

## Minutes for December 12, 2005

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**064811 THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **December 12, 2005 at 9:00 a.m.** Greg Partch, Chairman, G.R. "Jerry" Finch and Les Wigen, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

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

**064812 1.** Items discussed included WSAC insurance, CIP prioritization, WSAC legislative rally, CETC Committee, letter to SCC, presentation to EAT Committee and rural fire communications. No action taken.

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

**D064812A 2. Motion** by Commissioner Finch to approve the consent agenda with the deletion of item #3. Motion **seconded** by Commissioner Wigen and **carried**.

**10:05 a.m. -** Tinh Nguyen.

**064813 3.** Claims/Payroll warrants numbered **184712-184739, 184770-184799** and **184879-185089** for **\$776,631.11** approved.

FUND	FUND NAME	AMOUNT
001	Current Expense	48,901.36
102	Building & Development	101.23
103	Countywide Planning	23.07
110	County Roads	25,099.81
118	Inmate Welfare	213.98
119	Emergency Services	1,906.89
127	Drug Enforcement-Quad City	6,511.78
136	Electronic Monitoring	166.75
137	Web Site Development	53.29
300	Capital Projects	1,371.49
400	Solid Waste	2,794.01
501	Equipment Rental & Revolving	4,367.49
510	Photocopier Revolving	1,272.67
513	Communications Revolving	1,576.85
660	Whitcom-General-660.911.000	58,465.35
690	Clearing Fund-690.002.000	246,952.04
ET	Electronic Transfer	376,853.05

**064814 4.** December 5, 2005 minutes approved.

10:10 a.m. - Kelli Campbell.

**064815** 5. According to the Chairman, two different sources of funds have been allocated for 2006 Capital Improvement Program (CIP) projects; \$50,000 from Current Expense/Capital Projects General and \$50,000 from Current Expense/Commissioners (1/10 of 1% Sales Tax) for juvenile and corrections facilities. **Use of these funds can only take place after July 1, 2006 to allow for receipt of these funds from the state.**

<u>Ranking #-Project</u>	<u>Current Expense/ Capital Projects General</u>	<u>Current Expense/ Commissioners 1/10 of 1% Sales Tax</u>
#7B-Restrooms ADA Compliance	\$10,000	
#8 -Repair Correctional Facilities Intercom System		\$20,000
#10-Replace Dialer/Add IS Building to Alarm System	\$ 3,000	
#11-Repair Video Monitoring System in Correctional Facility		\$20,000
#16-Install Protective Glass Window in Correctional Facility Front Office		\$ <u>7,000</u>
#23-Replace Carpet in PSB (Auditorium, Kitchen, Environmental Health and Hallways	\$15,000	
#25-Demolish 5 Uninhabited Residences at Elberton County Park	\$ 5,900	
#32-Replace Carpet in Human Resources and Commissioners' Offices	<u>\$15,000</u>	
<b>Total Award</b>	<b>\$48,900</b>	<b>\$47,000</b>

**#14-New Roof for Correctional Facility** - We are awaiting a second assessment on the condition of the roof. If it is determined a new roof is necessary, the Board will discuss with the Sheriff the best method to proceed with the funds available.

**064816** 6. A request for veterans' relief funds was authorized for submission to the Auditor for payment.

**064817** 7. A letter was received from Jim Hudak, Blue Ribbon Advisory Task Committee Chairman stating the committee was polled and recommends awarding an addition \$10,125 in .08 funds to the Town of Rosalia to purchase water rights, bringing Rosalia's total 2005 award to \$77,625. Commissioner Wigen **moved**, Commissioner Finch **seconded** the motion and it **carried** to approve the \$10,125 for expansion of water rights purchase for the Town of Rosalia.

**BOCC MINUTES-12/12/05**

**064818** 8. A letter of appreciation was signed by the Commissioners and forwarded to Pat Jeffries via the Public Works Director.

**064819** 9. Commissioner Finch **moved** to recommend the name of John Davis, Whitman Hospital Administrator for consideration by the Palouse Economic Development Council for appointment to that Board. Motion **seconded** by Commissioner Wigen and **carried**.

**064820** 10. Kelli Campbell presented a resolution in reference to medical expense reimbursements through the Aflac Flexible Benefits Plan. The amendment simply creates a 2-1/2 months grace period at the end of the year for submission of claims. Commissioner Finch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve the resolution.

**RESOLUTION NO. 064820**

**BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS**

WHEREAS, Whitman County previously adopted a Code Section 125 plan and a Code Section 105 Medical Care Reimbursement Plan ("URB"), collectively referred to as the Flexible Benefits Plan (the "Plan"); and,

WHEREAS, the Internal Revenue Service issued Notice 2005-42, which permits employers to amend the Plan to allow a grace period (the "Grace Period") not to exceed two (2) months and fifteen (15) days following the end of the Plan Year during which Plan participants may use all or a portion of their unused URM salary reduction amounts from the prior year for eligible expenses incurred during the Grace Period; and,

WHEREAS, effective December 12, 2005, Whitman County desires to amend the Plan as set forth in the attached and Summary of Material of Modifications to establish a Grace Period that is consistent with the requirements set forth in 2005-42.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Whitman County Board of Commissioners that they approve the attached amendment and Summary of Material Modifications and, therefore, approve of a Grace Period as set forth therein.

Dated at Colfax, WA this 12<sup>th</sup> day of December 2005.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

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Greg Partch, Chairman

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G.R. Finch, Commissioner

ATTEST:

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Maribeth Becker, CMC  
Clerk of the Board

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Les Wigen, Commissioner

**AMENDMENT TO THE  
FLEXIBLE BENEFITS PLAN**

This Amendment to the **Flexible Benefits Plan** (the "Plan") is adopted by Whitman County (the "Employer"), effective as of the dates set forth herein.

**NOW, THEREFORE**, effective December 12, 2005, the Plan is amended as follows:

A. Section 4.04(a)(b) is deleted in its entirety and replaced with the following new Section 4.04(a):

**4.04 (a) Health Care Reimbursement.** To the extent offered under the Plan, each Participant's URM will be credited for Health Care Reimbursement with amounts withheld from the Participant's Compensation and any Non-elective Contributions allocated thereto by the Employer or where applicable, the Participant. The Account will be debited for Health Care Reimbursements disbursed to the Participant in accordance with Article V of this document. The entire amount elected by the Participant on the SRA as an annual amount for the Plan Year for Health Care Reimbursement less any Health Care Reimbursements already disbursed to the Participant for Expenses incurred during the Plan Year (plus any grace period as set forth in the SPD) shall be available to the Participant at any time during the Plan Year without regard to the balance in the Health Care Account (provided that the periodic contributions have been made). Thus, the maximum amount of Health Care Reimbursement at any particular time during the Plan Year will not relate to the amount that a Participant has had credited to his URM. In no event will the amount of Health Care Reimbursements in any Plan Year (plus any grace period as set forth in the SPD) exceed the annual amount specified for the Plan Year in the SRA for Health Care Reimbursement. Any amount credited to the Health Care Account shall be forfeited by the Participant and restored to the Employer if it has not been applied to provide Health Care Reimbursement within the Run-Off Period set forth in the SPD. Amounts so forfeited shall be used in a manner that is permitted within the applicable Department of Labor ("DOL") or Internal Revenue Service ("IRS") regulations. The maximum annual reimbursement under the URM shall be set forth in the SPD. The Employer may establish a minimum annual reimbursement amount as set forth in the SPD.

**BOCC MINUTES-12/12/05**

B. Section 5.01(b) is deleted in its entirety and replaced with the following new Section 5.01 (b):

**5.01(b) Special Rules for Health Care Reimbursement.** To the extent offered under the Plan, payment shall be made to the Participant in cash as reimbursement for Eligible Medical Expenses incurred by the Participant or his Spouse or Dependents while he is a Participant during the Plan Year (plus any grace period as specified in the SPD) for which the Participant's election is effective provided that the substantiation requirements of Section 6.11 herein are satisfied. These expenses must also be expenses which:

- (1) are not covered, paid or reimbursed from any other source; and
- (2) meet the criteria of tax-deductibility as a medical or dental expense under Section 213 of the Code, as amended and the regulations thereunder, and
- (3) meet any limitations imposed by applicable regulations promulgated under Code Section 125; and
- (4) will not be taken as a deduction from income on the Participant's federal income tax return in any tax year; and
- (5) do not exceed the lesser of (a) the maximum annual amount allocable to Medical Care Expense Reimbursement specified in the Adoption Agreement, or (b) the annual amount that the Employee has elected to have withheld for Medical Care Expense Reimbursement; less previous Medical Care Expense Reimbursements made during the Plan Year; and
- (6) are verified in writing to the satisfaction of the Administrator that a covered expense has occurred and the reimbursement for which meet the substantiation requirements of Section 6.11.

C. The following provisions should be added to the end of Section 5.04:

A special grace period may be applicable with regard to URM participation after the close of the Plan Year (see SPD).

Whitman County  
By: /s/ Greg Partch  
Title: Chairman

**SUMMARY OF MATERIAL MODIFICATIONS TO THE FLEXIBLE SPENDING ACCOUNT PLAN (the "Plan")**

This document summarizes important changes to your Flexible Spending Account Plan. If you have any questions regarding the changes summarized in this Summary of Material Modifications ("SMM"), you should contact Human Resources at extension 205 or 397-6205. You should keep a copy of this SMM with your Summary Plan Description for future reference.

## BOCC MINUTES-12/12/05

Effective December 12, 2005, Whitman County has established a "grace period" for the Unreimbursed Medical Expenses (URM) offered under the Flexible Benefits Plan. The grace period follows the end of the Plan Year. Unused money you allocated to the applicable spending account at the end of the Plan Year may be used to reimburse Eligible Medical Expenses incurred during the grace period.

The grace period will begin on the first day of the first Plan Year following the effective date of this SMM and will end two (2) months and fifteen (15) days later. For example, if the Plan Year ends December 31, 2005, the grace period begins January 1, 2006 and ends March 15, 2006.

In order to take advantage of the grace period, you must be:

- A Participant in the URM on the last day of the Plan Year to which the grace period relates, or
- A Qualified Beneficiary who is receiving COBRA coverage under the URM on the last day of the Plan Year to which the grace period relates.

The following additional rules will apply to the grace period:

- Eligible Medical Expenses incurred during a grace period and approved for reimbursement will be paid first from available amounts that were remaining at the end of the Plan Year to which the grace period relates and then from any amounts that are available to reimburse expenses incurred during the current Plan Year. Claims will be paid in the order in which they are received. This may impact the potential reimbursement of eligible expenses incurred during the Plan Year to which the grace period relates to the extent such expenses have not yet been submitted for reimbursement. Previous claims will not be reprocessed or recharacterized so as to change the order in which they were received. For example, assume that \$200 remains in your URM sub-account at the end of the current Plan Year (December 31, 2005) and further assume that you have elected to allocate \$2,400 to the URM for the next Plan Year (beginning January 1, 2006). If you submit for reimbursement an Eligible Medical Expense of \$500 that was incurred on January 15, 2006, \$200 of your claim will be paid out of the unused amounts remaining in your URM from the Plan Year ending December 31, 2005 and the remaining \$300 will be paid out of amounts allocated to your URM for the next Plan Year that begins on January 1, 2006.
- Expenses incurred during a grace period must be submitted before the end of the Run-off Period described in your Summary Plan Description. This is the same Run-off Period for expenses incurred during the Plan Year to which the grace period relates. Any unused amounts that are not used to reimburse eligible expenses incurred either during the Plan Year to which the grace period relates or during the grace period will be forfeited if not submitted for reimbursement before the end of the Run-off Period.

**BOCC MINUTES-12/12/05**

- You may not use URM amounts to reimburse eligible Dependent Care expenses.

11. Commissioner Finch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to accept the following 2006 levy certifications:

- 064821 City of Colfax
- 064822 Town of Colton
- 064823 Hospital District #2

064823A 12. A memo was received from the Classification Committee concerning the Registered Dietician position. The Committee recommended further steps should be explored before the critical/essential status is implemented. Therefore, they recommend the commissioners deny the request. This issue was tabled for discussion with the Public Health Director.

064824 13. Letter was received from Mary Randall, Steamboat Jean Enterprises. This letter tabled for further review.

064825 14. Letter was received from Suzanne St. Pierre urging the commissioners to adopt the changes to the agricultural district section of the comprehensive plan proposed by the Planning Commission.

064826 15. Letter was received from the Pullman League of Women Voters concerning the Washington State League's recent completion of a study on the Washington State Tax structure. This study is available for review.

064827 16. Letter was received Washington Counties Risk Pool regarding a request for comparison of the WCRP program against that of the Washington Rural Counties Insurance Program (WRCIP). This issue tabled for further review.

064828 17. The 1<sup>st</sup> quarterly update on the ISR building expansion project was received from the Port of Whitman County.

064829 18. An executed copy of the 2005-2007 Washington State Archives Local Records grant program contract was received.

D064829A 19. Commissioners' pending list reviewed.

**10:30 a.m. - 2006 Whitman County Preliminary Budget Hearing Continued.**

Present: Sharron Cunningham, Janet Schmidt and Think Nguyen.

064830 Chairman Partch reconvened the 2006 Whitman County preliminary budget hearing and called upon the Administrative Services Director for an updated report.

**BOCC MINUTES-12/12/05**

Sharron Cunningham formally thanked the elected and appointed officials and their staff for doing such a great job on the budget. There were some serious increases in expenditures and the officials have done very well to keep those costs down, some of which include:

Increase for 2006 medical insurance of 10%,  
Increase in retirement contributions of 2.12% as of July 1, 2006, and  
Increase in utilities, gasoline and other operating expenses.

In mid 2005, the Fair/Fairgrounds was moved to its own fund, separating it from the Parks Department. In 2006, Emergency Management will become part of the general fund.

There is an increase in interest income and sales tax due to the voted 1/10 of 1%. A few issues remain to be resolved for the 2006 budget, but as of today, 2006 revenues exceed expenditures by \$60,950.

Current Expense revenues/expenditures increase:	\$ 385,173 or 3.86%.
Other revenues/expenditures increase:	\$ 3,154,701 or 13.49%.
Total increase in revenues/expenditures:	\$ 3,539,874 or 10.61%.

Total Current Expense revenues/expenditures:	\$10,372,560
Total Other revenues/expenditures:	\$26,534,352
Total 2006 Whitman County revenues/expenditures:	\$36,906.912

**10:35 a.m.** - Bob Lothspeich.

Since there were no comments from those in attendance the hearing was adjourned. The commissioners will render their decision on the 2006 budget December 19<sup>th</sup> at 10:30 a.m.

Chairman Partch indicated most departments kept their 2006 budgets under their 2005 levels. Commissioner Finch thanked Ms. Cunningham and the elected/appointed officials for submitting good budgets and Commissioner Wigen echoed the other members' comments.

**10:45 a.m.** - Recess.

**11:10 a.m.** - Dane Dunford, Public Works Director.

Present: Mark Storey and Think Nguyen.

**Action Items:**

**064831** 1. Commissioner Finch **moved**, Commissioner Wigen **seconded** the motion and it **carried** that the annual construction program for 2006 be approved as presented.

**Financial Division:**

**BOCC MINUTES-12/12/05**

**D064831A 2.** The Public Works Financial Specialist is gearing up for year-end reporting.

**Maintenance Division:**

**D064831B 3.** Not much going on other than some brush cutting and sanding until the weather changes. As a side note, much frost is being pushed into the roads due to low temperatures. The Director hoped everyone that needs to is moving their home grain now because once freezing temperatures subside, the county will initiate weight control and load limits for probably a long period of time.

**11:30 a.m. - Karl Cozad and Amy Robbins, Community Action Center.**

Present: Thinkh Nguyen.

**064832** The Whitman County 10-Year Homeless Housing Plan was distributed and reviewed by Amy Robbins. Mr. Cozad commented that the draft plan must be submitted by the end of the month to the state with the commissioners' endorsement. From each county's plan, the state will compile its plan. Ms. Robbins noted, the county must reduce homelessness by at least 50% in the next 10-years and the next point-in-time survey for the homeless is scheduled for January 26<sup>th</sup>.

The Chairman suggested the county's Juvenile Administrator and Sheriff be included in future homelessness discussions. Commissioner Finch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve the 10-year Homeless Housing Plan draft as presented.

**12:00 p.m. - Recess.**

**1:10 p.m. - Brett Myers, County Sheriff.**

**064833 1.** Sheriff Myers explained the need for establishment of a K-9 Unit fund. Any drug related forfeitures that can be diverted to the proposed K-9 Unit fund will be diverted and used for the K-9 Unit or other drug enforcement efforts like DARE. Ten percent of these forfeitures go to the state and the remainder is retained by the Sheriff's Office. Commissioner Finch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to approve the establishment of a K-9 Unit fund.

**RESOLUTION NO. 064833**

**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 12, 2005; and,

**BOCC MINUTES-12/12/05**

WHEREAS, the Board of County Commissioners for Whitman County, State of Washington recognizes the need for a Special Revenue Fund to account for the Whitman County Sheriff's Office drug seizures; and,

WHEREAS, the Board of County Commissioners believe that a separate fund is the proper procedure to account for these revenues.

NOW, THEREFORE, IT IS HEREBY RESOLVED that a Special Revenue Fund numbered 122.140.000 Sheriff K-9 Unit be hereby created.

PASSED, APPROVED AND ADOPTED this 12<sup>th</sup> day of December 2005.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

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Greg Partch, Chairman

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G.R. Finch, Commissioner

ATTEST:

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Maribeth Becker, CMC  
Clerk of the Board

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Les Wigen, Commissioner

**1:15 p.m. - Adam Roberts.**

**064834 2.** Mr. Roberts said the Sheriff has requested 2 new laptops computers, one for himself and one for Deputy Guidice (who does not have a computer) from the Asset Acquisition fund. Information Services recommends replacing the Sheriff's computer and transferring his old computer to Deputy Guidice. Commissioner Finch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to accept Information Services recommendation for a new laptop computer for the Sheriff.

**1:20 p.m. - Board Business Continued/BOCC Workshop.**

Present: Eunice Coker, Debbie Hooper, Karen Bafus and Thinkh Nguyen.

**D064834A 20.** The item discussed was vote-by-mail. No action taken.

**2:15 p.m. - Tammy Lewis, Palouse Economic Development County (PEDC) and Whitman County ADO Coordinator.**

**064835** ADO update as follows:

- Name submitted for consideration to PEDC Board by commissioners.
- Simplified WA-CERT form developed and sent to all cities/towns for ranking in January. Possibility of using ADO Board members in addition to Port/County commissioners for WA-CERT rankings.

## BOCC MINUTES-12/12/05

- Comprehensive Economic Development Strategy (CEDS) meeting scheduled for January to update CEDS.
- Obtaining all ADO files from the Port.
- Working on Whitman County brochure aimed at business relocations.
- Compiled database to communicate with the cities/towns.
- Efforts initially focused on small cities/towns. Met with Palouse and Rosalia Chambers and Uniontown Community Development Association. Will be meeting with Pullman, Malden and Endicott this week and Garfield next year. Have been in contact with all other cities/towns by phone.
- Projects - Joint purchase of sewer video equipment for a few cities/towns to share for approximately \$30,000; possibility of a STAG grant and financial assistance by the Washington Association of Cities. Most complicated aspect of the project is the interlocal agreement for storage, maintenance and repairs to the equipment. If the shared equipment program proves to work out, other equipment might be purchased/used in the same way.
- Researching Bed & Breakfast establishment for Palouse Chamber.
- Rosalia is finalizing their water issues and would like to see more residential development. One developer recently purchased 12 lots in Rosalia and is expected to begin construction in 2006.
- A press release was submitted to the Spokane Business Journal about Rosalia who is considering writing an article.
- Uniontown has been experiencing some difficulty with the Dahmen Barn project. Labor & Industries and CTED disagreed about whether or not prevailing wages had to be paid on this project. The two state agencies have resolved their differences, the contract was signed and the UCDA can now begin drawing down on their grant. Leslie Miller is working on attracting artists and Tammy is writing a press release for submission to the National Trust Historic Preservation.
- Working with a party who is interested in purchasing or leasing a commercial building in Colfax to remodel it as a residence.
- Tammy has asked the cities/towns to update their websites. CTED maintains many of the cities/towns websites but they still need a contact from each city/town. Palouse, Uniontown and Rosalia now have contacts in place.

**D064835A** Chairman Partch said the commissioners would like to encourage the cities/towns to take advantage of cluster residential development. This type of development does not put a load on the city's infrastructure (sewer or water) but does provide for large lot development.

**2:35 p.m. - Mike Berney, Palouse River Counseling Center.**

Present: Denis Tracy.

**064836** 1. Next GCBH meeting is December 15<sup>th</sup>.

**BOCC MINUTES-12/12/05**

**D064836A 2.** The interlocal agreement renewal is due April 2006. Legal counsel is currently reviewing the agreement for identification of possible issues/updates.

**D064836B 3.** Commissioner Finch **moved**, Commissioner Wigen **seconded** the motion and it **carried** to authorize the GCBH Chairman to sign the PATH contract and other contract amendments.

**D064836C 4.** RFQ update.

**D064836D 5.** Commissioner Wigen **moved**, Commissioner Finch **seconded** the motion and it **carried** to go into executive session with the above individual(s) from 2:45 p.m. until 3:00 p.m. for potential litigation matters.

**3:00 p.m. - Return to Open Session/Board Business Continued/BOCC Workshop.**

Present: Peggy Wright and 2 Weed Board members.

**D064836E 21.** The issue discussed was the 2006 budget. No action taken.

**3:30 p.m. - Adjournment.**

**D064836F** Commissioner Finch **moved** to adjourn the **December 12, 2005** meeting. Motion **seconded** by Commissioner Wigen and **carried**. The Board will meet in regular session, in their Chambers', in the Whitman County Courthouse, Colfax, Washington, on **December 19, 2005**. The foregoing action made this **19th** day of **December 2005**.

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

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MARIBETH BECKER, CMC  
Clerk of the Board

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GREG PARTCH, CHAIRMAN  
Board of County Commissioners