage at the IRS rate of 48.5 (\$.485) cents per mile beginning January 1, 2007.

PASSED, APPROVED AND ADOPTED this 4th day of December 2006 and effective as of January 1, 2007.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

G.R. Finch, Chairman

ATTEST:

Greg Partch, Commissioner

Maribeth Becker, CMC
Clerk of the Board

Les Wigen, Commissioner

066173 9. Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to reappoint John Aune to a 5-year term on the Rural Library Board. Mr. Aune's term will expire 12/31/2011.

066174 10. A request for rent payments totaling \$400 for Colton Veterans Post #128 was received from the Auditor. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve a \$300 limit for rent as noted in resolution #062493 upon receipt of required information. (It was later noted Post #128 had already submitted the required information.)

066175 11. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to sign an oath of office for Deputy Prosecutor Bill Druffel.

12. The commissioners accepted the following 2007 levy certifications:

066176 City of Colfax

066177 Town of St. John

066178 13. A letter confirming receipt of the county's Homeless Grant Assistance Program (HGAP) was received from the Department of Community, Trade and Economic Development.

066179 14. City of Colfax ordinance #06-08 annexing property into the city limits was received.

D066179A 15. Commissioners' pending list reviewed.

10:30 a.m. - CDBG-Public Services Grant Hearing.

Present: Karl Cozad, Sharron Cunningham, Randy Scholz, Jana Davidson and Joe Smillie.

D066179B The Chairman convened the hearing for the CDBG-PS grant.

066180 A copy of the CDBG-PS grant annual report for the past year was distributed by Mr. Cozad. He pointed out Community Action Center (CAC) relies on CDBG dollars to operate the organization. Mr. Cozad mentioned a few high points contained within the annual report where CDBG-PS dollars were used.

BOCC MINUTES-12/04/06

- Food Bank distributes over 100,000 pounds annually
- Provided energy assistance to over 1,600 families at \$700,000/year
- CAC served 5,000 individuals and 1,600 families during the fiscal year

The Director felt CAC was using the dollars to the greatest efficiencies possible in providing these services. The agency is requesting \$128,539 for this contract period combined with \$52,715 in CSBG funds for a total of \$181,254.

There being no comments for or against the proposal from those in attendance, Chairman Finch adjourned the hearing.

066181 Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to authorize the Chairman to sign the 2007 public services grant summary form.

Mr. Cozad spoke on the tremendous amount of support, cooperation and collaboration between Community Action and the 16 cities/towns in Whitman County. This support adds to CAC's ability to deliver the services, which he and the people of Whitman County greatly appreciate.

066182 Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to sign the certification of compliance resolution for the CDBG-PS grant.

**RESOLUTION NO. 066182
WITH CERTIFICATIONS OF COMPLIANCE
For CDBG Public Services Grant**

WHEREAS, Whitman County is applying to the state Department of Community, Trade and Economic Development for funding assistance; and,

WHEREAS, it is necessary that certain conditions be met as part of the application requirements; and,

WHEREAS, the Whitman County Commissioners are authorized to submit this application to the state of Washington on behalf of Whitman County.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Whitman County Commissioners authorize submission of this application to the state Department of Community, Trade and Economic Development to request \$128,539 to fund public service activities in coordination with Community Action Center, and certifies that, if funded, it:

Will comply with applicable provisions of Title I of the Housing and Community Development Act of 1974, as amended, and other applicable state and federal laws; and,

BOCC MINUTES-12/04/06

Has provided opportunities for citizen participation comparable to the state's requirements (those described in Section 104(a)(2)(3) of the Housing and Community Development Act of 1974, as amended); and,

Has complied with all public hearing requirements and provided citizens, especially low- and moderate-income persons, with reasonable advance notice of, and the opportunity to present their views during the assessment of community development and housing needs, during the review of available funding and eligible activities, and on the proposed activities; and,

Has provided technical assistance to citizens and groups representative of low- and moderate-income persons that request assistance in developing proposals; and,

Will provide opportunities for citizens to review and comment on proposed changes in the funded project and program performance; and,

Will not use assessments against properties owned and occupied by low- and moderate-income persons or charge user fees to recover the capital costs of CDBG-funded public improvements from low- and moderate-income owner-occupants; and,

Will establish a plan to minimize displacement as a result of activities assisted with CDBG funds; and assist persons actually displaced as a result of such activities, as provided in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended; and,

Will conduct and administer its program in conformance with Title VI of the Civil Rights Act of 1964 and the Fair Housing Act, and will affirmatively further fair housing, (Title VIII of the Civil Rights Act of 1968); and,

Has adopted (or will adopt) and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and has adopted (or will adopt) and implement a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within its jurisdiction, in accordance with Section 104(1) of the Title I of the Housing and Community Development Act of 1974, as amended; and,

Will provide, upon request, and prior to any obligation of funds being made, a complete and accurate CDBG Federal Funds Disclosure Report detailing the required applicant/grantee information, and as

BOCC MINUTES-12/04/06

appropriate other government assistance provided or applied for, interested parties and expected sources, and uses of funds.

Whitman County designates G. R. Finch, Chairman of the Board, as the authorized Chief Administrative Official and authorized representative to act in all official matters in connection with this application and Whitman County's participation in the Washington State CDBG Program.

Dated this 4th day of December 2006.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

G.R. Finch, Chairman

Greg Partch, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Les Wigen, Commissioner

10:50 a.m. - Mark Storey, Public Works Director.

Present: Phil Meyer, Randy Scholz, Jana Davidson and Joe Smillie.

ACTION ITEMS

Engineering:

066183 1. A map of the proposed vacation for portions of Farmington Road #1000 received and reviewed.

066184 Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** that the resolution of intent to vacate a portion of excess right-of-way on Farmington Road #1000 be signed as presented.

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

In the Matter of the Intent to)
Vacate and Abandon a Portion of)
the Farmington Road No. 1000)
Lying North of Farmington City)
Limits and Lying Outside of a)
60 Foot Wide Strip of the)
Existing Right of Way for Farm-)
ington Road No. 1000, in)

RESOLUTION NO. 066184

**INTENT TO VACATE AND DIRECTIVE
TO COUNTY ENGINEER FOR REPORT**

BOCC MINUTES-12/04/06

Section 31, Township 19 North,)
Range 46 East, W.M. in Whitman)
County, Washington)

WHEREAS, the Whitman County Board of County Commissioners considers useless, for the public, a portion of the Farmington Road No. 1000 lying North of Farmington City Limits and lying outside of a 60 foot wide strip of the existing right of way for Farmington Road, County Road No. 1000, in Section 31, Township 19 North, Range 46 East, W.M., in Whitman County, Washington, and based on RCW 36.87.010 it is hereby declared the intention of the Board of County Commissioners of Whitman County, Washington, to vacate and abandon said Farmington Road.

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

NOW, THEREFORE, BE IT RESOLVED that the portions of the Farmington Road No. 1000 lying North of Farmington City Limits and lying outside of a 60 foot wide strip of the existing right of way for Farmington Road, County Road No. 1000, in Section 31, Township 19 North, Range 46 East, W.M., in Whitman County, Washington, more particularly described as follows: All that portion of the Farmington Road from PC Sta. 1+468.1533 to E.O.P. Sta. 1+880.0000 for C.R.P. No. 1000-9 Farmington Road Safety Project, recorded in the Whitman County Engineers office, lying North of Farmington City Limits and lying outside of a 60 foot wide strip of the existing right of way, with offsets of 30 feet left and right, at right angles to and parallel to this Centerline description;

Commencing from a point accepted as the intersection monument for Bridge Street and Farmington Road No. 1000 (Third Street) lying N 00°00'00" W a distance of 490.03 feet (149.3611 meters), from a point accepted as the intersection monument for Alder Street and Farmington Road No. 1000 (Third Street). Thence N 04°11'28" W a distance of 31.30 feet (9.5388 meters), to a point shown on the plans for C.R.P. 1000-9 Farmington Road Safety Project as Centerline Sta. 1+000.0000. Thence continuing along said Centerline N 00°24'11" W a distance of 1535.94 feet (468.1533 meters), to a point shown as Centerline PC Sta. 1+468.1533, and the True Point of Beginning for this description. Thence continuing along said Centerline on a curve to the left, with a chord bearing of N38°18'19.3" W, a distance of 1007.73 feet (307.1576 meters), a radius of 820.21 feet (250.0000 meters), and through an arc length 1085.17 feet (330.7588 meters), to a point shown as Centerline PT Sta. 1+798.9121; thence continuing along said Centerline N 76°12'27" W a distance of 266.04 feet (81.0879 meters), to a point shown as Centerline E.O.P. Sta. 1+880.0000 and the terminus of this Centerline description.

BOCC MINUTES-12/04/06

Is preliminarily found to be of no use to Whitman County and that the vacation of said road may be in the best interest of Whitman County.

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

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

DATED at Colfax, Washington, this 4th day of December 2006.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

G.R. Finch, Chairman

Greg Partch, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Les Wigen, Commissioner

066185 **2.** Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** to publish the notice of hearing to vacate a portion of excess right-of-way on Farmington Road #1000.

066186 **3.** A map of the proposed vacation for portions of Dusty Road #6171 received and reviewed.

066187 Commissioner Wigen **moved**, Commissioner Partch **seconded** the motion and it **carried** that the resolution of intent to vacate and abandon a portion of Dusty Road #6171 be signed as presented.

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

In the Matter of the Intent to) **RESOLUTION NO. 066187**
Vacate and Abandon a Portion of)
County Road No. 6171, the Dusty)
Road, Located in Sections 3 and) INTENT TO VACATE AND DIRECTIVE
10, Township 15 North, Range 41) TO COUNTY ENGINEER FOR REPORT
East, W.M. in Whitman County,)
Washington)

WHEREAS, the Whitman County Board of County Commissioners considers useless, for the public, a portion of County Road No. 6171, the Dusty

BOCC MINUTES-12/04/06

Road, lying East of County Road No. 6170, the Young Road, located in Sections 3 and 10, Township 15 North, Range 41 East, W.M., in Whitman County, Washington, and based on RCW 36.87.010 it is hereby declared the intention of the Board of County Commissioners of Whitman County, Washington, to vacate and abandon said Dusty Road.

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

NOW, THEREFORE, BE IT RESOLVED that the portion of County Road No. 6171, the Dusty Road, lying East of County Road No. 6170, the Young Road, located in Sections 3 and 10, Township 15 North, Range 41 East, W.M., in Whitman County, Washington, more particularly described as follows:

Commencing at the Southwest corner of the Southeast $\frac{1}{4}$ Section 3; thence northerly 55 feet along the West line of the Southeast $\frac{1}{4}$ Section 3 to the northerly right of Way line of County Road No. 6171, The Dusty Road; thence easterly along said right of way line to a point northwest at right angles to Engineer's Station L 913+50 as shown on sheet 27 Washington Department of Transportation Highway Plans for State Route 26, Pampa to Dusty, recorded in Whitman County Engineer's office and the True Point of Beginning for this description; thence continuing easterly along said right of way and southerly property line to a point that intersects with the SR 26 northerly right of way line, approximately Engineer's Station L 919+63 as shown on said highway plans; thence southwesterly along said SR 26 northerly right of way line to a point on said right of way line and said point being Engineer's Station L 913+50, 75.00 feet left of centerline of SR 26 as shown on said highway plans; thence northwesterly at right angles to said northerly right of way line to the True Point of Beginning.

Excepting therefrom the following vacated right of way, Whitman County Commissioners Resolution No. 057008, County Road No. 6171, The Dusty Road, located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ Section 3, Township 15 North, Range 41 East, W.M., in Whitman County, Washington, of which is more particularly described as follows:

Commencing at the Southwest corner of the Southeast $\frac{1}{4}$ Section 3; thence northerly 55 feet along the West line of the Southeast $\frac{1}{4}$ Section 3 to the northerly right of Way line of County Road No. 6171, The Dusty Road; thence easterly along said right of way line to a point northwest at right angles to Engineer's Station L 913+50 as shown on sheet 27 Washington Department of Transportation Highway Plans for State Route 26, Pampa to Dusty, recorded in Whitman County Engineer's office and the True Point of Beginning for this description; thence continuing easterly

BOCC MINUTES-12/04/06

along said right of way to the southeast property corner of the Ritzville Warehouse Company; thence southerly at right angles to said right of way line to a point on the F Line as shown on said highway plans; thence southwest along said F Line to a point that is 35 feet southerly at right angles to said northerly right of way line; thence leaving said F line westerly and parallel to said northerly right of way line to a point that is northwest at right angles to Engineer's Station L 913+50 and also 35 feet southerly from said northerly right of way line; thence northwest to the True Point of Beginning.

Is preliminarily found to be of no use to Whitman County and that the vacation of said road may be in the best interest of Whitman County.

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

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

DATED at Colfax, Washington, this 4th day of December 2006.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

G.R. Finch, Chairman

Greg Partch, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Les Wigen, Commissioner

066187A 4. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to publish the notice of hearing to vacate and abandon a portion of Dusty Road #6171.

D066187B 5. According to Mr. Storey staff is designing bridges for 2007; weather has not allowed for striping the Almota Road as yet; crushing is taking place at the Morash Quarry on Union Flat Road.

11:00 a.m. - Mark Bordsen and Mariah Simpson.

Planning Division:

066188 6. Commissioner Partch **moved**, Commissioner Wigen **seconded** the motion and it **carried** that the Board accept the Planning Commission's

BOCC MINUTES-12/04/06

recommendation to approve the proposed Randy Scholz zone change in Steptoe from Agricultural to Rural Community Residential, as described in the report from the Planning Commission. The zoning map was signed later in the day.

ORDINANCE NO. 066188

AN ORDINANCE AMENDING THE WHITMAN COUNTY ZONING MAP TO CHANGE THE ZONING FROM AGRICULTURAL TO RURAL COMMUNITY 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 should be accepted and this action is consistent with the Whitman County Comprehensive Plan.

Change the zoning for Randy Scholz and Lucille Scholz Trust for 46 acres from the Agricultural District to Rural Community Residential District as may be allowed by the Whitman County Zoning Ordinance, Chapter 19.04. The uses allowed in this zone are primarily one and two-family dwelling units, all agriculture, horticulture, and general farming. The site of this rezone is E ½ of Section 2, Township 17 N., Range 43 E., W.M., Whitman County, Washington, lots 9-16 on Short Street; block 46, lot 15 on Tennessee Street; block 46, lot 18 on Cass Street of Throop's Addition in Steptoe.

PASSED AND APPROVED by the Board of Whitman County Commissioners of Whitman County, Washington, on the 4th day of November 2006.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

G.R. Finch, Chairman

Greg Partch, Commissioner

ATTEST:

Maribeth Becker, CMC
Clerk of the Board

Les Wigen, Commissioner

D066188A 7. The Director presented the Board with a revised version of "Pondering the Palouse", an informational document for individuals considering a move to the unincorporated areas of Whitman County.

Maintenance Division:

D066188B 8. Phil Meyer said the crews are dealing with snow and ice removal and repairs to graders.

BOCC MINUTES-12/04/06

11:25 a.m. - Recess.

1:00 p.m. - Board Business Continued.

Present: Mark Storey, Joe Smillie and Jana Davidson (1:00 p.m.) and Kelli Campbell and Sharron Cunningham (1:30 p.m.).

D066188C 16. The Palouse Basin Aquifer Committee dues discussed. No action taken.

D066188D 17. Commissioner Partch **moved**, Commissioner Finch **seconded** the motion and it **carried** to go into executive session with Mark Storey, Kelli Campbell and Sharron Cunningham until 2:00 p.m. for personnel matters.

2:00 p.m. - Return to Open Session/Executive Session.

D066188E 18. Commissioner Partch **moved**, Commissioner Finch **seconded** the motion and it **carried** to go into executive session with Sharron Cunningham until 3:00 p.m. for personnel matters.

3:00 p.m. - Return to Open Session/BOCC Workshop.

Present: Mark Storey and Mark Bordsen.

D066188F 19. The item discussed was the Joint Planning Advisory Committee. No action taken.

3:30 p.m. - Recess.

6:00 p.m. - Whitman County 2007 Preliminary Budget Hearing.

Present: Sharron Cunningham.

066189 Chairman Finch convened the hearing for the proposed 2007 Whitman County budget.

Sharron Cunningham provided the following report:

Current Expense	\$11,213,115 (3.13% decrease over 2006)
Expected Surplus	\$ 162,144 (slight decrease over 2006)

Ms. Cunningham indicated she is still awaiting 2007 salary decisions for elected officials, non-represented employees and correction officers. These changes could be incorporated into the first budget amendment in 2007 or as negotiations are completed.

Non Current Expense	\$27,615,349 (4.46% decrease over 2006)
Total Budget	\$38,828,464 (4.08% net change over 2006)

BOCC MINUTES-12/04/06

No one was in attendance to comment either for or against the proposed 2007 budget therefore Chairman Finch recessed the hearing to December 11th at 10:30 a.m.

6:05 p.m. - Adjournment.

D066189A Commissioner Partch **moved** to adjourn the **December 4, 2006** 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 **December 11, 2006**. The foregoing action made this **4th** day of **December 2006**.

ss/ Greg PARTCH, Commissioner

ss/ LES WIGEN, Commissioner

MARIBETH BECKER, CMC
Clerk of the Board

G.R. FINCH, CHAIRMAN
Board of County Commissioners