

BOCC MINUTES-12/21/15

**077228 THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, December 21, 2015** at **9:00 a.m.** Chairman Dean Kinzer, Arthur D Swannack and Michael Largent, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

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

Present: Gary Petrovich, Cinnamon Brown, Mark Storey, Kelli Campbell, Chris Nelson, Robin Jones, Craig Wines and Troy Henderson.

**077229 1.** The following items were discussed but no action was taken.

- Red Cross Hometown Heroes
- Indigent Defense Ordinance
- Indigent Defense Contract
- Treasurer's Workshop
- Health Dept. Collection
- WDC Interlocal Agreement
- Sheriff's Board Order
- Hunt Contract
- IT Purchases/Carry-Over
- ER&R Rates
- PWD Employee Reimbursement
- Crushing Contract Awards
- VSP Contract
- VSP Consultant
- Budget Amendment #3
- 2016 Budget Adoption
- 2016 - .09 Allocation
- Historic Preservation Funds
- Whitcom Interlocal Agreement
- Martin Hall

**9:45 a.m. - Recess.**

**10:00 a.m. - Flag Salute.**

Present: Chris Nelson, Bill Spence and Kara McMurray.

**D077299A 2. Pledge of Allegiance.**

**Consent Agenda:**

**D077299B 3. Motion** by Commissioner Largent to accept the consent agenda. Motion **seconded** by Commissioner Swannack and **carried**.

**077230 4.** General Claims/Veterans' Relief/Payroll warrants numbered **320271-320280** for **\$505,668.88** and **320434-320588** for **\$557,638.82** approved.

**077231 5.** December 7, 2015 minutes approved.

**077232-077237 6.** Personnel change orders approved.

**077238 7.** Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to authorize the publishing of the 2016 LEOFF I BOARD meeting dates.

**077239 8.** Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to authorize the publishing of the Martin Hall meeting dates.

**077240 9.** Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to authorize Marlynn Markley to carry over 48 hours of accrued annual leave from 2015 to May 31, 2016.

**077241 10.** Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to authorize Kris Thompson to carry over 88 hours of accrued annual leave from 2015 to May 31, 2016.

**077242 11.** Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve the 2016 signature delegation of authority forms.

BOCC MINUTES-12/21/15

- 077243 11A. Assessor
- 077244 11B. Auditor
- 077245 11C. Clerk
- 077246 11D. Commissioner/HR/Administrative Services
- 077247 11E. Coroner
- 077248 11F. District Court
- 077249 11G. Emergency Services/Emergency Communications
- 077250 11H. Extension
- 077250A 11I. Fair/Facilities Management
- 077251 11J. Health Dept.
- 077252 11K. Information Technology
- 077253 11L. Juvenile Services
- 077254 11M. Parks/Developmental Services
- 077255 11N. Prosecutor
- 077256 11O. Sheriff
- 077257 11P. Public Works
- 077258 11Q. Superior court
- 077259 11R. Treasurer
- 077260 11S. Weed Department

077261 12. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to reappoint John Glass to a 4-year term, expiring 12/31/19, on the Blue Ribbon Advisory Task Committee.

077262 13. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to send a letter of appreciation to Leslie Cloaninger for her service on the Civil Service Commission.

077263 14. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to appoint Will Ferguson to a 6-year term, expiring 12/31/21, on the Civil Service Commission.

077264 15. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to send a letter of appreciation to Bob Hooper for his service on the Solid Waste Advisory Committee.

077265 16. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to reappoint Eileen Macoll to a 3-year term, expiring 12/31/18, on the Solid Waste Advisory Committee.

077266 17. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to reappoint Adrian Wall, Greg Holbrook and Jerry Coker to 5-year terms, expiring 12/31/20 on the Veterans Advisory Board.

077267 18. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve the corrected WSU/Whitman County memorandum of agreement for 2016.

077268 19. No action taken.

077269 20. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve the 2016 agreement with G. Andrew Hunt & Associates as presented.

077270 21. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve the purchase of Dell Servers, a Neopost Mail Machine, an HP Designjet Printer and a Microsoft Windows Server license as recommended and detailed in the attached document.

077271 22. Commissioner Swannack **moved** Commissioner Largent **seconded** the motion and it **carried** to approve the 2016 mileage reimbursement rate.

**RESOLUTION NO. 077271  
BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS**

WHEREAS, the Board of Whitman County Commissioners met in regular session on Monday, December 21, 2015; and,

WHEREAS the Board recognizes the need to reimburse county employees who use their personal automobiles for official business at a specified rate per mile for actual mileage used; and,

WHEREAS, Whitman County Code, Chapter 2.39.010(e)(2) specifies that the actual rate per mile be set by the Board of County Commissioners.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the 2016 rate of reimbursement for business use of personal automobiles is \$.54 per mile (IRS Rate).

PASSED, APPROVED AND ADOPTED this 21<sup>st</sup> day of December 2015 and effective as of January 1, 2016.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
Dean Kinzer, Chairman

ATTEST:

\_\_\_\_\_  
Arthur D Swannack, Commissioner

\_\_\_\_\_  
Maribeth Becker, CMC  
Clerk of the Board

\_\_\_\_\_  
Michael Largent, Commissioner

077272 23. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve the 2016-2017 EEOP as presented.

**RESOLUTION NO. 077272  
BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS**

**IN THE MATTER OF** adopting the **Whitman County Equal Employment Opportunity Plan;**

**WHEREAS,** this plan is necessary to be compliant with state and federal regulations,

**WHEREAS,** this plan is necessary to be compliant with state and/or federal grants received by the County,

**WHEREAS,** this action is necessary and in the best interest of Whitman County and its citizens,

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by this Board that the above is approved as the attached plan **2016-2017 Whitman County Equal Employment Opportunity Plan.**

Dated this 21st day of December 2015 and effective as of January 1, 2016.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
Dean Kinzer, Chairman

ATTEST:

\_\_\_\_\_  
Arthur D Swannack, Commissioner

\_\_\_\_\_  
Maribeth Becker, CMC  
Clerk of the Board

\_\_\_\_\_  
Michael Largent, Commissioner

**Whitman County**  
**Equal Employment Opportunity Plan**

**Plan Duration:** January 1, 2016 - December 31, 2017

**Contact:** Kelli Campbell  
Human Resources  
400 N. Main Street  
Colfax, WA 99111  
(509) 397-5243  
FAX (509) 397-6355  
[kellie@co.whitman.wa.us](mailto:kellie@co.whitman.wa.us)

**Table of Contents:**

|  |    |
|--|----|
| 1. Purpose   | 1  |
| 2. Equal Employment Opportunity                      | 1  |
| 3. Diversity   | 2  |
| 4. Grievances  | 3  |
| 5. Administration                                    | 3  |
| 6. Dissemination                                     | 4  |
| 7. Labor Market Analysis                             | 5  |
| 8. Significant Underutilizations and Objectives      | 9  |
| 9. Steps to Reach Objectives                         | 9  |
| 10. Auditing and Reporting                           | 9  |
| <br><u>Appendices:</u>                               |    |
| Appendix A: Job Category Descriptions                | 11 |
| Appendix B: Race and Ethnicity Definitions           | 13 |
| Appendix C: Whitman County Positions by Job Category | 14 |

**1. Purpose:**

The purpose of the Equal Employment Opportunity Plan (EEO) is to identify organizational components and job categories within Whitman County's workforce in which under representation occurs in proportion to availability in the labor force, and to devise and implement programs to pursue goals in achieving equitable representation.

**2. Equal Employment Opportunity (EEO):**

Whitman County is an equal employment opportunity employer and believes that every employee has the right to work in surroundings free from unlawful discrimination.

## **BOCC MINUTES-12/21/15**

Whitman County seeks a workforce representative of the surrounding community, and will not discriminate against any employee in an unlawful manner. The County treats all applicants and employees equally and without regard to race, religious creed, color, national origin, sex, age, sexual orientation, disability, pregnancy, political affiliation, marital or veteran's status, or any basis prohibited by local, state or federal law. Whitman County will make reasonable accommodation for qualified individuals if it can do so without undue hardship.

All activities related to employment such as: recruitment, selection, salary administration, working conditions, benefits, application of policies, transfer, promotion, demotion, layoff, recall, termination and training shall be conducted in a non-discriminatory manner (except as required by a bona fide occupational qualification). Therefore, as openings occur, applicants will be allowed to advance within the County in accordance with their skills, abilities, and experience.

The policies of equal employment opportunity also apply to the selection and treatment of independent contractors, personnel working on Whitman County premises who are employed by temporary agencies and any other persons or companies doing business for or with the County.

It is the policy of Whitman County to foster and maintain a harmonious non-discriminatory working environment for all employees. Toward this end, the County will not tolerate racial, ethnic, religious, or sexual slurs or comments demeaning national origin or disability by any employee or about any employee or applicant.

### **3. Diversity:**

It is the policy of Whitman County to be fair and impartial in all of its relations with employees and to recognize the dignity of the individual. Whitman County's EEOP is a tool to ensure equal opportunity in all phases of county programs, employment, recruitment and post-employment activities.

This diagnostic tool is used to evaluate the workforce and compare it with the composition of the relevant labor pool outlining practical steps in which to address under-utilization of specific groups in all departments and offices throughout the county.

Whitman County views the principle of equal employment opportunity as a vital element in the employment process and as a hallmark of good management. Employees will be treated impartially and allowed, without prejudice, to advance in the organization, as their abilities warrant and as openings occur. Whitman County will promote and afford equal treatment and service to all employees and citizens.

Whitman County commits to:

- Recruiting, hiring, training, and promoting people in all job classifications without regard to race, color, religion, sex, sexual orientation, national origin, disability, veteran status or any other non-job-related characteristic.
- Making promotion decisions in accordance with equal employment opportunity requirements by imposing only valid, job-related requirements for promotional opportunities.
- Administering all personnel actions relating to compensation, benefits, transfers, terminations, training and education in a nondiscriminatory manner.

### **4. Grievances:**

Employees of and applicants to Whitman County will not be subject to harassment, intimidation, threats, coercion, or discrimination because they have engaged or may engage in filing a complaint, assisting in a review, investigation or hearing or have

## BOCC MINUTES-12/21/15

otherwise sought to obtain their legal rights related to any federal, state or local law regarding EEO. Any employees of applicants who feel that they have been subject to such behavior because of their EEO status may file a grievance.

Grievances may be made to the appropriate department head/elected official or the Human Resources Director. All grievances shall be investigated immediately. While Whitman County cannot guarantee complete anonymity, it will maintain confidentiality to the extent possible.

Harassment based on the protected classes described in the EEO policy and EEOP is a violation of federal and state law. Harassment is prohibited in all Whitman County workplaces and while conducting work for the County.

Retaliation and/or harassment against an employee who files a grievance and any witnesses to an investigation are strictly prohibited.

Violators of this policy shall be subject to discipline up to and including termination.

### **5. Administration:**

The Whitman County Board of County Commissioners (BOCC) shall be ultimately responsible for the progress of this plan. They shall support the plan's intent and review its progress every year in cooperation with the Human Resources Department.

The Human Resources (HR) Department shall be responsible for the administration and maintenance of the plan. HR shall be responsible for:

- Conducting a continuous review to ensure that County personnel processes meet EEOP requirements
- Internal and external communications regarding protected classes
- Reviewing and updating the EEOP plan every two years
- Receiving and investigating complaints against the County
- Implementing an audit system that will: (1) measure the effectiveness of the EEOP; (2) indicate the need for any remedial action; and (3) determine the degree to which the County's objectives have been met
- Serving as liaison between Whitman County and enforcement agencies
- Reviewing employment related requests prior to approval/acknowledgement by the BOCC

Department heads/elected officials are responsible for knowing the plan and promoting equal opportunity at Whitman County. All personnel actions shall conform to applicable policies/procedures and the EEOP, the basic purpose of which is to further the utilization of the underrepresented with respect to the terms of benefits and privileges of employment, etc. It is expected that all elected officials, department heads and supervisory personnel:

- Assist in the identification of problem areas, formulating solutions, and establishing departmental goals and objectives when necessary
- Review the qualifications of all applicants and employees to ensure qualified individuals are treated in a nondiscriminatory manner when hiring, promotion, transfer and termination actions occur
- Review the job performance of each employee to assess whether personnel actions are justified based on the employee's performance of his or her duties and responsibilities

All employees are responsible for being aware of the plan's intent and cooperating fully in making it a success.

**6. Dissemination:**

This plan shall be disseminated by the following methods:

**Internal:**

- Equal Employment Opportunity posters shall be posted appropriately throughout County facilities
- Non-discrimination clauses included in union contracts
- Whitman County Personnel Policies and Procedures Guide available on the Human Resources (HR) web page, in HR and through each department
- A summary of the plan at all new employee orientations
- Sent to all employees upon update
- Periodic re-emphasis to department heads/elected officials of EEO policy through standard communications and appropriate reports

**External:**

- Provided to the public upon request
- Linked to the Human Resources web page
- Applications and announcements for employment shall contain an EEO policy statement "Equal Opportunity Employer" or "EEO"
- All recruiting sources, including State employment agencies, minority and female organizations, educational institutions and social service agencies shall be informed of Whitman County's policy concerning the employment of the underserved populations including qualified individuals with disabilities and qualified protected veterans and have been advised to actively recruit and refer qualified persons for job opportunities
- Contractors or agencies providing personnel services shall be notified in writing of the County's policy and a request shall be made for their EEO policy, as well
- All contractors shall be notified of Whitman County's EEOP including the employment of qualified individuals with disabilities and qualified protected veterans
- All employment openings posted with the appropriate office of State Employment Services
- All requests for bid and proposals will contain EEO language. Federally funded bids will include non-discrimination requirements in the selection of sub-contractors and encourage solicitation of quotes from Disadvantaged Business Enterprises.

Requests for this plan, questions and concerns may be directed to Whitman County Human Resources, 400 N. Main Street, Colfax, WA 99111 or by calling (509) 397-5243.

**7. Labor Market Analysis:**

The Whitman County EEO plan includes: analysis of the county workforce and community labor market; identification of specific areas of underutilization; objectives to overcome those underutilizations; and steps the county will take to achieve the plan's objectives. Community statistics for Whitman County are taken from the U.S. Census Bureau report "State and Local Government Job Groups by Sex, and Race/Ethnicity for Worksite Geography, Total Population."

**Table A** shows the Labor Market Analysis comparing the available labor force to the county's workforce. Comparisons are made in race, ethnicity and gender. Underutilizations for each group are shown in bold on **Table A** and listed on **Table B**. The analysis shows underutilization in 38% of the groups. Underutilization ranges from -1% to -45%. Overall underutilization is down by 3% compared to the analysis for January 2014.

**Table C** shows all underutilizations for each job category translated in to full time equivalent (FTE) positions. Although the underutilizations by gender/race/ethnicity group dropped, the number of FTE's to correct the current underutilizations rose, as indicated in the table.

**Table D** then summarizes the significant underutilizations for each job category, ethnicity and race. Significant underutilization is defined by a requirement of three or more FTEs to eliminate the underutilization. A requirement of two or less FTEs is not significant.

As seen in **Table D**, the number of job categories with significant underutilization has not changed since the preceding EEOP, but the number of FTE's to correct those underutilizations has grown by 7.98 positions. Within each job category, most underutilization remains insignificant by race, gender and ethnicity. Those areas showing significant underutilization are in the white male professional, white female protective services, and white female skilled craft worker categories.

Job category descriptions are listed in **Appendix A**. Ethnicity and race descriptions can be found in **Appendix B**.

Table A: Labor Market Analysis

| Job Category               | Male  |             |                    |            |                           |            |                                  |    |   |     | Female            |    |             |             |                    |            |                           |            |                                  |            |   |            |                   |    |            |
|----------------------------|-------|-------------|--------------------|------------|---------------------------|------------|----------------------------------|----|---|-----|-------------------|----|-------------|-------------|--------------------|------------|---------------------------|------------|----------------------------------|------------|---|------------|-------------------|----|------------|
|                            | White |             | Hispanic or Latino |            | Black or African American |            | American Indian or Alaska Native |    | Native Hawaiian or Other Pacific Islander |     | Two or More Races |    | White       |             | Hispanic or Latino |            | Black or African American |            | American Indian or Alaska Native |            | Native Hawaiian or Other Pacific Islander |            | Two or More Races |    |            |
|                            | Count | %           | Count              | %          | Count                     | %          | Count                            | %  | Count                                     | %   | Count             | %  | Count       | %           | Count              | %          | Count                     | %          | Count                            | %          | Count                                     | %          | Count             | %  |            |
| <b>Officials/Admin</b>     |       |             |                    |            |                           |            |                                  |    |   |     |                   |    |             |             |                    |            |                           |            |                                  |            |   |            |                   |    |            |
| County Statistic           | 30    | 22          | 73%                | 0          | 0%                        | 0          | 0%                               | 0  | 0%  | 0   | 0%                | 0  | 0%          | 8           | 27%                | 0          | 0%                        | 0          | 0%                               | 0          | 0%  | 0          | 0%                | 0  | 0%         |
| Community Statistic        | 2900  | 1695        | 58%                | 85         | 3%                        | 45         | 2%                               | 0  | 0%  | 85  | 3%                | 20 | 1%          | 875         | 30%                | 90         | 3%                        | 0          | 0%                               | 0          | 0%  | 15         | 1%                | 0  | 0%         |
| Utilization                |       | 15%         |                    | <b>-3%</b> |                           | <b>-2%</b> |                                  | 0% | <b>-3%</b>                                |     | <b>-1%</b>        |    | <b>-4%</b>  |             | <b>-3%</b>         |            | 0%                        |            | 0%                               |            | <b>-1%</b>                                |            | 0%                |    | 0%         |
| <b>Professionals</b>       |       |             |                    |            |                           |            |                                  |    |   |     |                   |    |             |             |                    |            |                           |            |                                  |            |   |            |                   |    |            |
| County Statistic           | 48    | 15          | 31%                | 0          | 0%                        | 0          | 0%                               | 0  | 0%  | 0   | 0%                | 0  | 0%          | 31          | 65%                | 1          | 2%                        | 0          | 0%                               | 0          | 0%  | 0          | 0%                | 0  | 0%         |
| Community Statistic        | 5725  | 2640        | 46%                | 100        | 2%                        | 95         | 2%                               | 0  | 0%  | 355 | 6%                | 50 | 1%          | 1965        | 34%                | 95         | 2%                        | 0          | 0%                               | 0          | 0%  | 355        | 6%                | 15 | 0%         |
| Utilization                |       | <b>-15%</b> |                    | <b>-2%</b> |                           | <b>-2%</b> |                                  | 0% | <b>-6%</b>                                |     | <b>-1%</b>        |    | <b>-30%</b> |             | 30%                |            | 0%                        |            | 0%                               |            | <b>-6%</b>                                |            | 0%                |    | 1%         |
| <b>Technicians</b>         |       |             |                    |            |                           |            |                                  |    |   |     |                   |    |             |             |                    |            |                           |            |                                  |            |   |            |                   |    |            |
| County Statistic           | 9     | 8           | 89%                | 0          | 0%                        | 0          | 0%                               | 0  | 0%  | 0   | 0%                | 0  | 0%          | 1           | 11%                | 0          | 0%                        | 0          | 0%                               | 0          | 0%  | 0          | 0%                | 0  | 0%         |
| Community Statistic        | 1040  | 510         | 49%                | 0          | 0%                        | 25         | 2%                               | 0  | 0%  | 0   | 0%                | 0  | 0%          | 425         | 41%                | 0          | 0%                        | 0          | 0%                               | 30         | 3%  | 50         | 5%                | 0  | 0%         |
| Utilization                |       | 40%         |                    | 0%         |                           | <b>-2%</b> |                                  | 0% | 0%  |     | 0%                |    | 0%          | <b>-30%</b> |                    | 0%         |                           | 0%         |                                  | <b>-3%</b> |   | <b>-5%</b> |                   | 0% | 0%         |
| <b>Prof Serv/Sworn</b>     |       |             |                    |            |                           |            |                                  |    |   |     |                   |    |             |             |                    |            |                           |            |                                  |            |   |            |                   |    |            |
| County Statistic           | 34    | 29          | 85%                | 1          | 3%                        | 1          | 3%                               | 0  | 0%  | 0   | 0%                | 0  | 0%          | 1           | 3%                 | 2          | 6%                        | 0          | 0%                               | 0          | 0%  | 0          | 0%                | 0  | 0%         |
| Community Statistic        | 305   | 200         | 66%                | 0          | 0%                        | 0          | 0%                               | 4  | 1%  | 0   | 0%                | 4  | 1%          | 100         | 33%                | 0          | 0%                        | 0          | 0%                               | 0          | 0%  | 0          | 0%                | 0  | 0%         |
| Utilization                |       | 20%         |                    | 3%         |                           | 3%         |                                  | 0% | <b>-1%</b>                                |     | 0%                |    | 0%          | <b>-30%</b> |                    | 6%         |                           | 0%         |                                  | 0%         |   | 0%         |                   | 0% | 0%         |
| <b>Prof Serv/Non-Sworn</b> |       |             |                    |            |                           |            |                                  |    |   |     |                   |    |             |             |                    |            |                           |            |                                  |            |   |            |                   |    |            |
| County Statistic           | 2     | 2           | 100%               | 0          | 0%                        | 0          | 0%                               | 0  | 0%  | 0   | 0%                | 0  | 0%          | 0           | 0%                 | 0          | 0%                        | 0          | 0%                               | 0          | 0%  | 0          | 0%                | 0  | 0%         |
| Community Statistic        | 55    | 25          | 45%                | 4          | 7%                        | 0          | 0%                               | 0  | 0%  | 0   | 0%                | 0  | 0%          | 25          | 45%                | 0          | 0%                        | 0          | 0%                               | 0          | 0%  | 0          | 0%                | 0  | 0%         |
| Utilization                |       | 55%         |                    | <b>-7%</b> |                           | 0%         |                                  | 0% | 0%  |     | 0%                |    | 0%          | <b>-45%</b> |                    | 0%         |                           | 0%         |                                  | 0%         |   | 0%         |                   | 0% | 0%         |
| <b>Admin Support</b>       |       |             |                    |            |                           |            |                                  |    |   |     |                   |    |             |             |                    |            |                           |            |                                  |            |   |            |                   |    |            |
| County Statistic           | 46    | 1           | 2%                 | 0          | 0%                        | 0          | 0%                               | 0  | 0%  | 0   | 0%                | 0  | 0%          | 43          | 93%                | 0          | 0%                        | 0          | 0%                               | 0          | 0%  | 1          | 2%                | 0  | 0%         |
| Community Statistic        | 4875  | 1675        | 34%                | 95         | 2%                        | 0          | 0%                               | 10 | 0%  | 210 | 4%                | 19 | 0%          | 2480        | 51%                | 60         | 1%                        | 0          | 0%                               | 15         | 0%  | 230        | 5%                | 15 | 0%         |
| Utilization                |       | <b>-32%</b> |                    | <b>-2%</b> |                           | 0%         |                                  | 0% | <b>-4%</b>                                |     | 0%                |    | 0%          | 43%         |                    | <b>-1%</b> |                           | 0%         |                                  | 0%         |   | <b>-3%</b> |                   | 0% | 2%         |
| <b>Skilled Craft Wk</b>    |       |             |                    |            |                           |            |                                  |    |   |     |                   |    |             |             |                    |            |                           |            |                                  |            |   |            |                   |    |            |
| County Statistic           | 55    | 55          | 100%               | 0          | 0%                        | 0          | 0%                               | 0  | 0%  | 0   | 0%                | 0  | 0%          | 0           | 0%                 | 0          | 0%                        | 0          | 0%                               | 0          | 0%  | 0          | 0%                | 0  | 0%         |
| Community Statistic        | 1335  | 1105        | 83%                | 40         | 3%                        | 0          | 0%                               | 0  | 0%  | 35  | 3%                | 15 | 1%          | 105         | 8%                 | 0          | 0%                        | 0          | 0%                               | 0          | 0%  | 20         | 1%                | 0  | 0%         |
| Utilization                |       | 17%         |                    | <b>-3%</b> |                           | 0%         |                                  | 0% | <b>-3%</b>                                |     | <b>-1%</b>        |    | <b>-8%</b>  |             | 0%                 |            | 0%                        |            | 0%                               |            | <b>-1%</b>                                |            | 0%                |    | 0%         |
| <b>Service/Maint</b>       |       |             |                    |            |                           |            |                                  |    |   |     |                   |    |             |             |                    |            |                           |            |                                  |            |   |            |                   |    |            |
| County Statistic           | 3     | 3           | 100%               | 0          | 0%                        | 0          | 0%                               | 0  | 0%  | 0   | 0%                | 0  | 0%          | 0           | 0%                 | 0          | 0%                        | 0          | 0%                               | 0          | 0%  | 0          | 0%                | 0  | 0%         |
| Community Statistic        | 5775  | 2490        | 43%                | 70         | 1%                        | 70         | 1%                               | 4  | 0%  | 190 | 3%                | 4  | 0%          | 2425        | 42%                | 170        | 3%                        | 45         | 1%                               | 10         | 0%  | 40         | 1%                | 15 | 0%         |
| Utilization                |       | 57%         |                    | <b>-1%</b> |                           | <b>-1%</b> |                                  | 0% | <b>-3%</b>                                |     | <b>-3%</b>        |    | <b>-2%</b>  | <b>-42%</b> |                    | <b>-3%</b> |                           | <b>-1%</b> |                                  | 0%         |   | <b>-1%</b> |                   | 0% | <b>-2%</b> |

Cells with bold and large font are underutilizations. There are 42 groups with underutilizations

**Table B: Underutilization Summary****Official/Administrators**

| Male              |    | Female   |    |
|-------------------|----|----------|----|
| Hispanic          | 3% | Hispanic | 3% |
| Black             | 2% | White    | 4% |
| Asian             | 3% | Asian    | 1% |
| Two or More Races | 1% |          |    |

**Professionals**

| Male              |     | Female            |    |
|-------------------|-----|-------------------|----|
| White             | 15% | Asian             | 6% |
| Hispanic          | 2%  | Two or More Races | 1% |
| Black             | 2%  |                   |    |
| Asian             | 6%  |                   |    |
| Two or More Races | 1%  |                   |    |

**Technicians**

| Male  |    | Female |     |
|-------|----|--------|-----|
| Black | 2% | White  | 30% |
|       |    | Asian  | 5%  |
|       |    | AIAN   | 3%  |

**Protective Services-Sworn**

| Male              |    | Female |     |
|-------------------|----|--------|-----|
| AIAN              | 1% | White  | 30% |
| Two or More Races | 1% |        |     |

**Protective Services-Non-Sworn**

| Male     |    | Female |     |
|----------|----|--------|-----|
| Hispanic | 7% | White  | 45% |

**Administrative Support**

| Male     |     | Female   |    |
|----------|-----|----------|----|
| White    | 32% | Hispanic | 1% |
| Hispanic | 2%  | Asian    | 3% |
| AIAN     | 0%  |          |    |
| Asian    | 4%  |          |    |

**Skilled Craft Worker**

| Male              |    | Female |    |
|-------------------|----|--------|----|
| Asian             | 3% | White  | 8% |
| Hispanic          | 3% | Asian  | 1% |
| NHOPI             | 1% |        |    |
| Two or More Races | 1% |        |    |

**Service Maintenance**

| Male              |    | Female            |     |
|-------------------|----|-------------------|-----|
| Hispanic          | 1% | White             | 42% |
| Black             | 1% | Hispanic          | 3%  |
| Asian             | 3% | Black             | 1%  |
| Two or More Races | 2% | Asian             | 1%  |
|                   |    | Two or More Races | 2%  |

**Table C: Underutilizations by FTE**  
(Includes all groups: gender, ethnicity, race)

| Job Category                   | 1/1/2012 | 1/1/2014 | 1/1/2016 |
|--------------------------------|----------|----------|----------|
| Official/Administrators        | 1.62     | 3.70     | 4.90     |
| Professionals                  | 14.00    | 11.84    | 15.24    |
| Technicians                    | 2.72     | 3.40     | 3.59     |
| Protective Services-Sworn      | 2.13     | 6.99     | 10.90    |
| Protective Services- Non-Sworn | 1.30     | 0.74     | 1.04     |
| Administrative Support         | 12.16    | 20.20    | 19.16    |
| Skilled Craft Worker           | 5.06     | 8.17     | 9.35     |
| Service Maintenance            | 2.04     | 2.28     | 1.68     |
|                                | 41.03    | 57.32    | 65.86    |

**Table D: Significant Underutilizations by Full Time Equivalent (FTE)**

|                                      | Males |          |       |      |       |       |                   | Female |          |       |      |       |       |                   | Totals    |                |                |
|--------------------------------------|-------|----------|-------|------|-------|-------|-------------------|--------|----------|-------|------|-------|-------|-------------------|-----------|----------------|----------------|
|                                      | White | Hispanic | Black | AIAN | Asian | NHOPI | Two or More Races | White  | Hispanic | Black | AIAN | Asian | NHOPI | Two or More Races | FTE Total | 2012 FTE Total | 2014 FTE Total |
| <b>Officials/Administrators</b>      |       | *        | *     |      | *     |       | *                 | *      | *        |       |      | *     |       |                   |           |                |                |
| <b>Professionals</b>                 | 7.08  | *        | *     |      | *     |       | *                 |        |          |       |      | *     |       |                   | 7.08      | 7.70           | 3.48           |
| <b>Technicians</b>                   |       |          | *     |      |       |       |                   | *      |          |       | *    | *     |       |                   |           |                |                |
| <b>Protective Services-Sworn</b>     |       |          |       | *    |       |       | *                 | 10.22  |          |       |      |       |       |                   | 10.22     |                | 6.37           |
| <b>Protective Services-Non-Sworn</b> |       | *        |       |      |       |       |                   | *      |          |       |      |       |       |                   |           |                |                |
| <b>Administrative Support</b>        | *     | *        |       |      | *     |       |                   |        | *        |       |      | *     |       |                   |           |                |                |
| <b>Skilled Craft Workers</b>         |       | *        |       |      | *     | *     | *                 | 4.40   |          |       |      | *     |       |                   | 4.40      | 4.14           | 3.87           |
| <b>Service Maintenance</b>           |       | *        | *     |      | *     |       | *                 | *      | *        | *     | *    | *     |       | *                 |           |                |                |
| <b>FTE Totals</b>                    | 7.08  |          |       |      |       |       |                   | 14.62  |          |       |      |       |       |                   | 21.70     | 11.84          | 13.72          |

**Notes:**

Significant Underutilization equals at least three or more FTEs required to eliminate the underutilization

Cells with numerals indicate significant underutilization

Blank cells indicate no underutilization

Minor underutilizations indicated by a \*

Per DOJ, underutilization of white males in administrative support should not be identified as significant

**8. Significant Underutilizations and Objectives:**

As described in **Table D**, the significant underutilizations are in the following areas:

**Table E: Summary of Significant Underutilizations**

| Race/Ethnicity | Gender  | Job Category   |
|----------------|---------|--|
| White          | Females | Protective Services - Sworn, and Skilled Craft Workers |
|                | Males   | Professionals  |

Whitman County's primary objective is to eliminate all underutilizations and increase representation of all races, genders and ethnicity groups to better reflect the local labor market. The significant underutilizations indicate needed improvement in the areas of white, male professionals and white, female sworn protective service and skilled craft workers. The County will continue its focus on recruitment for all races, gender, and ethnicities with specific objectives geared toward interest groups promoting professional men, and women in the protective service and skilled craft worker industries.

#### **9. Steps to Reach Objectives:**

1. Provide information and training to department heads and elected officials regarding diversity in the workforce, this EEOP and alternative recruitment resources such as women and minority groups.
2. Create annual reports on the EEO status of applicants, new hires, interviewed, disciplined and terminated employees. The reports will be reviewed for areas of concern regarding equal employment opportunity.
3. Review applicant flow data and advertising practices
4. Advertise job openings in newspapers, journals, electronic media and web sites that target specific diverse populations. This includes providing recruitment materials to outreach organizations.
5. Review pre-employment materials to ensure information requested is job related.
6. Evaluate selection methods to identify any disparate impact and ensure they are based on job necessity.
7. Include the phrase ("Equal Employment Opportunity Employer" or "EEO" on all employment advertisements.
8. Place recruitment advertisements, as appropriate, in local minority and women's interest media.

#### **10. Auditing and Reporting:**

Whitman County's audit and reporting system is designed to evaluate personnel activities; identify problem areas and measure the effectiveness of the EEOP. The following activities are reviewed by a combination of elected officials, department heads, and Human Resources to ensure nondiscrimination and equal employment opportunity for all:

- Recruitment materials and procedures
- Personnel actions such as hiring, termination, layoff, promotion, etc.
- Compensation
- Training
- Other conditions and/or privileges of employment as deemed necessary

Documents maintained as a part of Whitman County's audit process included:

- Applicant flow logs showing the name, race, gender, date of application, job title, interview status and action taken for all applicants. This includes totals for applicants by race and gender.
- Summary of job offers, hires, promotions, resignations, terminations and layoffs by job group, gender and minority group
- Maintenance of employment applications in accordance with the Washington State Retention Schedule
- Records related to the County's compensation system.

An annual report will be compiled by the Human Resources Department concerning applicant flow and progress toward its objectives stated in the EEOP. Comment shall be solicited from department heads and elected officials, as well as any EEO problem areas. The report will be filed with the County Commissioners and all required federal, state and local agencies.

### **Appendix A: Job Category Descriptions**

Officials and Administrators: Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, or direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis. Includes: department heads, bureau chiefs, division chiefs, directors, deputy directors, controllers, wardens, superintendents, sheriffs, police and fire chiefs and inspectors, examiners (bank, hearing, motor vehicle, warehouse), inspectors (construction, building, safety, rent-and-housing, fire, A.B.C Board, license, dairy, livestock, transportation), assessors, tax appraisers and investigators, coroners, farm managers and kindred workers.

Professionals: Occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. Includes: personnel and labor relations workers, social workers, doctors, psychologists, registered nurses, economists, dieticians, lawyers, systems analysts, accountants, engineers, employment and vocational rehabilitation counselors, teachers or instructors, police and fire captains and lieutenants, librarians, management analysts, airplane pilots and navigators, surveyors and mapping scientists, and kindred workers.

Technicians: Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Includes: computer programmers, drafters, survey and mapping technicians, licensed practical nurses, photographers, radio operators, technical illustrators, highway technicians, technicians (medical, dental, electronic, physical sciences), police and fire sergeants, inspectors (production or processing inspectors, testers and weighers), and kindred workers.

Protective Service Workers-Sworn: Occupations in which sworn workers are entrusted with public safety, security and protection from destructive forces. Includes: police patrol officers, firefighters, guards, deputy sheriffs, bailiffs, correctional officers, detectives, marshals, harbor patrol officers, game and fish wardens, park rangers (except maintenance) and kindred workers.

Protective Service Workers - Non-Sworn: Occupations in which workers are entrusted with public safety but do not need to be sworn. Includes: animal control workers, crossing guards, lifeguards and other protected service workers.

Administrative Support (Including Clerical and Sales): Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. Includes: bookkeepers, messengers, clerk-typists, stenographers, court transcribers, hearing reporters,

statistical clerks, dispatchers, license distributors, payroll clerks, office machine and computer operators, telephone operators, legal assistants, sales workers, cashiers, toll collectors, and kindred workers.

Skilled Craft Workers: Occupations in which workers perform jobs which require special manual skill and thorough and comprehensive knowledge of the processes involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes: mechanics and repairers, electricians, heavy equipment operators, stationary engineers, skilled machining occupations, carpenters, compositors and typesetters, power plant operators, water and sewage treatment plant operators and kindred workers.

Service-Maintenance: Occupations in which workers perform duties which result in or contribute to the comfort convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property. Workers in this group may operate machinery. Includes: chauffeurs, laundry and dry cleaning operatives, truck drivers, bus drivers, garage laborers, custodial employees, gardeners and groundskeepers, refuse collectors, construction laborers, park rangers (maintenance), farm workers (except management), craft apprentices/trainees/helpers, and kindred workers.

### **Appendix B: Race and Ethnicity Definitions**

(As stated by the US Department of Justice)

**White** - All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.

**Black or African American** - All persons having origins in any of the Black racial groups of Africa.

**Asian** - All persons having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent. For example, China, Japan, Korea, Vietnam, Thailand, Cambodia, and the Philippine Islands.

**Native Hawaiian or Other Pacific Islander (NHOPI)** - All persons having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

**American Indian or Alaskan Native (AIAN)** - all persons having origins in any of the original peoples of North and South America and who maintain cultural identification through tribal affiliation or community recognition.

**Two or More Races** - All persons who identify with more than one of the above races.

**Hispanic or Latino** - All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

### **Appendix C: Whitman County Titles by Job Category**

(Based on federal government definitions)

#### **Official/Administrator:**

- Road Superintendent
- Human Resources Director
- Assistant to the Director of Emergency Management/Program Analyst
- Juvenile and Family Services Director
- Court Administrator
- Public Health Administrator
- Operations Manager
- Parks and Developmental Services Director
- Solid Waste/Recycling Director
- Administrative Director
- Director of Fair and Facilities Management
- Bridge Superintendent
- Public Works Director/Engineer

**BOCC MINUTES-12/21/15**

- Weed Coordinator
- County Clerk
- County Auditor
- Superior Court Judge
- County Commissioner
- County Treasurer
- County Coroner
- County Assessor
- District Court Judge
- County Sheriff
- County Prosecutor
- Director of Emergency Management
- IT Director

**Professionals (includes Para-Professionals):**

- Director of Budget/Accounting
- Director of Budget/Environmental Health/Program Director
- Chief Deputy Prosecutor
- Senior Deputy Prosecutor
- Deputy Prosecutor
- Community Health Nurse
- Building Official
- Environmental Health Technician
- Financial Division Manager
- Communications Systems Manager
- Program Analyst
- Finance Administrator
- Probation Counselor
- County Planner
- Probation Counselor 2
- CASA Program Coordinator
- Deputy Coroner
- Family Court Coordinator
- Benefits/Programs Coordinator
- Chief Deputy Coroner
- Environmental Health Specialist 2
- Community Health Worker
- Administrative Supervisor
- Office Supervisor
- Finance Coordinator
- Program Representative
- Court Administrator
- Elections Supervisor
- Assistant County Planner
- Building Permit Technician
- Senior Probation Officer

**Technicians:**

- Appraiser
- Engineering Technician IV
- Chief Appraiser
- Property Maintenance Administrator/Appraiser
- Computer Support Specialist 2
- Engineering Technician III
- Project Engineer

**Protective Services-Sworn:**

- Deputy Sheriff
- Patrol Sergeant
- Corrections Sergeant
- Deputy Inspector
- Facility Commander
- Corrections Officer
- Undersheriff

**Protective Services-Non-Sworn:**

- Operations Coordinator/Park Ranger

**Administrative Support:**

- Records and Information Officer
- Elections Technician
- Clerk of the Board
- Financial Specialist
- Office Coordinator
- Payroll Clerk
- Victim/Witness Specialist
- Office Specialist
- Legal Process Specialist
- Administrative Assistant
- Financial Specialist-Scale Clerk
- Revenue Officer
- Legal Secretary
- Office Assistant
- Administrative Secretary
- Financial Specialist 2

**BOCC MINUTES-12/21/15**

- Administrative Supervisor
- DOL Specialist
- Office Coordinator
- Map Segregationist
- Office Specialist 2
- Recording Deputy
- Assistant DOL Specialist
- Personal Property Appraiser/Administrative Assistant

**Skilled Craft Worker:**

- Heavy Equipment Operator
- Mechanic
- Fleet Shop Supervisor
- Solid Waste Heavy Equipment Operator
- Parts/Service Manager
- Working Foreman

**Service/Maintenance:**

- Building Engineer-Journey
- Operations Coordinator - Fair
- Superintendent - FFM
- Building Operator

**077273**            **24.** Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to close the 2015 Human Resources petty cash fund.

**RESOLUTION NO. 077273  
BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS**

WHEREAS, the Board of Whitman County Commissioners met in regular session on the 21st day of December 2015; and,

WHEREAS, the Board of County Commissioners regulate the various petty cash accounts; and,

WHEREAS, Whitman County Human Resources (HR) has one (1) petty cash account for wellness incentive purposes; and,

WHEREAS, Human Resources (HR) has completed its wellness incentive program for 2015; and,

WHEREAS, the petty cash account is no longer required,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the following listed petty cash account be closed.

| DEPARTMENT      | AMOUNT     | FUND NO.    | BARS CODE | CUSTODIAN      | PURPOSE    |
|-----------------|------------|-------------|-----------|----------------|------------|
| Human Resources | \$1,050.00 | 001.000.000 | 111.70.22 | Kelli Campbell | Petty Cash |

Dated this 21st day of December 2015.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
Dean Kinzer, Chairman

ATTEST:

\_\_\_\_\_  
Arthur D Swannack, Commissioner

\_\_\_\_\_  
Maribeth Becker, CMC  
Clerk of the Board

\_\_\_\_\_  
Michael Largent, Commissioner

077274 25. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to adopt the Compensating Employee policy for represented employees.

**RESOLUTION NO. 077274  
BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS**

**IN THE MATTER OF** the action of the adoption for the Whitman County Policy **Compensating Employees-Represented;**

**WHEREAS,** this policy has been amended for clarification purposes and,

**WHEREAS,** this policy reflects updated administrative practices and salary schedules and,

**WHEREAS,** this action is necessary and in the best interest of Whitman County and its employees,

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by this Board that the above is approved as the attached **POL-0826-HR COMPENSATING EMPLOYEES - REPRESENTED.**

Dated this 21st day of December 2015 and effective as of January 1, 2016.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
Dean Kinzer, Chairman

ATTEST:

\_\_\_\_\_  
Arthur D Swannack, Commissioner

\_\_\_\_\_  
Maribeth Becker, CMC  
Clerk of the Board

\_\_\_\_\_  
Michael Largent, Commissioner



**COMPENSATING EMPLOYEES - Represented**

Policy: POL-826-HR • Effective Date: January 1, 2016  
Res. # 077274 - Cancels: Res. 074475 • Reference: None

Unless otherwise covered by a bargaining unit agreement, this policy applies to all positions related to the Courthouse, Road, and Solid Waste bargaining units.

**Definitions:**

**BOCC** - Board of County Commissioners

**Classification** - a set of positions connected by similar purpose, function, responsibility, authority and qualifications

**Current Salary** - the total compensation an employee has been receiving for a period of not less than six months

Rounded Step Date - a date indicating eligibility for some wage and benefit increases. The rounded step date for employees beginning a new position between the 1<sup>st</sup> and 15<sup>th</sup> of the month will be the first of that month. Start dates between the 16<sup>th</sup> and end of the month indicate a rounded step date on the first of the following month.

**1. A Compensation Plan Shall be Maintained for all Classifications**

A compensation plan shall be maintained on all classifications for the following purposes:

- Equal pay for equal work as provided by law
- Create an appropriate salary structure for recruitment and retention
- Provide a means of rewarding employees for good performance
- Establish internal equality between classifications
- Review and establish external equitable relationships

The compensation plan shall consist of job classifications and the approved salary range for each classification. It shall include a description of premium pay, opportunity for movement through a salary range, and the effects of personnel movement such as promotion, demotion, transfer, and reassignment.

**2. Salary Ranges are Determined Using External Market Sources and Internal Alignment**

Salary ranges are determined using a comparison of similar classifications found in external market entities. External entities shall be made primarily of five to seven Eastern Washington counties comparable in population, assessed value and General Fund revenue, but may be adjusted to include other entities (public or private) when a sufficient position comparison cannot be made. A sufficient comparison includes similar classification in at least three market entities.

Classifications will not necessarily be tied directly to external market data. Significant emphasis is placed on internal alignment in order to maintain equity between classifications and meet legal requirements.

Human Resources shall conduct classification surveys and reviews for each classification every three to five years. Classifications may be surveyed all at once, divided by employee group or on an individual basis when necessary.

Surveys are used for various purposes including salary range placement, classification and re-classification, negotiations, and as a consideration in wage adjustments.

**3. A Salary Range is Assigned to Each Classification**

Salary ranges are set in increments of 2% steps and are identified using the appropriate job family title. Steps are labeled using a numerical system.

With a satisfactory performance review, employees will move between steps every twelve (12) months.

New hire probationary periods are unrelated to step progression, except that an employee must pass his/her probationary period before being eligible for a step increase.

Step dates round to the first of the month if starting in a position before the 16<sup>th</sup> of the month. Otherwise step dates round to the first of the following month.

**4. Employees Must Pass a Performance Review Before Step Movement**

Employees must receive a satisfactory performance rating of at least "Meets Expectations" before receiving a step increase. Performance reviews related to step increases must be completed prior to the scheduled step date.

Employees not receiving a satisfactory review will be evaluated no later than every six months. Employees may move forward a step after a satisfactory evaluation is achieved, as determined by the elected official/department head. Employees not receiving a satisfactory performance review will move to the next step the 1<sup>st</sup> of the month following a satisfactory performance review. This date then becomes the employee's new step date and he/she is eligible for another step twelve (12) months later.

**5. New Hires Shall be Compensated within the Appropriate Salary Range**

New employees may be hired at steps 1 .

Upon BOCC agreement, classifications may be designated "Critical" or "Essential." The resulting adjustment shall be submitted to the union for approval. After meeting specific criteria Critical classifications may be placed at a higher salary range t in accordance with task TSK-826-5-HR. Classifications deemed Essential may be moved to a higher starting wage within the current salary range in accordance with task TSK-826-6-HR. Current positions within the adjusted classification are also moved to meet the new placement.

The Essential status of each classification will be reviewed every five years to determine if the designation for new hires is still necessary. Upon BOCC agreement, the designation may be removed for new hires. The existing employees will remain at their current step. The proposed removal shall be submitted to the union for approval. Removal of Essential status has no effect on existing employees.

**Critical criteria:**

- The classification must affect all Whitman County governmental operations or be a required position under State or Federal law.
- The classification must have had at least two (2) recruitment attempts involving at least two (2) weeks in a minimum of two (2) area newspapers, concurrently, fail to produce any successful candidates.
- All other county resource options must be fully explored with Human Resources (i.e.-cross training, reorganization, etc.).
- The county must have a long-term need for the classification.

**Essential criteria:**

- The classification must affect countywide services.
- The position must have remained unfilled for at least six months.
- At least five (5) recruitment attempts involving at least two (2) weeks in two (2) area newspapers concurrently must fail to produce any successful candidates.
- All other county resource options must be fully explored with Human Resources (i.e.-cross training, reorganization, etc.)
- The county must have a long-term need for the classification.

**6. Employees May be Transferred, Promoted, Demoted or Reassigned**

Transfers occur when an employee is moved between positions in the same classification or between classifications contained in the same salary range. In the case of a transfer, the employee shall remain at the same range and step. Service time since the employee's last step continues to be counted toward a movement to the next step.

A promotion occurs when an employee is moved to a position in a classification with a higher maximum salary rate and involves a change in job responsibilities. Human Resources calculates a minimum increase by using the employee's current salary plus two (2) steps in the current salary range. Using this minimum increase calculation, HR places the promoted employee either at Step 1 or in the closest positive step of the promotion grade range. The service requirement of the new step then begins in accordance with this policy.

Demotions are a disciplinary move from a position of higher classification and maximum salary rate to one of lower salary range. Reassignments are also movement to a lower classification but are done so voluntarily and unrelated to disciplinary action. Employees are moved to the lower salary range but remain at their current step. The service time since the employee's last step will continue to be counted toward a movement to the next step in the salary range. If the demotion/reassignment is reversed by the department head/elected official within six months, and the employee returns to the same position previously held, he/she will remain at the same step.

**7. Positions May be Re-classified**

Positions re-classified in accordance with policy POL-820-HR have changed substantially enough to warrant a different salary range. Employees shall be moved to the higher or lower range, as determined by the re-classification, but remain at their current step.

**8. Lead Workers Receive a Six Percent Increase for Duration of Designation**

Department heads/elected officials may assign the designation of "lead worker" to employees leading teams or specific projects that are not a normal part of their classification. During the designation period employees receive a six percent (6%) increase in pay for the hours spent working on the project. When employees cease to function as lead workers, their pay will return to base pay.

**9. Employees Working Out-of-Class Receive Additional Pay**

It is the responsibility of the elected official/department head to assign work to employees which is within the scope and level of classification of the employee's position. Whitman County recognizes that rare circumstances may occur in which an employee must perform work of a higher classification on a temporary basis.

Employees assigned, in writing, to perform work from a higher classification for longer than thirty calendar days shall be compensated on an hour-by-hour basis at the higher classification's hourly wage based on the employees current step placement. The compensation shall be based on the employee's current step and be retroactive to the beginning of the pay period in which the employee began performing such duties. Out-of-class pay is a temporary arrangement. When an employee ceases to perform out-of-class, his/her pay returns to its normal rate.

Out-of-class pay does not apply to situations where employees are expected to fill in on an interim basis for co-workers due to employee breaks, vacations less than thirty days long, training, troubleshooting, increased work load, short illnesses/injuries, etc.

Out-of-class pay requiring a budget amendment must be reviewed by Human Resources and approved by the Board of County Commissioners.

**10. Temporary Employees are Paid Hourly**

Temporary employees are employed at the discretion of the department head/elected official. Wages shall be no lower than Washington State minimum wage and paid on an hourly basis as determined by the department. Temporary employees are not part of the compensation system and are not subject to other provisions of this policy, except they may be promoted to regular positions in accordance with county policy and the appropriate collective bargaining agreement.

**11. The Whitman County Classification Committee May Make Recommendations Concerning the Compensation System**

The Classification Committee serves as a source of representation, information and appeal for county employees.

The Committee is run by a quorum vote of 50% + 1 of the membership and is comprised of volunteer employees from all areas of Whitman County employment. Members are selected

**BOCC MINUTES-12/21/15**

from the following categories and may be changed by a vote of the committee and BOCC approval:

|   |           |
|---|-----------|
| Elected Official                            | 1 member  |
| Management/Non-Represented                  | 4 members |
| Management/Professional/Non-Represented     | 1 member  |
| Non-Management/Non-Represented              | 1 member  |
| Non-Management/Professional/Non-Represented | 1 member  |

Bargaining units who participate in the County's classification system may each have one member on the committee.

The Human Resources Director is responsible for the compensation system and acts as a resource and advisor to the committee. All other members are appointed by the BOCC to staggered 2-year terms. Members may volunteer to sit for an additional 2-year term before stepping down from membership for a minimum of one year.

During the "step down" time, past members may volunteer to serve as one of the two official advisors (non-voting) positions. In the case where more than two past members volunteer for advisor positions, the Committee members make the appointments with preference given to the past Committee office holders.



**EVALUATING EMPLOYEE PERFORMANCE: STEP INCREASE**

Procedure: PRO-826-1-HR - Effective Date: January 1, 2016  
Res. #:077274 - Cancels: #074475 - Reference: None

Action by:

Action:

- |                                     |  |
|-------------------------------------|--|
| HR<br>Elected Official/Dept.<br>Hd. | 1. Notifies the department of upcoming eligibility.  |
|                                     | 2. Reviews the employee's current job description for accuracy.  |
|                                     | 3. Schedules date, time, location for the performance review   |
|                                     | 4. Performs the performance evaluations and gives an overall performance rating.   |
|                                     | 4a. If the overall performance rating is "meets expectations" or above, grants the employee their next salary step.  |
|                                     | 4b. If the overall performance rating is "needs improvement" or "unsatisfactory", denies the employee their next salary step and continues to evaluate the employees performance at no longer than six month intervals until the overall rating is "meets expectations." |
|                                     | 5. Completes and Submits a board order and performance evaluation to Human Resources for the step increase.  |
| HR                                  | 6. Completes board order form and Presents to BOCC for approval.   |
|                                     | 7. Files the performance evaluation in the personnel file.   |
| BOCC                                | 8. Approves the board order and Returns it to HR for processing.   |



**DETERMINING CRITICAL AND ESSENTIAL JOB FAMILIES**

Procedure: PRO-826-2-HR - Effective Date: January 1, 2016  
Res. #: 077274 - Cancels: 074475 - Reference: None

- | <u>Action by:</u>                      | <u>Action:</u>   |
|--|--|
| Department Head or<br>Elected Official | 1. Meets with the BOCC and discusses a need to adjust job family placement to either retain or recruit employees.  |
| BOCC                                   | 2. Determines the need for a job family evaluation.<br>2a. If a job family evaluation is not needed, informs Department Head or Elected Official their request has been denied.<br>2b. If a job family evaluation is needed, forwards a written request to Human Resources for evaluation.   |
| HR                                     | 3. Evaluates the job family (TSK-0826-1-HR & TSK-0826-2-HR).<br>3a. If the job family does not qualify for "critical" or "essential" status, forwards an explanation of the decision to the BOCC and department.<br>3b. If the job family qualifies for a "critical" or "essential" status, notifies the Classification Committee Chair. |
| Classification<br>Committee Chair      | 4. Schedules a meeting of the Classification Committee for further evaluation.   |
| Classification<br>Committee            | 5. Evaluates the job family (TSK-0826-3-HR & TSK-0826-4-HR).<br>6. Presents a job family status recommendation to the BOCC and HR.   |
| BOCC                                   | 7. Decides whether or not to approve the Classification Committee's recommendation.<br>7a. If the job family status change is denied, notifies the Department Head or Elected Official.<br>7b. If "critical" or "essential" job family status is approved, notifies Human Resources and Department Head or Elected Official.             |
| HR                                     | 8. Processes Commissioners' decision<br>8a. If "critical" status is approved, adjusts job family, current, and new employee placements (TSK-0826-5-HR).<br>8b. If "essential" status is approved, adjusts job family, current, and new employee placements (TSK-0826-6-HR).  |



**TASK: EVALUATING CRITICAL JOB FAMILY STATUS: HR**

Task: TSK-826-1-HR • Effective Date: January 1, 2016 • Res. #: 077274  
Cancels: # 074475 • Reference: None

**Definitions:**

**Recruitment Attempt** - Advertising at least two weeks in a minimum of two area newspapers concurrently.

After receiving a critical evaluation request from the BOCC, Human Resources:

1. Determines if the job family affects all Whitman County governmental operations or is a required position under State or Federal law.
  - 1a. If the job family does not affect all Whitman County governmental operations, goes to TSK-0826-2-HR.
2. Determines if critical status guidelines have been satisfied.

**Critical Status Guidelines**

- Have at least 2 recruitment attempts, as defined above, been made with no successful candidates? (This does not apply if the position is currently filled.)
  - Have County resource options been fully explored with Human Resources? (i.e. - Cross-training, reorganization, etc.)
  - Is this a long-term County need?
- 3a. If the critical status guidelines have not been satisfied, determines the job family status is not critical at this time and forwards written notification to the BOCC.
  - 3b. If the critical status guidelines have been satisfied, notifies the Classification Committee Chair for further evaluation.



**TASK: EVALUATING ESSENTIAL JOB FAMILY STATUS: HR**

Task: TSK-826-2-HR • Effective Date: January 1, 2016 • Res. #: 077274  
Cancels: 074475 • Reference: None

**Definitions:**

**Recruitment Attempt** - Advertising at least two weeks in a minimum of two area newspapers concurrently.

After receiving an essential job family evaluation request from the BOCC or is referred here by TSK-0826-1-HR, Human Resources:

1. Determines if the job family affects countywide services.
  - 1a. If the job family does not affect countywide services, determines the job family status is not essential at this time and forwards written notification to the BOCC.
2. Determines if essential status guidelines have been satisfied.

**Essential Status Guidelines**

- Has the position remained unfilled at least 6 months?
  - Have at least 5 recruitment attempts, as defined above, been made with no successful candidates?
  - Have County resource options been fully explored with Human Resources? (i.e. - Cross-training, reorganization, etc.)
  - Is this a long-term County need?
- 3a. If the essential status guidelines have not been satisfied, determines the job family is not essential at this time and forwards written notification to the BOCC.
  - 3b. If the essential status guidelines have been satisfied, notifies the Classification Committee Chair for further evaluation.



**TASK: EVALUATING CRITICAL JOB STATUS: CLASSIFICATION COMMITTEE**

Task: TSK-826-3-HR • Effective Date: January 1, 2016 •  
Res. #: 077274 - Cancels: 074475 • Reference: None

**Definitions:**

**Recruitment Attempt** - Advertising at least two weeks in a minimum of two area newspapers concurrently.

After receiving a critical evaluation review from Human Resources, the Classification Committee:

1. Determines if the job family affects all Whitman County governmental operations or is a required position under State or Federal law.
  - 1a. If the job family does not affect all Whitman County governmental operations, goes to TSK-0826-4-HR.
2. Determines if critical status guidelines have been satisfied.

**Critical Status Guidelines**

- **Have at least 2 recruitment attempts, as defined above, been made with no successful candidates?** (This guideline does not apply if the position is currently filled.)
- Have County resource options been fully explored with Human Resources? (i.e. - Cross training, reorganization, etc.)

- Is this a long-term County need?
- 3a. If the critical status guidelines have not been satisfied, determines the job family status is not critical at this time and forwards written notification to the BOCC.
  - 3b. If the critical status guidelines have been satisfied, notifies the BOCC of the critical status determination.



**TASK: EVALUATING ESSENTIAL JOB FAMILY STATUS:  
CLASSIFICATION COMMITTEE**

Task: TSK-826-4-HR • Effective Date: January 1, 2016 •  
Res. #: 077274 - Cancels: 074475 • Reference: None

**Definitions:**

**Recruitment Attempt** - Advertising at least two weeks in a minimum of two area newspapers concurrently.

After receiving a status evaluation review from Human Resources or is referred here by TSK-0826-3-HR, the Classification Committee:

1. Determines if the job family affects countywide services.
  - 1a. If the job family does not affect countywide services, determines the job family status is not essential at this time and forwards written notification to the BOCC.
2. Determines if essential status guidelines have been satisfied.

**Essential Status Guidelines**

- Has the position remained unfilled at least 6 months?
  - Have at least 5 recruitment attempts, as defined above, been made with no successful candidates?
  - Have County resource options been fully explored with Human Resources? (i.e. - Cross training, reorganization, etc.)
  - Is this a long-term County need?
- 3a. If the essential status guidelines have not been satisfied, determines the job family is not essential at this time and forwards written notification to the BOCC.
  - 3b. If the essential status guidelines have been satisfied, notifies the BOCC of the essential status determination.



**TASK: ADJUSTING SALARY STEPS - CRITICAL EMPLOYEES AND NEW HIRES**

Task: TSK-826-5-HR • Effective Date: January 1, 2016 • Res. #: 077274  
Cancels: 074475 • Reference: None

After receiving notification of an approved critical status evaluation from the BOCC, Human Resources:

1. Prepares and submits a board order adjusting all current critical position employees' to the higher salary range at their current step. The adjustment is made effective the 1<sup>st</sup> of the month following the critical status determination or when a new employee is hired, whichever comes first. Next step eligibility is in 12 months.



**TASK: ADJUSTING SALARY STEPS - ESSENTIAL EMPLOYEES AND NEW HIRES**

Task: TSK-826-6-HR • Effective Date: January 1, 2016 • Res. #: 077274  
Cancels: 074475 • Reference: None

After receiving notification of an approved essential status evaluation from the BOCC, Human Resources:

1. Prepares and submits a board order adjusting all current essential position employees' salaries to the approved step of the current salary range. The adjustment is made effective the 1<sup>st</sup> of the month following the essential status determination or when a new employee is hired, whichever comes first. Next step eligibility is in 12 months.

If an employee's current step is at or above the approved step, no adjustment to either their step or next step eligibility is made.

2. Monitors new hire placement at the approved step of the current grade. If an employee's current step is at or above the new hire's step, no adjustment to either their step or next step eligibility is made.

**077275** 26. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to adopt revised Non-Represented Employees Compensation Policy

**RESOLUTION NO. 077275**

**BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS**

**IN THE MATTER OF** the action of the adoption for the Whitman County Policy **Compensating Employees - Non-Represented;**

**WHEREAS,** this policy has been amended for clarification purposes and,

**WHEREAS,** this policy reflects updated administrative practices and salary schedules and,

WHEREAS, this action is necessary and in the best interest of Whitman County and its employees,

NOW, THEREFORE, IT IS HEREBY RESOLVED by this Board that the above is approved as the attached POL-0825-HR COMPENSATING EMPLOYEES - NON-REPRESENTED.

Dated this 21st day of December 2015 and effective as of January 1, 2016.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
Dean Kinzer, Chairman

ATTEST:

\_\_\_\_\_  
Arthur D Swannack, Commissioner

\_\_\_\_\_  
Maribeth Becker, CMC  
Clerk of the Board

\_\_\_\_\_  
Michael Largent, Commissioner



**COMPENSATING EMPLOYEES - Non-represented**

Policy: POL 825-HR - Effective Date: January 1, 2016 - Res. #: 077275  
Cancels: Res. 073993 - Reference: None

This policy applies to all non-elected positions designated to the primary compensation system unless otherwise covered by a collective bargaining agreement.

**Definitions:**

**BOCC** - Board of County Commissioners

**Classification** - a set of positions connected by similar purpose, function, responsibility, authority and qualifications

**Current Salary** - the total compensation an employee has been receiving for a period of not less than six months

**Rounded Step Date** - a date indicating eligibility for some wage and benefit increases. The rounded step date for employees beginning a new position between the 1<sup>st</sup> and 15<sup>th</sup> of the month will be the first of that month. Start dates between the 16<sup>th</sup> and end of the month indicate a rounded step date on the first of the following month.

**1. A Compensation Plan Shall be Maintained for all Classifications**

A compensation plan shall be maintained on all classifications for the following purposes:

- Equal pay for equal work as provided by law
- Create an appropriate salary structure for recruitment and retention
- Provide a means of rewarding employees for good performance
- Establish internal equality between classifications

- Review and establish external equitable relationships

The compensation plan shall consist of job classifications and the approved salary range for each classification. It shall include a description of premium pay, opportunity for movement through a salary range, and the effects of personnel movement such as promotion, demotion, transfer, and reassignment.

2. **Salary Ranges are Determined Using External Market Sources and Internal Alignment**

Salary ranges are determined using a comparison of similar classifications found in external market entities. External entities shall be made primarily of five to seven Eastern Washington counties comparable in population, assessed value and General Fund revenue, but may be adjusted to include other entities (public or private) when a sufficient position comparison cannot be made. A sufficient comparison includes similar classification in at least three market entities.

Classifications will not necessarily be tied directly to external market data. Significant emphasis is placed on internal alignment in order to maintain equity between classifications and meet legal requirements.

Human Resources shall conduct classification surveys and reviews for each classification every three to five years. Classifications may be surveyed all at once, divided by employee group or on an individual basis when necessary.

Surveys are used for various purposes including salary range placement, classification and re-classification, negotiations, and as a consideration in wage adjustments.

3. **A Salary Range is Assigned to Each Classification**

Salary ranges are set in 2% steps and are identified using the job family title. Steps are labeled using a numerical system.

Pending a satisfactory performance review, employees are eligible to move one step every January 1st. Employees not receiving a satisfactory performance review are step eligible the next following January pending a satisfactory performance review.

New hire probationary periods are unrelated to step progression, except that an employee must pass his/her probationary period, documented by a performance review, before being eligible for a step increase. New hires are eligible to move one step the 1<sup>st</sup> January following a successful probationary period.

Employees reaching the last step for a period of three years are eligible to receive a onetime 2% longevity increase.

4. **Employees Must Pass a Performance Review Before Step Movement**

Employees must receive a satisfactory performance rating of at least "Meets Expectations" before receiving a step increase. Performance reviews related to step increases must be completed prior to the scheduled step date.

Employees not receiving a satisfactory review will be evaluated no later than every six months. Employees may move forward one step after a satisfactory evaluation is achieved, as determined by the elected official/department head. Employees not passing a performance review will have their step delayed until a satisfactory evaluation is reached. The following step remains January 1st of next year. If a full year passes before a satisfactory review is achieved, the employee receives one step. The steps are not cumulative from the prior year.

5. **New Hires Shall be Compensated within the Appropriate Salary Range**

New employees may be hired between steps 1 and 5 based on experience, qualifications, and internal equity.

With approval of the Board of County Commissioners, classifications may be designated "Critical" or "Essential." After meeting specific criteria Critical classifications may be placed at a higher salary range than the current placement in accordance with task TSK-825-5-HR. Classifications deemed Essential may be moved to a higher starting wage within the current salary range in accordance with task TSK-825-6-HR. Current positions within the adjusted classification are also moved to meet the new placement. HR calculates each Critical & Essential position's new step eligibility as the following January 1<sup>st</sup>. Critical & Essential job family adjustments apply only to the specific job family in question.

The Essential status of each classification will be reviewed every five years to determine if the designation for new hires is still necessary. Upon BOCC agreement, the designation may be removed for new hires. Removal of Essential status has no effect on existing employees.

**Critical criteria:**

- The classification must affect all Whitman County governmental operations or be a required position under State or Federal law.
- The classification must have had at least two (2) recruitment attempts involving at least two (2) weeks in a minimum of two (2) area newspapers, concurrently, fail to produce any successful candidates.
- All other county resource options must be fully explored with Human Resources (i.e.-cross training, reorganization, etc.).
- The county must have a long-term need for the classification.

**Essential criteria:**

- The classification must affect countywide services.
- The position must have remained unfilled for at least six months.
- At least five (5) recruitment attempts involving at least two (2) weeks in two (2) area newspapers concurrently must fail to produce any successful candidates.
- (i.e.-cross training, reorganization, etc.)
- The county must have a long-term need for the classification.

**6. Employees May be Transferred, Promoted, Demoted or Reassigned**

Transfers occur when an employee is moved between positions in the same classification or between classifications contained in the same salary range. In the case of a transfer, the employee shall remain at the same range and step. Service time since the employee's last step continues to be counted toward a movement to the next step.

A promotion occurs when an employee is moved to a position in a classification with a higher maximum salary rate and involves a change in job responsibilities. Human Resources calculates a minimum increase by using the employee's current salary plus two (2) steps in the current salary range. Using this minimum increase calculation, HR places the promoted employee either at Step 1 or in the closest positive step of the promotion grade range. If the new placement is below Step 5, the department head/elected official may move the employee to Step 5 at his/her discretion. The service requirement of the new step then begins in accordance with provisions three (3) and four (4) of this policy.

Demotions are a disciplinary move from a position of higher classification and maximum salary rate to one of lower salary range. Reassignments are also movement to a lower classification but are done so voluntarily and unrelated to disciplinary action. Employees are moved to the lower salary range but remain at their current step. The service time since the employee's last step will continue to be counted toward a movement to the next step in the salary range. If the

demotion/reassignment is reversed by the department head/elected official within six months, and the employee returns to the same position previously held, he/she will remain at the same step.

**7. Positions May be Re-classified**

Positions re-classified in accordance with policy POL-820-HR have changed substantially enough to warrant a different salary range. Employees shall be moved to the higher or lower range, as determined by the re-classification, but remain at their current step.

**8. Lead Workers Receive a Six Percent Increase for Duration of Designation**

Department heads/elected officials may assign the designation of "lead worker" to employees leading teams or specific projects that are not a normal part of their classification. During the designation period employees receive a six percent (6%) increase in pay for the hours spent working on the project. When employees cease to function as lead workers, their pay will return to base pay.

**9. Employees Working Out-of-Class Receive Additional Pay**

It is the responsibility of the elected official/department head to assign work to employees which is within the scope and level of classification of the employee's position. Whitman County recognizes that rare circumstances may occur in which an employee must perform work of a higher classification on a temporary basis.

Employees assigned, in writing, to perform work from a higher classification for longer than thirty calendar days shall be compensated on an hour-by-hour basis at the higher classification's hourly wage based on the employees current step placement. The compensation shall be based on the employee's current step and be retroactive to the beginning of the pay period in which the employee began performing such duties. Out-of-class pay is a temporary arrangement. When an employee ceases to perform out-of-class, his/her pay returns to its normal rate.

Out-of-class pay does not apply to situations where employees are expected to fill in on an interim basis for co-workers due to employee breaks, vacations less than thirty days long, training, troubleshooting, increased work load, short illnesses/injuries, etc.

Out-of-class pay requiring a budget amendment must be reviewed by Human Resources and approved by the Board of County Commissioners.

**10. Temporary Employees are Paid Hourly**

Temporary employees are employed at the discretion of the department head/elected official. Wages shall be no lower than Washington State minimum wage and paid on an hourly basis as determined by the department. Temporary employees are not part of the compensation system and are not subject to other provisions of this policy, except they may be promoted to regular positions in accordance with county policy and the appropriate collective bargaining agreement.

**11. The Whitman County Classification Committee May Make Recommendations Concerning the Compensation System**

The Classification Committee serves as a source of representation, information and appeal for county employees.

The Committee is run by a quorum vote of 50% + 1 of the membership and is comprised of volunteer employees from all areas of Whitman County employment. Members are selected from the following categories and may be changed by a vote of the committee and BOCC approval:

- Elected Official 1 member
- Management/Non-Represented 4 members

|   |          |
|---|----------|
| Management/Professional/Non-Represented     | 1 member |
| Non-Management/Non-Represented              | 1 member |
| Non-Management/Professional/Non-Represented | 1 member |

Bargaining units who participate in the County's classification system may each have one member on the committee.

The Human Resources Director is responsible for the compensation system and acts as a resources/advisor to the Committee. All other members are appointed by the BOCC to staggered 2-year terms. Members may volunteer to sit for an additional 2-year term before stepping down from membership for a minimum of one year.

During the "step down" time, past members may volunteer to serve as one of the two official advisors (non-voting) positions. In the case where more than two past members volunteer for advisor positions, the Committee members make the appointments with preference given to the past Committee office holders.



**EVALUATING EMPLOYEE PERFORMANCE: STEP INCREASE**

Procedure: PRO-825-1-HR • Effective Date: January 1, 2016 •  
 Res. #:077275 - Cancels: 073993 - Reference: None

Action by:

Action:

HR  
 Elected Official/Dept.  
 Hd.

1. Notifies the department of the upcoming eligibility
2. Reviews the employee's current job description for accuracy.
3. Schedules date, time, location for the performance review.
4. Performs the performance evaluations and gives an overall performance rating.
  - 4a. If the overall performance rating is "meets expectations" or above, grants the employee their next salary step.
  - 4b. If the overall performance rating is "needs improvement" or "unsatisfactory", denies the employee their step and continues to evaluate the employees performance (at no longer than 6 month intervals) until the overall performance rating is "meets expectations" and the next step increase may be granted.
5. Completes and Submits a board order and performance evaluation to Human Resources for the step increase.
6. Completes board order form and Presents to BOCC for approval.
7. Files the performance evaluation in the personnel file.
8. Approves the board order and returns it to HR for processing.

HR

BOCC



**DETERMINING CRITICAL AND ESSENTIAL JOB FAMILIES**

Procedure: PRO-825-2-HR - Effective Date: January 1, 2016  
Res. # 077275 - Cancels: #073993 - Reference: None

Action by:

Action:

- |  |    |   |
|--|----|---|
| Department Head or<br>Elected Official | 1. | Meets with the BOCC and discusses a need to adjust job family placement to either retain or recruit employees.  |
| BOCC                                   | 2. | Determines the need for a job family evaluation.<br>2a. If a job family evaluation is not needed, informs Department Head or Elected Official their request has been denied.<br>2b. If a job family evaluation is needed, forwards a written request to Human Resources for evaluation.                                   |
| HR                                     | 3. | Evaluates the job family.<br>3a. If the job family does not qualify for "critical" or "essential" status, forwards an explanation of the decision to the BOCC and department.<br>3b. If the job family qualifies for a "critical" or "essential" status, notifies the Classification Committee Chair.                     |
| Classification<br>Committee Chair      | 4. | Schedules a meeting of the Classification Committee for further evaluation.   |
| Classification<br>Committee            | 5. | Evaluates the job family.   |
| BOCC                                   | 6. | Presents a job family status recommendation to HR and the BOCC.   |
| BOCC                                   | 7. | Decides whether or not to approve the Classification Committee's recommendation.<br>7a. If the job family status change is denied, notifies the Department Head or Elected Official.<br>7b. If "critical" or "essential" job family status is approved, notifies Human Resources and Department Head or Elected Official. |
| HR                                     | 8. | Processes Commissioners' decision<br>8a. If "critical" status is approved, adjusts job family, current, and new employee placements.<br>8b. If "essential" status is approved, adjusts job family, current, and new employee placements.  |



**TASK: EVALUATING CRITICAL JOB FAMILY STATUS: HR**

Task: TSK-825-1-HR - Effective Date: January 1, 2016 - Res. #077275  
Cancels: #073993 - Reference: None

**Definitions:**

**Recruitment Attempt** - Advertising at least two weeks in a minimum of two area newspapers concurrently.

After receiving a critical evaluation request from the BOCC, Human Resources:

1. Determines if the job family affects all Whitman County governmental operations or is a required position under State or Federal law.
  - 2a. If the job family does not affect all Whitman County governmental operations, goes to TSK-0825-2-HR.
  - 2b. Determines if critical status guidelines have been satisfied.

**Critical Status Guidelines**

- Have at least 2 recruitment attempts, as defined above, been made with no successful candidates? (This does not apply if the position is currently filled.)
  - Have County resource options been fully explored with Human Resources? (i.e. - Cross-training, reorganization, etc.)
  - Is this a long-term County need?
- 3a. If the critical status guidelines have not been satisfied, determines the job family status is not critical at this time and forwards written recommendation to the BOCC.
  - 3b. If the critical status guidelines have been satisfied, notifies the Classification Committee Chair for further evaluation.



**TASK: EVALUATING ESSENTIAL JOB FAMILY STATUS: HR**

Task: TSK-825-2-HR • Effective Date: January 1, 2016  
Res. #: 077275 - Cancels: 073993 • Reference: None

**Definitions:**

**Recruitment Attempt** - Advertising at least two weeks in a minimum of two area newspapers concurrently.

After receiving an essential job family evaluation request from the BOCC or is referred here by TSK-0825-1-HR, Human Resources:

1. Determines if the job family affects countywide services.
  - 1a. If the job family does not affect countywide services, determines the job family status is not essential at this time and forwards written notification to the BOCC.
2. Determines if essential status guidelines have been satisfied.

**Essential Status Guidelines**

- Has the position remained unfilled at least 6 months?
  - Have at least 5 recruitment attempts, as defined above, been made with no successful candidates?
  - Have County resource options been fully explored with Human Resources? (i.e. - Cross-training, reorganization, etc.)
  - Is this a long-term County need?
- 3a. If the essential status guidelines have not been satisfied, determines the job family is not essential at this time and forwards written recommendation to the BOCC.
  - 3b. If the essential status guidelines have been satisfied, notifies the Classification Committee Chair for further evaluation.



**TASK: EVALUATING CRITICAL JOB STATUS: CLASSIFICATION COMMITTEE Task:**

TSK-825-3-HR - Effective Date: January 1, 2016 - Res. #077275  
Cancels: 073993 - Reference: None

**Definitions:**

**Recruitment Attempt** - Advertising at least two weeks in a minimum of two area newspapers concurrently.

After receiving a critical evaluation review from Human Resources, the Classification Committee:

1. Determines if the job family affects all Whitman County governmental operations or is a required position under State or Federal law.
  - 2a. If the job family does not affect all Whitman County governmental operations, goes to TSK-0825-4-HR.
2. Determines if critical status guidelines have been satisfied.

**Critical Status Guidelines**

- Have at least 2 recruitment attempts, as defined above, been made with no successful candidates? (This guideline does not apply if the position is currently filled.)

- Have County resource options been fully explored with Human Resources? (i.e. - Cross training, reorganization, etc.)
  - Is this a long-term County need?
- 3a. If the critical status guidelines have not been satisfied, determines the job family status is not critical at this time and forwards written notification to the BOCC.
- 3b. If the critical status guidelines have been satisfied, notifies the BOCC of the critical status determination.



**TASK: EVALUATING ESSENTIAL JOB FAMILY STATUS:  
CLASSIFICATION COMMITTEE**

Task: TSK-825-4-HR • Effective Date: January 1, 2016 • Res. #: 077275  
Cancels: 073993 • Reference: None

**Definitions:**

**Recruitment Attempt** - Advertising at least two weeks in a minimum of two area newspapers concurrently.

After receiving a status evaluation review from Human Resources or is referred here by TSK-0825-3-HR, the Classification Committee:

1. Determines if the job family affects countywide services.
  - 2a. If the job family does not affect countywide services, determines the job family status is not essential at this time and forwards written notification to the BOCC.
2. Determines if essential status guidelines have been satisfied.

**Essential Status Guidelines**

- Has the position remained unfilled at least 6 months?
  - Have at least 5 recruitment attempts, as defined above, been made with no successful candidates?
  - Have County resource options been fully explored with Human Resources? (i.e. - Cross-training, reorganization, etc.)
  - Is this a long-term County need?
- 3a. If the essential status guidelines have not been satisfied, determines the job family is not essential at this time and forwards written notification to the BOCC.
- 3b. If the essential status guidelines have been satisfied, notifies the BOCC of the essential status determination.



**TASK: ADJUSTING SALARY STEPS - CRITICAL EMPLOYEES AND NEW HIRES**

Task: TSK-825-5-HR • Effective Date: January 1, 2016 • Res. #: 077275 -  
Cancels: 073993 • Reference: None

After receiving notification of an approved critical status evaluation from the BOCC,  
**Human Resources:**

1. Prepares and submits a board order adjusting all current critical position employees' to the higher salary range at their current step. The adjustment is made effective the 1<sup>st</sup> of the month following the critical status determination or when a new employee is hired, whichever comes first. Next step eligibility is January 1<sup>st</sup> of the following year.



**TASK: ADJUSTING SALARY STEPS - ESSENTIAL EMPLOYEES AND NEW HIRES**

Task: TSK-825-6-HR • Effective Date: January 1, 2016 • Res. #: 077275  
Cancels: 073993 • Reference: None

After receiving notification of an approved essential status evaluation from the BOCC,  
**Human Resources:**

1. Prepares and submits a board order adjusting all current essential position employees' salaries to the approved step of the current salary range. The adjustment is made effective the 1<sup>st</sup> of the month following the essential status determination or when a new employee is hired, whichever comes first. Next step eligibility is January 1<sup>st</sup> of the following year.

If an employee's current step is at or above the approved step, no adjustment to either their step or next step eligibility is made.

2. Monitors new hire placement at the approved step of the current grade.

If an employee's current step is at or above the new hire's step, no adjustment to either their step or next step eligibility is made.

BOCC MINUTES-12/21/15

| Whitman County Non-represented Employee        |            |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
|--|------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| 2016 Salary Ranges for Current Classifications |            |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
|  | 2015 Steps | A       | B       | C       | D       | E       | F       | G       | H       | I       | J       | K       | L       | M       | N       |
|  | 2016 Steps | 1       | 2       | 3       | 4       | 5       | 6       | 7       | 8       | 9       | 10      | 11      | 12      | 13      | 14      |
| Accountant Supervisor                          | Salary     | 4029    | 4110    | 4192    | 4276    | 4362    | 4449    | 4538    | 4628    | 4721    | 4815    | 4912    | 5010    | 5110    | 5212    |
|  | Hourly     | 23.2469 | 23.7118 | 24.1861 | 24.6698 | 25.1632 | 25.6665 | 26.1798 | 26.7034 | 27.2375 | 27.7822 | 28.3378 | 28.9046 | 29.4827 | 30.0724 |
| Accounting Senior                              | Salary     | 3392    | 3459    | 3529    | 3599    | 3671    | 3745    | 3820    | 3896    | 3974    | 4053    | 4134    | 4217    | 4301    | 4387    |
|  | Hourly     | 19.5674 | 19.9588 | 20.3580 | 20.7651 | 21.1804 | 21.6040 | 22.0361 | 22.4768 | 22.9264 | 23.3849 | 23.8526 | 24.3296 | 24.8162 | 25.3126 |
| Administrative Secretary                       | Salary     | 2403    | 2451    | 2500    | 2550    | 2601    | 2653    | 2706    | 2760    | 2815    | 2871    | 2929    | 2987    | 3047    | 3108    |
|  | Hourly     | 13.8611 | 14.1384 | 14.4211 | 14.7096 | 15.0037 | 15.3038 | 15.6099 | 15.9221 | 16.2405 | 16.5654 | 16.8967 | 17.2346 | 17.5793 | 17.9309 |
| Administrative Director                        | Salary     | 4392    | 4480    | 4570    | 4661    | 4754    | 4849    | 4946    | 5045    | 5146    | 5249    | 5354    | 5461    | 5571    | 5682    |
|  | Hourly     | 25.3409 | 25.8477 | 26.3647 | 26.8920 | 27.4298 | 27.9784 | 28.5380 | 29.1088 | 29.6909 | 30.2847 | 30.8904 | 31.5082 | 32.1384 | 32.7812 |
| Administrative Supervisor                      | Salary     | 2799    | 2855    | 2912    | 2970    | 3029    | 3090    | 3152    | 3215    | 3279    | 3345    | 3412    | 3480    | 3549    | 3620    |
|  | Hourly     | 16.1466 | 16.4695 | 16.7989 | 17.1349 | 17.4776 | 17.8271 | 18.1837 | 18.5473 | 18.9183 | 19.2967 | 19.6826 | 20.0762 | 20.4778 | 20.8873 |
| Assistant County Engineer                      | Salary     | 4392    | 4480    | 4570    | 4661    | 4754    | 4849    | 4946    | 5045    | 5146    | 5249    | 5354    | 5461    | 5571    | 5682    |
|  | Hourly     | 25.3409 | 25.8477 | 26.3647 | 26.8920 | 27.4298 | 27.9784 | 28.5380 | 29.1088 | 29.6909 | 30.2847 | 30.8904 | 31.5082 | 32.1384 | 32.7812 |
| Bridge Superintendent                          | Salary     | 3392    | 3459    | 3529    | 3599    | 3671    | 3745    | 3820    | 3896    | 3974    | 4053    | 4134    | 4217    | 4301    | 4387    |
|  | Hourly     | 19.5674 | 19.9588 | 20.3580 | 20.7651 | 21.1804 | 21.6040 | 22.0361 | 22.4768 | 22.9264 | 23.3849 | 23.8526 | 24.3296 | 24.8162 | 25.3126 |
| Building Official                              | Salary     | 4029    | 4110    | 4192    | 4276    | 4362    | 4449    | 4538    | 4628    | 4721    | 4815    | 4912    | 5010    | 5110    | 5212    |
|  | Hourly     | 23.2469 | 23.7118 | 24.1861 | 24.6698 | 25.1632 | 25.6665 | 26.1798 | 26.7034 | 27.2375 | 27.7822 | 28.3378 | 28.9046 | 29.4827 | 30.0724 |
| Building Permit Specialist                     | Salary     | 2619    | 2671    | 2725    | 2779    | 2835    | 2892    | 2949    | 3008    | 3069    | 3130    | 3193    | 3256    | 3322    | 3388    |
|  | Hourly     | 15.1102 | 15.4125 | 15.7207 | 16.0351 | 16.3558 | 16.6829 | 17.0166 | 17.3569 | 17.7041 | 18.0581 | 18.4193 | 18.7877 | 19.1634 | 19.5467 |
| Chief Appraiser                                | Salary     | 2799    | 2855    | 2912    | 2970    | 3029    | 3090    | 3152    | 3215    | 3279    | 3345    | 3412    | 3480    | 3549    | 3620    |
|  | Hourly     | 16.1466 | 16.4695 | 16.7989 | 17.1349 | 17.4776 | 17.8271 | 18.1837 | 18.5473 | 18.9183 | 19.2967 | 19.6826 | 20.0762 | 20.4778 | 20.8873 |
| Chief Deputy Prosecutor                        | Salary     | 4787    | 4883    | 4981    | 5080    | 5182    | 5285    | 5391    | 5499    | 5609    | 5721    | 5835    | 5952    | 6071    | 6193    |
|  | Hourly     | 27.6185 | 28.1708 | 28.7342 | 29.3089 | 29.8951 | 30.4930 | 31.1029 | 31.7249 | 32.3594 | 33.0066 | 33.6667 | 34.3401 | 35.0269 | 35.7274 |
| Clerk of the Board II                          | Salary     | 2799    | 2855    | 2912    | 2970    | 3029    | 3090    | 3152    | 3215    | 3279    | 3345    | 3412    | 3480    | 3549    | 3620    |
|  | Hourly     | 16.1466 | 16.4695 | 16.7989 | 17.1349 | 17.4776 | 17.8271 | 18.1837 | 18.5473 | 18.9183 | 19.2967 | 19.6826 | 20.0762 | 20.4778 | 20.8873 |
| Computer Support Specialist II                 | Salary     | 2799    | 2855    | 2912    | 2970    | 3029    | 3090    | 3152    | 3215    | 3279    | 3345    | 3412    | 3480    | 3549    | 3620    |
|  | Hourly     | 16.1466 | 16.4695 | 16.7989 | 17.1349 | 17.4776 | 17.8271 | 18.1837 | 18.5473 | 18.9183 | 19.2967 | 19.6826 | 20.0762 | 20.4778 | 20.8873 |
| Communications System Mgr                      | Flat Rate  | 9584    |         |         |         |         |         |         |         |         |         |         |         |         |         |
|  |            | 55.2934 |         |         |         |         |         |         |         |         |         |         |         |         |         |
| Court Administrator                            | Salary     | 3111    | 3174    | 3237    | 3302    | 3368    | 3435    | 3504    | 3574    | 3646    | 3718    | 3793    | 3869    | 3946    | 4025    |
|  | Hourly     | 17.9511 | 18.3101 | 18.6763 | 19.0498 | 19.4308 | 19.8194 | 20.2158 | 20.6201 | 21.0325 | 21.4532 | 21.8822 | 22.3199 | 22.7663 | 23.2216 |
| Deputy Prosecutor                              | Salary     | 3696    | 3770    | 3846    | 3922    | 4001    | 4081    | 4163    | 4246    | 4331    | 4417    | 4506    | 4596    | 4688    | 4781    |
|  | Hourly     | 21.3246 | 21.7510 | 22.1861 | 22.6298 | 23.0824 | 23.5440 | 24.0149 | 24.4952 | 24.9851 | 25.4848 | 25.9945 | 26.5144 | 27.0447 | 27.5856 |
| Elections Supervisor                           | Salary     | 2403    | 2451    | 2500    | 2550    | 2601    | 2653    | 2706    | 2760    | 2815    | 2871    | 2929    | 2987    | 3047    | 3108    |
|  | Hourly     | 13.8611 | 14.1384 | 14.4211 | 14.7096 | 15.0037 | 15.3038 | 15.6099 | 15.9221 | 16.2405 | 16.5654 | 16.8967 | 17.2346 | 17.5793 | 17.9309 |
| Emergency Management Dir                       | Salary     | 4392    | 4480    | 4570    | 4661    | 4754    | 4849    | 4946    | 5045    | 5146    | 5249    | 5354    | 5461    | 5571    | 5682    |
|  | Hourly     | 25.3409 | 25.8477 | 26.3647 | 26.8920 | 27.4298 | 27.9784 | 28.5380 | 29.1088 | 29.6909 | 30.2847 | 30.8904 | 31.5082 | 32.1384 | 32.7812 |
| Fair/Fairgrounds & Facilities Dir              | Salary     | 3696    | 3770    | 3846    | 3922    | 4001    | 4081    | 4163    | 4246    | 4331    | 4417    | 4506    | 4596    | 4688    | 4781    |
|  | Hourly     | 21.3246 | 21.7510 | 22.1861 | 22.6298 | 23.0824 | 23.5440 | 24.0149 | 24.4952 | 24.9851 | 25.4848 | 25.9945 | 26.5144 | 27.0447 | 27.5856 |

077276 27. Commissioner Largent moved Commissioner Swannack seconded the motion and it carried to adopt the revised Public Records Policy.

RESOLUTION NO. 077276  
BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS

IN THE MATTER OF the action of the adoption for the Whitman County Policy Requesting Public Records;

WHEREAS, this policy is necessary to be compliant with legal regulations,

WHEREAS, this action is necessary and in the best interest of Whitman County and its citizens,

NOW, THEREFORE, IT IS HEREBY RESOLVED by this Board that the above is approved as the attached POL-0415-HR Requesting Public Records

Dated this 21<sup>st</sup> day of December 2015 and effective as of January 1, 2016.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
Dean Kinzer, Chairman

ATTEST:

\_\_\_\_\_  
Arthur D Swannack, Commissioner

\_\_\_\_\_  
Maribeth Becker, CMC  
Clerk of the Board

\_\_\_\_\_  
Michael Largent, Commissioner

Effective Date: 1/1/16

Approved by BOCC 12/21/15  
Res. # 077276

POLICY

Cancels: Res. 070275

See Also:

POL-0415 -HR

REQUESTING PUBLIC RECORDS

Unless otherwise stated in a union contract, this policy applies to all county agencies.

Definitions:

**County agency** - Every elective office, department, division, bureau, board, commission, or other local public entity within Whitman County's governmental structure that is or shall be subject to the provisions of the Public Records Act Chapter 42.56 RCW including advisory groups comprised of volunteers appointed to make recommendations to elected officials and excluding the County Law Library.

**Personal Data** - Any information concerning a citizen that, because of name, identifying number, mark or description, can be readily associated with a particular individual including information contained in printouts, forms, written analysis or evaluations.

**Personal Identifying Data** - Social security number, date of birth or mother's maiden name.

**Public record** - Any writing containing information relating to the conduct of government or the performance of any County function prepared, owned, used or retained by any County agency regardless of physical form or characteristics. For purposes of this chapter public record does not include court case files.

**Electronic record** - Any public record which is stored or maintained in machine-readable file format.

**Writing** - Handwriting, typewriting, printing, photostating, photographing and every other means of recording any form of communication or representation including, but not limited to, letters, words, pictures, sounds, or symbols or combination thereof and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

**1. Whitman County Complies with Public Record Laws**

The purpose of this Chapter is to provide rules by which the County implements and ensures compliance with the provisions of the Washington Public Records Act, Chapter 42.56 RCW, and other applicable laws relating to the nonexempt public records in custody or and/or maintained by Whitman County. This Policy does not apply to public records of the State of Washington, such as the records of the Administrative Office of the Courts (AOC), the Washington State Patrol (WSP), the Department of Licensing (DOL) and the Department of Corrections (DOC), that may be available to the County's employees by virtue of digital connectivity. The provisions of this Chapter shall be liberally interpreted and construed to promote full access to the County's public records in order to assure continuing public confidence in government: provided, that when making public records available the County shall prevent unreasonable invasions of privacy, shall protect public records from damage or disorganization, and shall prevent excessive interference with essential government functions.

**2. Public Records Shall be Provided to the Public**

Public records shall be made available for public inspection and copying pursuant to this Chapter, except as otherwise provided by law. Access to public records does not include access to County computer systems or terminals except for those terminals, if any, which may be specifically designated for public use.

Whitman County employees are under no obligation to create documents in the course of fulfilling a request. Nor are they required to perform research, retrieve data, provide analysis, information or any report relating to the conduct of County business when no document exists that is responsive to the request.

**3. Information Exempt from Disclosure Shall Not be Released**

The County shall publish and maintain a list of laws, other than those specifically set forth in the Public Records Act, that the County believes exempt or otherwise prohibit disclosure of public records or information contained in public records. Public records and information exempt from disclosure, in whole or in part, under the Public Records Act or any other law are exempt from disclosure under this Chapter whether or not such exemption is on any list of exemptions published and maintained by the County.

**4. Public Records Officer(s) Shall be Designated**

A Public Records Officer, or designee, shall serve as the point of contact for members of the public who request disclosure of public records. Each Public Records Officer shall be responsible for implementation of and compliance with this Chapter and the Public Records Act. Each Public Records Officer shall make his/her name and contact information available to the public in a way reasonably calculated to provide notice to the public, including posting in administrative offices, on the County's web site and, and at the discretion of the Public Records Officer, in selected County publications.

- A. The Clerk of the Board of County Commissioners is the Public Records Officer for the Board of County Commissioners.
- B. Unless otherwise designated by the Board of County Commissioners, the Chair of each county agency, bureau, committee, board and commission shall act as the Public Records Officer. Requests for contacting the Chair(s) may be made to the Whitman County Commissioners' Office or to the corresponding county department.
- C. Unless otherwise designated, each elected official and department head is the Public Records Officer for the offices and departments of Whitman County.
- D. The Public Records Officer for the superior court judge shall be the Superior Court Administrator.
- E. The Public Records Officer for the district court judges shall be the District Court Administrator.
- F. An alternate Public Records Officer shall be designated by each appointing authority to act when the designated Public Records Officer is absent or otherwise unavailable to act.

**5. Public Records Requests --How and Where to Make Them**

A request for public records shall be directed to the Public Records Officer for the office or department having custody or control of the requested records. If the location of records is unknown, then the request may be made to the Board of County Commissioners.

In order to avoid confusion, a request for public records should be made in writing and include the following information:

The requester's name, mailing address, and telephone number;

- 1. The date of the request;
- 2. A clear indication that the document is a "Public Records Request;"
- 3. Whether the request is to inspect the public records or for copies of public records, or both;
- 4. A clear description of the public records requested for inspection and/or copying and the office or department having custody of the public records;
- 5. Whether the request is for printed or digital copies of the public record.

The Public Records Officer may ask that any verbal request be put in writing, but the requestor is not required to do so. The individual responding to the request shall make a record of the request containing the information listed above and retain that record in accordance with state retention laws. **Whitman County maintains a record of all public records requests, verbal and written.**

The County shall develop and maintain forms to facilitate public record requests. Requests for inspection or copying of public records maintained by an agency of the State of Washington or another government agency must be made to such agency and will be subject to that agency's rules and regulations, including required forms and fees.

**6. Record Requests Shall be Made During Regular Business Hours**

Public records shall be inspected at the offices of the elected official or departments having custody or control of the records. Public records shall be available for inspection during the regular office hours excluding legal holidays: provided, that there is no obligation to allow inspection immediately upon demand.

A Public Records Officer may request that the person seeking to inspect public records schedule an appointment for inspection.

Consistent with other demands and resources, each County agency may adopt policies and prevent the fulfilling of public records requests from causing excessive interference with the essential functions of said agency.

The public should contact each office to determine office hours available.

**7. Public Records Officers Shall Respond to Requests**

The Public Records Officer shall, to the extent practicable, assist requesters in identifying the public records sought.

There is no obligation to allow inspection or provide a copy of a public record on demand. Within five business days after receiving a public record request, the Public Records Officer shall respond to the request in writing. The Public Officer shall make one or more of the following responses:

1. The request for inspection of public records is approved and whether an appointment for inspection needs to be scheduled by the requester;
2. The request for copies of public records is approved and the copies of all requested records are enclosed with the response;
3. The request has been received by the Public Records Officer, that additional time is needed to respond to the request, and stating a reasonable estimate of the time required to respond;
4. The request has been received by the Public Records Officer and the records shall be provided on a partial or installment basis as the records are identified, located, assembled and/or made ready for inspection or copying; or
5. The request is denied, in whole or in part, whether by withholding a requested record or redacting a requested record, stating the specific exemption(s) prohibiting disclosure and a brief explanation of how the exemption applies to each withheld and redacted record (See Exemption Log).

The Public Records Officer shall immediately notify the requester if, after responding to a request for public records and approving the request, the Public Records Officer identifies requested public records or information that are exempt from disclosure.

The Public Records Officer shall also notify the requestor if, after responding with the request, he/she becomes aware of additional responsive documents existing at the time of the request.

Additional time to respond to a request may be needed and based upon the County's need to:

1. Clarify the intent of the request;
2. Identify, locate, assemble and/or make the records ready for inspection or disclosure;
3. Notify third persons or agencies affected by the request; or
4. Determine whether any of the records or information requested is exempt from disclosure and whether a denial should be made as to all or part of the request.

If a requester fails to clarify the request within fourteen calendar days after receiving a response from the Public Records Officers seeking clarification, the Public Records Officer need not respond further to the request.

If the Public Records Officer does not respond in writing within five working days after receipt of a request for public records, the requester shall be entitled to request review by either the Public Record Officer's elected official or department head.

If the Public Records Officer provides an estimate of the time required to respond to the request and the requester believes the amount of time stated is not reasonable, then the requester may request that the Public Record Officer's elected official or department head review the estimate of time.

When a request for public records is received that concerns a subject known to involve litigation that is pending, threatened or anticipated, the Public Records Officer shall promptly notify the Prosecuting Attorney of the request.

**8. Copying and Delivery Fees May Apply**

Whitman County may not charge fees concerning the following circumstances:

1. No fee will be charged for the inspection of a public record.
2. No fee will be charged for locating public records in response to a request.
3. No fee will be charged for searching for public records or preparing an index of exempt documents.

The following fees are allowable for charge to the requestor:

1. A reasonable fee will be charged to reimburse the County for the costs of providing copies. The Public Records Officer may waive the fee on the basis that the expense of processing the payment exceeds the costs of providing the copies.
2. A reasonable fee shall be charged to reimburse the County for the cost of delivering copies of public records to a requester, including the cost of packaging the copies for delivery and the cost of postage or delivery service.
3. Any request for which the response will be more than 100 pages of documents, oversized documents, color photographs or reproductions, tape recordings and computer disks may be sent to a private copying service for copying, in which case the copying fee shall be the actual charge imposed for copying, plus applicable taxes and shipping costs.
4. The Public Records Officer may require that all copying and delivery fees be paid in advance of the release of the copies.
5. Statutory Charges. The fee for searching records, research, and/or providing a copy of a public record may be set by statute. Where the state or federal law sets a fee, that fee will be charged. Court papers (RCW 3.62.060), duplication of electronic tapes of a court proceeding (RCW 3.62.060); traffic accident reports (RCW 46.52.085); and criminal history information (RCW 10.97.100) are examples.
6. Unless a fee is fixed by another federal, state or county ordinance, a reasonable fee may be imposed for providing records. Such charges shall not exceed the amount necessary to reimburse the County. Fee information may be obtained through the appropriate Public Records Officer(s).
7. The Public Records Officer may require a deposit in an amount not to exceed ten percent of the estimated cost of providing requested public records. If the Public Records Officer responds to a request on a partial or installment basis, the requester shall be charged for each part or installment responding to the request. If a partial or installment response is not paid for, claimed or reviewed by the requester, the Public Records officer is not obligated to fulfill the balance of the request.

**9. Records Shall be Protected**

Each Public Records Officer shall, to the extent practicable, insure that records requested are not misplaced or misfiled by members of the public during inspections

and not removed from the County office. Original public records shall not be released to the public, except in the use of a professional copier.

No person shall knowingly alter, disorganize, deface or destroy public records of the agency.

The Public Records Officer is authorized to promulgate policies to ensure, to the extent practicable, that requested records are not removed from the premises nor portions thereof removed by members of the public.

If a public record request is made at a time when a record exists, but the record is scheduled for destruction in the near future, the Public Records Officer shall direct that the record be retained until the request is resolved.

**10. Providing Backup and Security Copies is Not Required**

In order to prevent excessive interference with essential functions of the County, the County shall not search backup or security systems for copies of public records when the originals of such records have been identified, located and are available for inspection and/or copying.

**11. Denials of Records are Subject to Appeal**

Any person who objects to the denial of a request for a public record may petition in writing the elected official or department head of the agency delivering the information. The elected official or department head shall respond within two business days of receipt of the petition.

A requester's administrative remedies shall not be deemed exhausted until the appropriate elected official has made a written decision. The County shall be deemed to have made a final decision denying a request for public records only after a review conducted under this section has been completed.

**12. Records May be Provided in an Electronic Format**

The County produces and maintains data in various electronic machine-readable formats to maximize efficiency in fulfilling its basic public service functions. These electronic records relate to the operation and conduct of County government and typically include such things as financial data, property records, property assessment records, filed documents, maps, etc.

Electronic records are public records subject to disclosure under the Public Records Act and this Chapter, unless exempt from disclosure under state or federal law or the request is for proprietary data which the County has obtained under a licensing agreement that does not permit disclosure to third parties.

At the option of the Public Records Officer, electronic records may be printed and provided in paper format. The electronic record may also be provided in the digital format in which the record is maintained by the County. The County does not have the obligation to convert an electronic record to a digital format that is different than the format maintained by the County.

Fees for providing electronic records in electronic form shall be based on the actual cost of the media used to provide the records. Overhead for information system acquisition and maintenance shall not be included in such fees.

**13. A Request Form and Copies of this Policy Are Available**

Copies of this Chapter and public records request forms shall be available to and provided to the public, without cost, at each County office. Electronic copies shall be made available to the public on the County's website.

**14. Denials of Exempted Records May Occur**

Each County agency has the right to determine that a public record requested in accordance with the procedures outlined in this policy is exempt under the provisions of the Washington Public Records Act or other law (See Appendix A).

Each County agency reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is a reason to believe that disclosure or such details would be an invasion of personal privacy protected by the Washington Public Records Act or other law.

Public Records Officers should read the exemptions for public records and consult the lists of provisions that exempt or prohibit disclosure of documents or information on public records on a regular basis. Listed below are some of the subjects of exemptions which may present concerns regarding disclosure. This list is not exhaustive and shall not be construed to mean all the items are automatically exempt from disclosure. Any denial of a request for public records should refer directly to the reference under state or federal laws. If a request concerns any of the following topics, the Public Records Officer should closely examine the request and the applicable statutes which may prohibit or restrict access and consult with the Prosecuting Attorney prior to responding to a public records request:

- Job application materials;
- Residential addresses and personal phone numbers of employees and volunteers;
- Personnel files of current and retired employees and volunteers, whether or not such files include disciplinary action;
- Private communications of current and former employees;
- Taxpayer information that is private, such as income information;
- Investigative records compiled by law enforcement, probation officers and code enforcement officers;
- Identity of witnesses to crimes or persons who file complaints with investigation and law enforcement agencies, including the sheriff, prosecuting attorney and code enforcement officers;
- Test questions, scoring keys or information for employment examinations;
- Real estate appraisals made for an agency relative to the acquisition or sale of property;
- Valuable designs, formulae, drawings and research data;
- Preliminary drafts, notes, recommendations in which opinions are expressed as part of the deliberative process;
- Attorney work product pertaining to pending, threatened or completed litigation;
- Records, maps or other information identifying the location of archeological sites;
- Complaints and investigative records compiled in connection with claims of discrimination in employment;
- Credit card numbers;
- Records prepared to prevent, mitigate or respond to criminal terrorist acts;
- Information regarding the infrastructure and security of computer and telecommunication networks;
- Medical records and information;
- Information pertaining to victims of crime;
- Information regarding organized crime;
- Traffic accident reports prepared by citizens;
- Industrial insurance claim files and records; and
- Identity of child victims of sexual assault.

15. Whitman County Maintains an Exemption From Record Indexing

The Board of County Commissioners finds that Whitman County government is comprised of many branches, boards, departments, divisions, subdivisions, agencies, offices, commissions and many other County entities that maintain separate and distinct recordkeeping systems. The records are voluminous, diverse, complex, and are stored in incompatible databases. Indexing of these records would be overwhelmingly costly to the Whitman County taxpayers, while substantially interfering with effective and timely County office operations. As a result, it would be unduly burdensome, if not physically impossible to develop an index of those records indentified in RCW 42.56.070(3) or as the statute may be amended in the future.

No Whitman County agency is required to maintain an index of public records conforming to the requirements of RCW 42.56.070(3) or as the statute may be amended in the future.

Any index maintained by a County agency shall be made available for public inspection and copying unless exempt from disclosure or made confidential by law.

**Appendix A  
Exemption and Prohibition Statutes  
Not Listed in Chapter 42.56 RCW**

**Washington State Statutes**

**Citation Records**

- RCW 1.08.027 Code reviser drafting services
- RCW 2.64.111 Documents regarding discipline/retirement of judges
- RCW 2.64.113 Confidentiality - violations
- RCW 4.24.550 Information on sex offenders to public
- RCW 4.24.601 Trade secrets and confidential research, development or commercial information
- RCW 4.24.611 Trade secrets, confidential research, development or commercial info. concerning products or business methods
- RCW 4.92.210 Information in centralized risk management claim tracking system
- RCW 5.60.060 Privileged communications
- RCW 5.60.070 Court-ordered mediation records
- RCW 7.07.070 Mediation communications
- RCW 7.68.140 Victims' compensation claims
- RCW 7.69A.030(4) Child victims and witnesses - protection of identity
- RCW 7.69A.050 Rights of child victims and witnesses - addresses
- RCW 7.75.050 Records of Dispute Resolution Centers
- RCW 7.88.020 & .30 Financial institution compliance review documents
- RCW 9.51.050 Disclosing transaction of grand jury
- RCW 9.51.060 Disclosure of grand jury deposition
- RCW 9.02.100 Reproductive privacy
- RCW 9A.82.170 Financial institution records - wrongful disclosure
- RCW 9.73.230 Name of confidential informants in written report on wire tapping
- RCW 9.94A.610(1)(b) Names of witnesses notified when drug offenders released
- RCW 9.94A.612(1) Names of victims, next of kin, or witnesses who are notified when prisoner escapes on parole, or released
- RCW 9.94A.745 Records of the interstate Commission for Adult Offender Supervision that would adversely affect personal privacy rights or proprietary interests
- RCW 9.94A.885 Info. Regarding victims, survivors of victims or witnesses that are sent clemency hearing notices may not be released to offender
- RCW 9.98.260 Info. Regarding victims, survivors of victims or witnesses that are sent pardon hearing notices may not be released to offender
- RCW 10.27.090 Grand jury testimony/evidence
- RCW 10.27.160 Grand jury reports - release to public only by judicial order
- RCW 10.29.030 Organized crime special inquiry judge
- RCW 10.29.090 Records of special inquiry judge proceedings
- RCW 10.52.100 Records identifying child victim of sexual assault
- RCW 10.77.210 Records of persons committed for criminal insanity
- RCW 10.97 RCW Privacy of criminal records, including criminal history info. on arrests, detention, indictment, or other formal criminal charges made after 12/31/77 unless dispositions are included
- RCW 10.101.020 Information given by persons to determine eligibility for indigent defense
- RCW 11.110.075 Instrument creating a charitable trust, possibly only if the instrument creates a trust for both charitable and non-charitable purposes

**BOCC MINUTES-12/21/15**

RCW 13.04.155 Information on juvenile conviction by adult criminal court given to school principle  
RCW 13.24.011 Records of the Interstate Compact for Juveniles that would adversely affect personal privacy rights or proprietary interests

RCW 13.32A.090 Crisis residential centers notice to parent about child  
RCW 13.34.115 Court dependency proceedings  
RCW 13.40.150 Sources of confidential information in dispositional hearings on juvenile offenses  
RCW 13.40.215 Info. about victims, next of kin, or witnesses requesting notice of release of juvenile convicted of violent sex offense or stalking

RCW 13.40.217 Juveniles adjudicated of sex offenses - release of information  
RCW 13.50.010 Maintenance of and access to juvenile records  
RCW 13.50.050 Juvenile offenders  
RCW 13.50.100 Juvenile/children records not relating to offenses  
RCW 13.60.020 Missing children information  
RCW 13.70.090 Citizen juvenile review board - confidentiality  
RCW 15.19.080 Info. on purchases, sales or production of ginseng by individual growers or dealers  
RCW 15.86.110 Business records the Dept. of Agriculture obtains regarding organic food products  
RCW 15.54.362 Info. Regarding business operations contained in reports on commercial fertilizer  
RCW 15.58.060(1) (c) Business info. of a proprietary nature regarding pesticide formulas  
RCW 15.58.065(2) Privileged or confidential commercial or financial information, trade secrets re. pesticides

RCW 15.65.510 Information on agricultural marketing agreements  
RCW 15.86.110 Business records obtained by Dept. of Agriculture regarding organic food products  
RCW 17.24.061(2) Trade secrets or commercial or financial info. obtained by Dept. of Agriculture re. insect pests, noxious weeds, or organisms affecting plant life

RCW 18.04.405 Confidentiality of information gained by CPA  
RCW 18.19.060 Notification to clients by counselors  
RCW 18.19.180 Confidential communications with counselors  
RCW 18.20.120 Identity of individual or name of boarding homes from boarding home licensing records  
RCW 18.20.390 Information and documents created, collected and maintained by a quality assurance committee

RCW 18.39.510(1) Complaints against embalmers and funeral directors  
RCW 18.46.090 Information on maternity homes received by Dept of health identifying individuals or maternity homes

RCW 18.53.200 Information and records of optometrists  
RCW 18.64.420 Records obtained by Dept. of health regarding various insurance companies  
RCW 18.71.0195 Contents of physician disciplinary report  
RCW 18.71.340 Entry records under impaired physician program  
RCW 18.83.110 Communications between client and psychologist-could apply to records  
RCW 18.130.095(1)(a) Complaints filed under uniform disciplinary act or health professionals  
RCW 18.130.172(1) Summary and stipulations in complaints against health care professionals  
RCW 18.130.175(4) Voluntary substance abuse records on health care professionals  
RCW 19.16.245 Collection agency financial statements  
RCW 19.28.515 Information obtained from electrical contractor by Dept. of Licenses  
RCW 19.34.240(3) Private digital signature keys  
RCW 19.108.020 Equitable remedies to preserve secrecy of trade secrets  
RCW 19.215.020 Destruction of personal health and financial information  
RCW 19.215.030 Compliance with federal rules  
RCW 21.20.480 Security act investigations  
RCW 21.20.855 Reports and information from Dept. of Financial Services examinations  
RCW 21.30.170 Some information obtained by the Dept. of Financial Institutions  
RCW 22.09.040(9) Financial information on warehouses supplied to the Dept. of Agriculture  
RCW 22.09.045(7) Financial information on grain dealers supplied to Dept. of Agriculture  
RCW 24.03.435 Information in interrogatories of nonprofit corporations by Secretary of State  
RCW 24.06.480 Info. in interrogatories of nonprofit misc. and mutual corporations by Secretary of State  
RCW 26.04.175 Name and address of domestic violence victim in marriage records  
RCW 26.09.015 Divorce mediation proceedings-may apply to records of the proceedings  
RCW 26.12.170 Reports of child abuse/neglect with courts  
RCW 26.12.180 Superior Court may order family court files closed to protect privacy  
RCW 26.23.050 Child support orders  
RCW 26.23.120 Child support records  
RCW 26.23.150 Social security numbers collected by licensing agencies not to be disclosed  
RCW 26.26.041 Uniform Parentage Act - protection of participants  
RCW 26.26.450 Confidentiality of genetic testing  
RCW 26.33.330 Sealed court adoption records  
RCW 26.33.340 Agency adoption records  
RCW 26.33.343 Access to adoption records by confidential intermediary  
RCW 26.33.345 Release of name of court for adoption or relinquishment  
RCW 26.33.380 Adoption - identity of birth parents confidential  
RCW 26.44.010 Privacy of reports on child abuse and neglect  
RCW 26.44.020(19) Unfounded allegations of child abuse or neglect  
RCW 26.44.030 Reports of child abuse/neglect  
RCW 26.44.125 Right to review and amend abuse finding - confidentiality  
RCW 27.53.070 Records identifying the location of archaeological sites  
RCW 28B.85.020(2) Financial disclosures provided to HEC Board by private vocational schools

**BOCC MINUTES-12/21/15**

RCW 28C.10.050(1)(a) Financial disclosures by private vocational schools  
RCW 28C.18.020 List of nominees for director of Work Force Training & Education Board  
RCW 29A.08.720 Voter registration records - place of registration confidential  
RCW 29A.08.710 Voter registration records - certain information exempt  
RCW 30.04.075(1) Information obtained from bank examinations  
RCW 30.04.230(4)(a) Information regarding investigations of out-of-state banks  
RCW 30.04.410(3) Findings related to disapprovals of bank acquisitions  
RCW 31.12.565(1) Examinations and reports on credit unions  
RCW 31.35.070 Reports on examinations of agricultural lenders  
RCW 31.45.030(3) Addresses and phone numbers and trade secrets of applicants of check cashers or sellers  
RCW 31.45.090 Trade secrets supplied by licensed check cashers and sellers as part of the annual report to Director of Financial Institutions  
RCW 31.45.077(2) Addresses and phone numbers and trade secrets of applicants of small loan endorsements  
RCW 32.04.220(1) Information from examinations of mutual savings banks  
RCW 32.32.228(3) Findings disapproving conversion from mutual savings bank to capital stock savings bank  
RCW 32.32.275 Info. applicants deem confidential relating to conversion of mutual savings bank to capital stock savings bank  
RCW 33.04.110(1) Information from examinations of savings and loan associations  
RCW 33.24.360(1)(d) Name of lender financing an acquisition of a savings and loan, if requested by applicant  
RCW 36.102.200 Financial info on master tenant, concessioners, team affiliate, or sublease of a public stadium authority's facilities  
RCW 39.10.100(2) Trade secrets & proprietary information from contractors under alternative public works  
Chapter 40.14 RCW Preservation and destruction of public records  
RCW 40.24.070 Names of persons in domestic violence or sexual assault programs; and records in address confidentiality program  
RCW 41.04.364 Individually identifiable information in state employee wellness program  
RCW 41.06.160 Salary and fringe benefit info identifying private employer from DOP salary survey  
RCW 42.23.070(4) Municipal officer disclosure of confidential information prohibited  
RCW 42.41.030(7) Identity of local government whistleblower  
RCW 42.41.045 Non-disclosure of protected information (whistleblower)  
RCW 42.48.020&.040 Personally identifiable public records used in scientific research  
RCW 42.56.420 Security Related Information  
RCW 43.06A.050 investigative records of Office of Family and Children's ombudsman  
RCW 43.07.100 Info from businesses deemed confidential held by Bureau of Statistics in Sec. of State  
RCW 43.21A.160 Information on unique production processes given to the DOE  
RCW 43.21F.060(1) Proprietary information received by the State Energy Office  
RCW 43.22.290 Employer labor statistics reports provided to the Department of Labor and Industries  
RCW 43.23.270 Financial and commercial info. obtained by Dept. of Agriculture for export market development projects  
RCW 43.33A.025 State Investment Board criminal history record check  
RCW 43.41.100 Confidential reports made to the governor by director of OFM  
RCW 43.41.350 Risk management loss history information  
RCW 43.43.710 WSP information in records relating to the commission of any crime by an person  
RCW 43.43.856 WSP organized crime investigation information  
RCW 43.52.612 Financial info provided to operating agencies in bid forms and experience provided by a contractor to a joint operating agency regarding bids on constructing a nuclear project  
RCW 43.70.050(2) Health care related data identifying patients or providers obtained by state agencies  
RCW 43.70.052 American Indian health data  
RCW 43.70.075 Identity of whistleblower who makes a complaint to the Dept. of Health re: improper care  
RCW 43.70.510 Information and documents created, collected and maintained by a quality assurance committee  
RCW 43.190.110 Compliant and investigation records of long term care ombudsman  
RCW 46.12.380(1) Names and addresses of motor vehicle owners except for "business" & other purposes  
RCW 46.20.041 Info on physically or mentally disabled person demonstrating ability to drive  
RCW 46.20.118 Photos on drivers' licenses & identicards  
RCW 46.52.065 Blood samples analyses done by state toxicology  
RCW 46.52.080 Traffic accident reports - confidentiality  
RCW 46.52.083 Traffic accident reports - available to interested parties  
RCW 46.52.120 Traffic crimes and infractions - confidential use by police and courts  
RCW 46.52.130(2) Abstract of driving record  
RCW 46.70.042 Application for vehicle dealer licenses, for three years  
RCW 47.28.075 Info supplied to DOT to qualify contractors for highway construction  
RCW 47.28.760 Info supplied to DOT to qualify contractors for ferry construction  
RCW 48.02.120 Insurance company actuarial formulas, statistics & assumptions held by Insurance Commissioner  
RCW 48.03.050 &.040(6)(a) Examinations & investigations by state Insurance Commissioner  
RCW 48.05.465 Insurance risk base capital reports & plans  
RCW 48.20.530 Proof of nonresident pharmacy licensure used by insurance companies to provide drugs to residents  
RCW 48.21.330 Proof of nonresident pharmacy licensure used by insurance companies to provide drugs to residents  
RCW 48.44.470 Proof of nonresident pharmacy licensure used by insurance companies to provide drugs to residents

**BOCC MINUTES-12/21/15**

RCW 48.46.540 Proof of nonresident pharmacy licensure used by insurance companies to provide drugs to residents

RCW 48.30A.060 Insurance company antifraud plans submitted to Insurance Commissioner

RCW 48.31B.015(2)(b) Source or consideration for loan associated w/acquiring an insurance company

RCW 48.43.335(1) Insurance risk base capital reports & plans

RCW 48.62.101 Local government insurance transactions - access to information

RCW 48.74.025(4) Memo in support of life insurance co. reserves

RCW 48.94.010 Summary of Insurance Commissioner's refusal to issue reinsurance intermediary license

RCW 48.102.030 Insurance vehicle settlement broker records

RCW 48.110.040 Financial reports files with the Insurance Commissioner

RCW 48.130.070 Records of the Interstate Insurance Product Regulation compact involving privacy of individuals and insurers trade secrets

RCW 49.17.0180(1) Name of employee of company seeking Industrial Safety & Health Act

RCW 49.17.200 Trade secrets reported to L&I under Wash. Industrial Safety & Health Act

RCW 49.17.210 Identification of employer of employee in L&I studies

RCW 49.17.250(3) Info obtained by L&I form employer-requested consultation re. Industrial Safety & Health Act

RCW 49.17.260 L&I investigative reports on industrial catastrophes

RCW 49.60.240 Option of Human Rights Commission complaints not to be made public

RCW 49.70.119(6)(a) Name of employee seeking records of agricultural pesticide applications

RCW 50.13.015 Most info supplied to Employment Security Dept

RCW 50.13.015.020 Most info supplied to Employment Security Dept

RCW 50.13.040 Most info supplied to Employment Security Dept

RCW 50.13.050 Most info supplied to Employment Security Dept

RCW 50.13.060 Access to employment security records by local government Agencies

RCW 50.13.100 Disclosure of non-identifiable information or with consent

RCW 51.16.070(2) Info in employer's records obtained by L&I under Industrial Insurance

RCW 51.28.070 Worker's compensation records

RCW 51.36.060 Physician information on injured workers

RCW 51.36.110(1) Info in audits of health care providers under Industrial Insurance

RCW 51.36.120 Financial or valuable trade info from health care providers

RCW 53.31.050 Financial & Commercial info & records supplied to port district export trading company

RCW 60.70.040 No duty to disclose record of common law lien

RCW 63.29.380 Info relating to unclaimed property that is furnished to the Dept of Revenue

RCW 66.16.090 Records of purchases by individuals from state liquor stores

RCW 68.50.105 Autopsy reports

RCW 68.50.320 Dental identification records - available to law enforcement agencies

RCW 69.41.044 Pharmaceutical manufacturer info obtained by the Board of Pharmacy

RCW 69.41.280 Info on legend drugs obtained by the Board of Pharmacy

RCW 69.45.090 Records and information supplied by drug manufacturers to the Board of Pharmacy

RCW 69.51.050 Names of persons participating in controlled substances therapeutic research programs

Chapter 70.02 RCW Medical records - access and disclosure - entire chapter (HC providers)

RCW 70.05.170 Child mortality reviews by local health departments

RCW 70.24.022 Public health agency information regarding sexually transmitted disease investigations - confidential

RCW 70.24.024 Transcripts and records of hearings regarding sexually transmitted diseases

RCW 70.24.034 Records on hearings on dangerous sexual behavior of sexually transmitted disease carriers

RCW 70.24.105 HIV/STD records

RCW 70.28.020 Local health department TB records - confidential

RCW 70.41.150 Dept of Health info on inspections of hospitals

RCW 70.41.220 Records restricting practitioner's privileges in possession of medical disciplinary board

RCW 70.42.210 Identity of person from whom specimens of material were taken at a medical test site

RCW 70.47.150 Records of medical treatment

RCW 70.54.250 Cancer registry program

RCW 70.48.100 Jail records and booking photos

RCW 70.58.055 Birth certificates - certain information confidential

RCW 70.58.104 Vital records, research confidentiality safeguards

RCW 70.77.455 Fireworks license records

RCW 70.94.205 Washington Clean Air Act - confidentiality of data

RCW 70.95.280 Proprietary info on solid waste management practices in possession of DOE

RCW 70.95C.040(4) Proprietary info re. waste reduction in possession of DOE

RCW 70.95C.220(2) Waste reduction plans

RCW 70.95C.240(1) Some info in executive summaries of waste reduction efforts

RCW 70.96A.150 Alcohol and drug abuse treatment programs

RCW 70.104.055 Reports on pesticide poisoning

RCW 70.105.170 Manufacturing or business info re. Hazardous waste management in possession of DOE

RCW 70.118.070 Trade secret info re. on-site sewage disposal in possession of DOE

RCW 70.123.075 Client records of domestic violence programs

RCW 70.124.100 Name of whistleblower in nursing home or state hospital

RCW 70.125.065 Records of rape crisis centers in discovery

RCW 70.127.190 Hospice records

RCW 70.129.050 Personal and clinical records of long-term care residents

RCW 70.148.060(1) Examination & proprietary records obtained when soliciting bids for cleanup of underground storage tanks

## BOCC MINUTES-12/21/15

RCW 70.149.090 Certain info re. hearing oil tanks  
RCW 70.168.070 Limitations on disclosure of reports made on site review of trauma care services  
RCW 70.168.090 Patient records & quality assurance records associated with trauma care facilities  
RCW 70.170.090 Charity care information in hospitals  
RCW 71.05.390 Information about mental health consumers  
RCW 71.05.395 Ch. 70.02 RCW applies to mental health records  
RCW 71.05.400 Information to next of kin or representative  
RCW 71.05.425 Notice of release or transfer of committed person after offense dismissal  
RCW 71.05.427 Information that can be released  
RCW 71.05.430 Statistical data  
RCW 71.05.440 Penalties for unauthorized release of information  
RCW 71.05.445 Release of mental health information to Dept. of Corrections  
RCW 71.05.620 Authorization requirements and access to court records  
RCW 71.05.630 Release of mental health treatment records  
RCW 71.05.640 Access to treatment records  
RCW 71.05.650 Accounting of disclosures  
RCW 71.09.140(2) Names of victims, next of kin, or witnesses who are notified when sexually violent predator escapes, on parole or released  
RCW 71.24.035(5)(g) Mental health information system - state, county and regional  
Support networks - confidentiality of client records  
RCW 71.34.200 Mental health treatment of minors - records confidential  
RCW 71.34.210 Court records for minors related to mental health treatment  
RCW 71.34.225 Release of mental health services information  
RCW 71.34.340 Records on mental treatment of minors  
RCW 71.34.335 Records on mental treatment of minors  
RCW 71.34.350 Records on mental treatment of minors  
RCW 71A.14.070 Records regarding developmental disability - confidentiality  
RCW 72.09.345 Notice to public about sex offenders  
RCW 72.09.585(3) Disclosure of inmate records to local agencies - confidentiality  
RCW 74.04.060 Applicants and recipients of public assistance  
RCW 74.04.062 Public assistance records  
RCW 74.04.520 Food stamp program confidentiality  
RCW 74.09.290(1) Medical records of persons in public assistance  
RCW 74.09.900 Medical assistance  
RCW 74.13.121 Financial information of adoptive parents  
RCW 74.13.280 Children in out-of-home placements - confidentiality  
RCW 74.13.133 Adoption support records  
RCW 74.20.160 Public assistance records  
RCW 74.20.280 Child support enforcement - local agency cooperation, information  
RCW 74.20A.360 Certain records in division of child support  
RCW 74.20A.370 Certain records in division of child support  
RCW 74.34.040 Identity of person making report on abuse of vulnerable adult  
RCW 74.34.090 Identity of persons in records of abused vulnerable adults  
RCW 74.34.095 Abuse of vulnerable adults - confidentiality of investigations and reports  
RCW 74.34.180(1) Name of whistleblower reporting abuse of vulnerable adults in various facilities  
RCW 74.42.080 Records of nursing home residents  
RCW 74.42.640 Information and documents created, collected and maintained by a quality assurance committee  
RCW 76.09.230 Documents obtained in forest practices appeals board mediation efforts  
RCW 78.52.260 Well logs on oil capable of being produced from a "wildcat" well  
RCW 79.76.230 Geothermal records filed with Dept. of Natural Resources (DNR)  
RCW 79A.25.150 Names of candidates for director of interagency committee for outdoor recreation  
RCW 79A.60.210&.220 Certain boating accident reports provided to the Parks & Recreation Commission  
RCW 80.04.095 Utility records filed with UTC containing valuable commercial information  
RCW 82.32.330 Disclosure of tax information  
RCW 84.08.210 Tax info obtained by Dept of Revenue if highly offensive to a reasonable person and not a legitimate concern to public or would result in unfair competitive disadvantage  
RCW 84.36.389 Confidential income data in property tax records held by assessor  
RCW 84.40.020 Confidential income data supplied to assessor regarding real property  
RCW 84.40.340 UTC records containing commercial info a court determines confidential

### Selected Federal Confidentiality Statutes and Rules

#### Citation Records

18 USC § 2721-2725 Driver and License Plate Information  
20 USC § 1232g Family Education Rights and Privacy Act  
42 USC 290dd-2 Confidentiality of Substance Abuse Records  
42 USC 405(c)(2)(vii)(1) Limits on Use and Disclosure of Social Security Numbers.  
42 USC 654(26) State Plans for Child Support  
42 USC 671(a)(8) State Plans for Foster Care and Adoption Assistance  
42 USC 1396a(7) State Plans for Medical Assistance  
7 CFR 272.1(c) Food Stamp Applicants and Recipients  
34 CFR 361.38 State Vocational Rehabilitation Services Programs  
42 CFR Part 2 (2.1 - 2.67) Confidentiality of Alcohol and Drug Abuse Patient Records  
42 CFR 431.300 - 307 Safeguarding Information on Applicants and Recipients of Medical Assistance

**BOCC MINUTES-12/21/15**

42 CFR 483.420 Client Protections for Intermediate Care Facilities for the Mentally Retarded  
42 CFR 5106a(b)(2)(A) Grants to States for Child Abuse and Neglect Prevention and Treatment Programs  
45 CFR 160-164 HIPAA Privacy Rule

**077277 28.** Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried to approve the first** amendment to the interlocal agreement for Enhanced E911 Emergency Communication and Dispatch System.

**10:05 a.m.** - Janet Schmidt and Gary Petrovich.

**077278 29.** Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve the addendum to the first amended Indigent Defense contract amendment.

**D077278A 30.** Other miscellaneous year-end documents.

**077279 30A.** Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve Uniontown's 2014 - .09 project for an extension until May 1, 2016.

**CORRESPONDENCE:**

**D077279A 31.** The following correspondence was received:

**077280 31A.** A letter was received from Scott Cornelius regarding the John Wayne Trail.

**077281 31B.** Washington Department of Fish and Wildlife Hydraulic project permit rules information was received from K&L Gates.

**077282 31C.** A copy of the 2016 City of Pullman budget was received.

**077283 31D.** An executed copy of the 2010 Caterpillar roller purchase agreement between Whitman County and Chelan County was received.

**077284 31E.** A letter was received from the Island County Board of Commissioners regarding a pending legal action that threatens to overturn the right of County Boards of Commissioners to retain special counsel when needed to perform the business of their county.

**077285 31F.** Notice of a liquor license due to expire 03/31/16 was received from the Washington State Liquor and Cannabis Board.

**077286 31G.** Information pertaining to state right-of-way at SR 195 and SR 276 was received from the Washington State Department of Transportation.

**077287 32.** Commissioners' pending list reviewed.

**10:10 a.m.** - Cinnamon Brown and Paul Spencer.

**D077287A 32A.** Approved documents signed.

**10:20 a.m.** - **Indigent Defense Services Hearing.**

Present: Denis Tracy, Janet Schmidt, Kelli Campbell, Gary Petrovich, Cinnamon Brown, Paul Spencer, Bill Spence and Kara McMurray.

**077288 33.** At 10:20 a.m. the regular meeting was recessed and the hearing convened by the Chairman for the proposed enactment of Whitman County Code, Title 2.07-Indigent Defense Services.

Denis Tracy explained the state passed a statute requiring counties to adopt Indigent Defense ordinances. The State Supreme Court then passed its requirements. The proposed ordinance with the Prosecutor's revisions, have been reviewed by the District and Superior Court Judges and indigent defense contractors. The Prosecutor recommended approval of the ordinance as presented.

There being no other comments the hearing was adjourned and the regular meeting reconvened.

077288 34. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve the addition of Title 2, Chapter 2.07 to the Whitman County Code, Standards for the Delivery of Indigent Defense Services.

**WHITMAN COUNTY ORDINANCE NO. 077288**

An Ordinance Relating to Standards for the Delivery of Indigent Defense Services:

WHEREAS, the Washington Legislature has mandated that counties adopt a legal representation plan that addresses standards for the delivery of indigent defense services (RCW 10.101.030); and

WHEREAS, Whitman County seeks to adopt indigent defense standards;

NOW, THEREFORE, BE IT ENACTED by Whitman County, through its Board of County Commissioners to adopt standards for the delivery of indigent defense services as attached.

PASSED, APPROVED AND ADOPTED this 21<sup>st</sup> day of December, 2015.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
Dean Kinzer, Chairman

ATTEST:

\_\_\_\_\_  
Arthur D Swannack, Commissioner

\_\_\_\_\_  
Maribeth Becker, CMC  
Clerk of the Board

\_\_\_\_\_  
Michael Largent, Commissioner

**STANDARDS FOR THE DELIVERY OF INDIGENT DEFENSE SERVICES**

**2.07.010 Contract**

A. Except where services are provided or paid for by the state or some other entity, or otherwise provided for in this chapter, all indigent defense services for Whitman County Superior and District Courts shall be provided pursuant to a written contract between the indigent defense attorney(s) and the County, with input, and/or approval and/or ratification from judicial officers.

B. In the event indigent services outside the contract are necessary because of conflict of interest or some other legal or ethical reason, qualified attorneys shall be appointed by the court and paid on an hourly basis determined by the judicial officer.

**2.07.020 Compensation**

**BOCC MINUTES-12/21/15**

- A. All indigent defense attorneys shall be reasonably compensated, taking into consideration the experience and training of the attorney.
- B. Contracts should provide for extraordinary compensation for cases involving the death penalty or aggravated murder in the first degree. Contracts should also provide for the possibility to modify or supplement the contract to fairly deal with an extraordinary case or exceptional circumstances, or to insure the fulfillment of the purposes of the contract or the legal requirements for representation of indigent persons.
- C. Attorneys who have a conflict of interest shall not be required to select or compensate conflict counsel.

**2.07.030 Duties and Responsibilities of Counsel**

- A. All indigent defense contracts shall require that services be provided to all clients in a professional, skilled manner consistent with the Standards for Indigent Defense (SID) adopted by the Washington State Supreme Court and by applicable Rules of Professional conduct, case law, and court rules defining the duties of counsel and the rights of defendants.

**2.07.040 Malpractice Insurance**

- A. Indigent defense attorneys shall maintain malpractice insurance with agreed-upon policy limits.

**2.07.050 Services Other Than Counsel**

- A. Reasonable compensation for expert witnesses, investigators, and other services necessary for an adequate preparation and presentation of the defense case shall be provided pursuant to Criminal Rule 3.1(f).

**2.07.060 Administrative Expenses**

- A. Attorneys shall be responsible for paying all administrative or other expenses of their office or firm not otherwise provided for in a contract. Such costs may include law libraries, financial accounting, case management systems and other costs incurred in the day-to-day management of the contract.

**2.07.070 Causes for Termination or Removal of Attorney**

- A. Contracts for indigent defense services should include the grounds for termination of the contract by the parties.

**2.07.080 Non-Discrimination**

- A. Neither the respective County, in its selection of an attorney, firm or agency to provide indigent defense representation, nor the attorneys selected, in their hiring practices or in their representation of clients, shall discriminate on the grounds of race, color, religion, national origin, age, marital or military status, sex, sexual orientation or disability.

**2.07.090 Guidelines for Awarding Defense Contracts**

- A. The County should award contracts for indigent defense services only after determining that the attorney or firm chosen can meet accepted professional standards and the qualifications outlined herein. Under no circumstances will a contract be awarded on the basis of cost alone. Attorneys or firms seeking contracts for indigent defense services must demonstrate their ability to meet these standards.

B. Prosecutors and law enforcement officers shall not be involved in the selection of attorneys who will provide indigent defense services. But prosecutors may be involved in reviewing contracts to provide such services.

**2.07.100 Purpose of Standards**

A. Adoption of this ordinance shall in no way be construed to create a civil penalty or cause of action against either the attorney(s) or the County.

**10:30 a.m. - Budget Amendment #3 Hearing.**

Present: Gary Petrovich, Cinnamon Brown, Kelli Campbell, Janet Schmidt, Paul Spencer, Bill Spence and Kara McMurray.

**077289 35.** At 10:30 a.m. the regular meeting was recessed and the hearing convened for proposed 2015 Whitman County budget amendment #3.

Gary Petrovich reported the need for the amendment is mostly due to corrections and clean-up for Homeless Housing (\$196,000) and Whitcom (\$300,000) pass-thru funds and an extension to the Auditor's (\$5,000) budget. The Auditor's 2016 budget is being reduced by \$5,000 to accommodate the amendment.

**Budget Amendment #3  
Changed Funds Only**

| Fund Name                         | 2015 Adopted Budget | 2015 BA #1           | 2015 BA #2           | 2015 BA #3           | New Amended Budget |
|-----------------------------------|---------------------|----------------------|----------------------|----------------------|--------------------|
| <b>001 Current Expense</b>        |                     |                      |                      |                      |                    |
| Revenue                           | \$14,643,197.00     | \$ (3,936.00)        | \$ 65,490.00         | \$ 300,000.00        | \$14,943,815.00    |
| Expenses                          | \$14,741,695.00     | \$ 82,987.00         | \$ 119,133.00        | \$ 305,000.00        | \$14,943,815.00    |
| <b>New Beg/(End) Fund Balance</b> | <b>\$ 98,498.00</b> | <b>\$ 185,421.00</b> | <b>\$ 239,064.00</b> | <b>\$ 244,064.00</b> |                    |
| <b>109 Homeless Housing Plan</b>  |                     |                      |                      |                      |                    |
| Revenue                           | \$ 75,000.00        | \$ -                 | \$ 30,000.00         | \$ 344,000.00        | \$ 449,000.00      |
| Expenses                          | \$ 75,000.00        | \$ -                 | \$ 30,000.00         | \$ 344,000.00        | \$ 449,000.00      |
| <b>TOTALS</b>                     |                     |                      |                      |                      |                    |
| Revenue                           | \$58,597,835.00     | \$(197,936.00)       | \$ 435,490.00        | \$ 644,000.00        | \$59,319,955.00    |
| Expenses                          | \$58,598,135.00     | \$(111,313.00)       | \$ 489,133.00        | \$ 649,000.00        | \$59,319,955.00    |

There being no other comments the hearing was adjourned and the regular meeting reconvened.

**077290 36.** Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve the 2015 Whitman County budget amendment #3.

**RESOLUTION NO. 077290  
OF  
THE BOARD OF WHITMAN COUNTY COMMISSIONERS  
FOR WHITMAN COUNTY, STATE OF WASHINGTON  
BUDGET AMENDMENT #3**

WHEREAS, the Board of County Commissioners for Whitman County, State of Washington, met in regular session on Monday, December 21, 2015; and,

WHEREAS, any and all taxpayers appearing at the hearing held November 16, 2015, to be heard for or against any part of the budget amendment have been given the opportunity to be heard; and,

**BOCC MINUTES-12/21/15**

WHEREAS, the Auditor estimates that these amendments are necessary for the operation of the specified funds through the end of the fiscal year 2015.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the authorized appropriations for these funds of Whitman County for fiscal year 2015 be amended by the amounts indicated as attached; and,

BE IT FURTHER RESOLVED that the appropriate entries to the accounting records be made to reflect the aforementioned budget amendment.

PASSED, APPROVED AND ADOPTED this 21<sup>st</sup> day of December, 2015.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
Dean Kinzer, Chairman

ATTEST:

\_\_\_\_\_  
Arthur D Swannack, Commissioner

\_\_\_\_\_  
Maribeth Becker, CMC  
Clerk of the Board

\_\_\_\_\_  
Michael Largent, Commissioner

**Budget Amendment #3  
Changed Funds Only**

| <b>Fund Name</b>                  | <b>2015 Adopted Budget</b> | <b>2015 BA #1</b>    | <b>2015 BA #2</b>    | <b>2015 BA #3</b>    | <b>New Amended Budget</b> |
|-----------------------------------|----------------------------|----------------------|----------------------|----------------------|---------------------------|
| <b>001 Current Expense</b>        |                            |                      |                      |                      |                           |
| Revenue                           | \$14,643,197.00            | \$ (3,936.00)        | \$ 65,490.00         | \$ 300,000.00        | \$14,943,815.00           |
| Expenses                          | \$14,741,695.00            | \$ 82,987.00         | \$ 119,133.00        | \$ 305,000.00        | \$14,943,815.00           |
| <b>New Beg/(End) Fund Balance</b> | <b>\$ 98,498.00</b>        | <b>\$ 185,421.00</b> | <b>\$ 239,064.00</b> | <b>\$ 244,064.00</b> |                           |
| <b>109 Homeless Housing Plan</b>  |                            |                      |                      |                      |                           |
| Revenue                           | \$ 75,000.00               | \$ -                 | \$ 30,000.00         | \$ 344,000.00        | \$ 449,000.00             |
| Expenses                          | \$ 75,000.00               | \$ -                 | \$ 30,000.00         | \$ 344,000.00        | \$ 449,000.00             |
| <b>TOTALS</b>                     |                            |                      |                      |                      |                           |
| Revenue                           | \$58,597,835.00            | \$(197,936.00)       | \$ 435,490.00        | \$ 644,000.00        | \$59,319,955.00           |
| Expenses                          | \$58,598,135.00            | \$(111,313.00)       | \$ 489,133.00        | \$ 649,000.00        | \$59,319,955.00           |

**077291 37.** Commissioner Largent **moved** Commissioner Swannack **seconded** the motion to approve the 2016 tax levies without bank capacity to include a resolution of special need taking the increased property tax levy by 1%. Per the Assessor, Commissioner Swannack stated this brings the levy to \$1.59 per thousand. Motion **carried**.

**RESOLUTION NO. 077291  
In the Matter of Setting the 2016 Taxes for Whitman County  
Without Bank Capacity-With Substantial Need**

WHEREAS, the Board of County Commissioners for Whitman County, State of Washington, met on Monday, October 5 and 19, 2015, and held the budget hearing for the budget for fiscal year 2015, for the County Current Expense Fund, Special Revenue Funds, annually appropriated Capital Projects, Enterprise, Debt Service, and Internal Service Funds; and,

BOCC MINUTES-12/21/15

WHEREAS, any and all taxpayers appearing at the hearing to be heard for or against any part of the budget have been given the opportunity to be heard; and,

WHEREAS, there is a substantial need due to overall operating costs increasing, Federal and State funding decreasing along with interest revenue, and the general state of the macro economy; and,

WHEREAS, Whitman County ranks 5<sup>th</sup> in the State of Washington with 1914 miles of County Roads with continued need for construction, maintenance and repair; and,

WHEREAS, the voters of Whitman County approved a levy lid lift of \$0.22 to be added to the 2015 property tax levy; and,

WHEREAS, the laws of the State of Washington allow for an additional tax for refunds given during the 2015 tax season. The amount to be given to the Whitman County Assessor to be levied for Whitman County Current Expense is Not Available.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Whitman County Commissioners as follows:

\$ 5,643,891.37 was received in 2015 from the actual taxing district levy, plus the  
+\$ 56,438.91 increase of one-percent over the previous year's tax levy; and,  
+\$ 64,508.26 increase in new construction and improvements to property; and,  
+\$ 34,411.27 increase in State-assessed property values totaling for a total of  
=\$ 5,799,246.59 is authorized for the 2016 Current Expense levy; and,

BE IT FURTHER RESOLVED that:

\$ 2,347,848.07 was the previous years' actual Road levy, plus the  
+\$ Not Avail. increase from the 2015 refund; and,  
+\$ 23,473.89 increase of one-percent over the previous year's tax levy; and,  
+\$ 12,563.22 increase in new construction/property improvements, plus the  
+\$ 30,378.65 increase in State Assessed property Values totaling for a total of  
=\$ 2,413,803.85 is authorized for the 2016 County Road levy; and,

BE IT FURTHER RESOLVED that the total 2016 property tax levies of **\$5,799,246.59** for Whitman County be and are hereby authorized.

APPROVED AND ADOPTED this 21<sup>st</sup> day of December, 2015.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
Dean Kinzer, Chairman

\_\_\_\_\_  
Arthur D Swannack, Commissioner

ATTEST:

\_\_\_\_\_  
Maribeth Becker, CMC  
Clerk of the Board

\_\_\_\_\_  
Michael Largent, Commissioner

077292 38. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion to adopt the 2016 Whitman County budget.

**BOCC MINUTES-12/21/15**

Gary Petrovich reviewed the proposed budget totaling \$58,887.91 noting the Board agreed to balance the budget using \$170,000 worth of operating cash.

There being no further comments the motion **carried** adopting the 2016 Whitman County budget.

**Resolution No. 077292  
Adopting the 2016 Budget for Whitman County, Washington**

WHEREAS, the Board of County Commissioners for Whitman County, State of Washington, met on Monday, October 5 and 19, 2015, and held the budget hearings for the 2016 fiscal budget for the County Current Expense Fund, Special Revenue Funds, Debt Service Funds, annually appropriated Capital Projects Funds, Enterprise Funds and Internal Service Funds, as detailed below; and,

WHEREAS, any and all taxpayers appearing at the hearing to be heard for or against any part of the budget have been given the opportunity to be heard; and,

WHEREAS, it is estimated that the total of all revenues from all sources other than taxation will require the maximum taxes allowable by law be levied on property within Whitman County, for the County Current Expense Fund, Developmental Services Fund, and County Road Fund; and the minimum tax allowable by law for the Indigent Soldier Fund; and,

WHEREAS, the final taxable evaluations for Current Expense are **\$5,799,246.59**; and,

WHEREAS, the estimated expenditures set forth in this budget being necessary to carry on the operations of the government of Whitman County, State of Washington, for fiscal year 2016 and being sufficient to meet the various needs of Whitman County during said fiscal period; and,

WHEREAS, the final budgets for the various departments of the County Current Expense fund and the various Special Revenue Funds, Debt Service Funds, annually appropriated Capital Projects Funds, Enterprise Funds and Internal Services Funds of Whitman County are listed as attached.

NOW, THEREFORE BE IT RESOLVE that the final budgeted expenditures for the several offices, departments, and funds of said Whitman County fiscal year 2016 will be set forth as attached and the amounts are appropriated for the indicated funds; and

BE IT FURTHER RESOLVED AND ORDERED that the Whitman County Assessor shall set the levies for the County Current Expense Fund, Developmental Services Fund, Mental Health and County Road Fund at the maximum allowed by law and the Indigent Soldier Fund at the minimum allowed by law.

PASSED, APPROVED AND ADOPTED this 21<sup>st</sup> day of December, 2015.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
Dean Kinzer, Chairman

\_\_\_\_\_  
Arthur D Swannack, Commissioner

ATTEST:

\_\_\_\_\_  
Maribeth Becker, CMC

\_\_\_\_\_  
Michael Largent, Commissioner

Clerk of the Board

**2016 Current Expense Budget**

| <b>Department</b>             | <b>Expense</b>          | <b>Revenue</b>          | <b>Difference</b> |
|-------------------------------|-------------------------|-------------------------|-------------------|
| 009 Commissioners-Department  | \$ 351,511.00           | -                       | (351,511.00)      |
| 010 General Government*       | 3,681,130.00            | 2,101,914.00            | (1,579,216.00)    |
| 012 Administrative Services   | 195,100.00              | 449,317.00              | 254,217.00        |
| 013 Human Resources Dept      | 198,420.00              | 3,900.00                | (194,520.00)      |
| 020 Superior Court            | 169,474.00              | -                       | (169,474.00)      |
| 030 District Court            | 750,910.00              | 1,009,046.00            | 258,136.00        |
| 040 Clerk                     | 231,709.00              | 204,312.00              | (27,397.00)       |
| 050 Treasurer                 | 362,086.00              | 8,971,471.00            | 8,609,385.00      |
| 060 Auditor                   | 832,918.00              | 377,690.00              | (455,228.00)      |
| 080 Assessor                  | 409,404.00              | -                       | (409,404.00)      |
| 100 Prosecuting Attorney      | 621,340.00              | 141,810.00              | (479,530.00)      |
| 105 Child Support Enforcement | 132,615.00              | 139,324.00              | 6,709.00          |
| 120 Facilities Management     | 689,702.00              | -                       | (689,702.00)      |
| 140 Sheriff                   | 3,455,192.00            | 603,000.00              | (2,852,192.00)    |
| 170 Juvenile Services         | 689,082.00              | 145,882.00              | (543,200.00)      |
| 200 Weed Control              | 94,176.00               | -                       | (94,176.00)       |
| 220 Coroner                   | 154,593.00              | 8,500.00                | (146,093.00)      |
| 240 County Extension          | 121,338.00              | 600.00                  | (120,738.00)      |
| 260 Emergency Management      | 233,507.00              | 65,756.00               | (167,751.00)      |
| 280 Public Health             | 942,708.00              | 647,211.00              | (295,497.00)      |
| 300 Fair                      | 283,396.00              | 171,250.00              | (112,146.00)      |
| 310 Parks & Recreation        | 236,203.00              | 14,000.00               | (222,203.00)      |
| 320 Information Technology    | 218,469.00              | -                       | (218,469.00)      |
| <b>Total</b>                  | <b>\$ 15,054,983.00</b> | <b>\$ 15,054,983.00</b> | <b>\$ -</b>       |
| *Beginning Fund Balance       | \$ 170,000.00           |                         |                   |

| <b>Fund</b>                          | <b>Expenses</b>         | <b>Revenue</b>          | <b>Difference</b> |
|--------------------------------------|-------------------------|-------------------------|-------------------|
| <b>001 Current Expense</b>           | <b>\$ 15,054,983.00</b> | <b>\$ 15,054,983.00</b> | <b>\$ -</b>       |
| 101 Self Insurance                   | 27,500.00               | 27,500.00               | -                 |
| 102 Building And Development         | 250,050.00              | 250,050.00              | -                 |
| 103 Countywide Planning              | 533,100.00              | 533,100.00              | -                 |
| 104 Developmental Services           | 835,870.00              | 835,870.00              | -                 |
| 106 Extension Publications           | 400.00                  | 400.00                  | -                 |
| 108 Veterans Relief                  | 38,300.00               | 38,300.00               | -                 |
| 109 Homeless Housing Plan            | 445,000.00              | 445,000.00              | -                 |
| 110 County Road-PW                   | 19,406,350.00           | 19,406,350.00           | -                 |
| 112 Public Facilities Improvement    | 2,722,939.00            | 2,722,939.00            | -                 |
| 116 Domestic Violence Services       | 4,361.00                | 4,361.00                | -                 |
| 117 Boating Safety                   | 106,600.00              | 106,600.00              | -                 |
| 118 Inmate Welfare                   | 34,000.00               | 34,000.00               | -                 |
| 120 Historical Preservation/Programs | 33,078.00               | 33,078.00               | -                 |
| 122 Sheriff K-9 Unit                 | 12,500.00               | 12,500.00               | -                 |
| 123 Paths & Trails                   | 268,500.00              | 268,500.00              | -                 |

**BOCC MINUTES-12/21/15**

|  |                         |                         |             |
|--|-------------------------|-------------------------|-------------|
| 125 Donations & Planned Giving         | 401,782.00              | 401,782.00              | -           |
| 127 Quad-City Task Force-Drug Enforce. | 360,000.00              | 360,000.00              | -           |
| 128 Crime Victims/Witness              | 93,972.00               | 93,972.00               | -           |
| 130 Inter-Local Drug Fund              | 17,500.00               | 17,500.00               | -           |
| 132 Auditors Document Preservation F   | 168,000.00              | 168,000.00              | -           |
| 133 Commissioners Special Revenue      | 303,202.00              | 303,202.00              | -           |
| 134 Elections Reserve                  | 39,050.00               | 39,050.00               | -           |
| 135 Prosecutor STOP Grant              | 26,119.00               | 26,119.00               | -           |
| 136 District Court Funds               | 39,350.00               | 39,350.00               | -           |
| 138 Federal Equitable Sharing          | 250,500.00              | 250,500.00              | -           |
| 141 Washington Housing SHB 2060        | 30,000.00               | 30,000.00               | -           |
| 143 Trial Court Improvement            | 111,992.00              | 111,992.00              | -           |
| 144 Emergency Communication System     | 1,085,000.00            | 1,085,000.00            | -           |
| 200 Debt Service-External              | 45,319.00               | 45,319.00               | -           |
| 210 Debt Service-County-Inside         | 86,890.00               | 86,890.00               | -           |
| 300 Capital Projects                   | 781,734.00              | 781,734.00              | -           |
| 320 Capital Projects-Outside Sources   | 100,000.00              | 100,000.00              | -           |
| 400 Solid Waste-PW                     | 6,068,000.00            | 6,068,000.00            | -           |
| 410 Solid Waste Reserve                | 1,398,000.00            | 1,398,000.00            | -           |
| 501 Equipment Rental & Revolving       | 6,871,150.00            | 6,871,150.00            | -           |
| 511 Unemployment Insurance Revolving   | 250,000.00              | 250,000.00              | -           |
| 515 Information Technology Operation   | 586,500.00              | 586,500.00              | -           |
| <b>Grand Total</b>                     | <b>\$ 58,887,591.00</b> | <b>\$ 58,887,591.00</b> | <b>\$ -</b> |

**11:00 a.m. - Public Works.**

Present: Mark Storey, Alan Thomson, Jerry Basler, Paul Spencer and Garth Meyer.

**ACTION ITEMS:**

**077293 39.** At 11:00 a.m. the regular meeting was recessed and the hearing convened by the Chairman for proposed revisions to Whitman County Code, Title 19.10/19.30.

Alan Thomson said the purpose of the revisions to Chapter 19.10 is to include fill material on agricultural land and Chapter 19.30 is to allow mini storage units in the light industrial district.

There being no further comments the hearing was adjourned and the regular meeting reconvened.

**077294 40.** Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve the amendments of Whitman County Zoning Ordinance, Chapter 19.10 and 19.30 as stated in the approved findings of fact.

**ORDINANCE NO. 077294**

**AN ORDINANCE AMENDING CHAPTER 19.10 - AGRICULTURAL DISTRICT, AND CHAPTER 19.30 - LIGHT INDUSTRIAL DISTRICT,** to approve allowing natural topsoil and subsoil deposition on agricultural lands and adding mini storages to the list of permitted uses in Chapter 19.30, as described in the proposed ordinance hereto attached and made a part of by reference. These changes are consistent with the Whitman County Comprehensive Plan and Zoning Ordinance.

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 Planning Department's Recommendations and Findings of Fact, after the Board's public hearing and adoption of Findings of Fact.

PASSED AND APPROVED by the Board of Whitman County Commissioners of Whitman County, Washington, on the 21<sup>st</sup> day of December 2015.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
Dean Kinzer, Chairman

ATTEST:

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Arthur D Swannack, Commissioner

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Maribeth Becker, CMC  
Clerk of the Board

\_\_\_\_\_  
Michael Largent, Commissioner

**Chapter 19.10 - AGRICULTURAL DISTRICT**

Revised 3/31/14 Ordinance #075323.

**19.10.010 - Declaration of Intent.**

The Agricultural District provides minimum standards for areas of general agricultural land use including requirements for single-family dwellings and accessory dwelling units. It is intended that agriculture be the primary use in this district and that the goals of the County Comprehensive Plan be pursued where reasonably possible.

**19.10.020 - Permitted Uses.**

- A. Agriculture, including cropping, grazing of livestock, dairying, horticulture and floriculture, but not commercial horse-boarding which shall be instead considered to be a home-based business and allowed and governed, or regulated by the provisions related to home-based businesses. (Revised April 21, 2008; Resolution No. 068024)
- B. One (1) single-family dwelling per parcel conforming to provisions of Section 19.10.060 and not located within the CRD Opportunity Area. In the case of there being two existing residences within 500 feet of each other, nearest corner to nearest corner, where no previous zoning has been done, a short plat can be created containing both houses. Neither of the residences would be considered an accessory dwelling unit. If a zoning permit has been previously issued for two main residences that are located more than 500 feet apart, nearest corner to nearest corner, a short plat is allowable. Under both of the above scenarios no other residential unit would be allowed on the short plat.  
For the protection of resource lands, new residence(s) shall be located more than 1,000 feet from any permitted or grandfathered quarry, mine and/or other similar natural resource operations; or if it will be located within 1,000 feet of a permitted or grandfathered quarry, mine and/or other similar natural resource operations, an affidavit acknowledging adjacent mining activities, signed by the landowner, notarized and filed with the Whitman

County Auditor, is required. This information will be attached to the short plat. The 1,000-foot distance is measured from the applicant's residential footprint to the designated mineral resource area, as described and/or defined in the administrative use permit or conditional use permit.

(Revised April 19, 2010, Ordinance # 070610)

- C. Temporary stands for the sale of agricultural non-livestock products produced on the premises.
- D. Accessory uses and structures common or incidental to agricultural and residential use, including but not limited to garages, barns, tack rooms, equipment sheds, home storage elevators, fences and corrals, provided that such accessory uses and structures conform to the yard requirements of this chapter.  
An accessory use or structure may be constructed prior to the construction of the principal use on a site that has been reviewed for compliance and has been approved as a rural residential site, pursuant to Section 19.10.060.
- E. Home-based businesses utilizing only those accessory buildings and structures permitted under this chapter and which from the premises' property line cannot be seen or heard or felt or smelled and will not have customer visits. (For more information on home-based businesses permitting, see Chapter 19.56.) (Revised April 21, 2008; Resolution No. 068024)
- F. Small antenna facilities, antenna support structures, temporary wind energy research structures such as meteorological towers and small wind energy generators up to 125 feet height in conformance with the requirements of Chapter 19.62 - Small Wind Energy Generators.  
(Revised 12/10/01, Ordinance # 058999) (Revised 10/20/08, Ordinance #068810) (Revised 11/16/09, Ordinance # 070081)
- G. Inert fill (earth only) of under 2,000 cubic yards of material removed from roadside ditch cleaning may be placed on any farmland with the landowner's permission.  
Or, inert fill (earth only) of under 2,000 cubic yards of material removed from roadside ditch cleaning may be placed in active quarries and/or mines in compliance with approved reclamation. An additional under 2,000 cubic yards of roadside ditch cleaning materials may be placed on a separate parcel adjacent to the mining/quarry operation for future reclamation.  
(Adopted 7/1/13, Ordinance #074394)
- H. Private quarries under three (3) acres for uses related to agricultural activities by the land owner, for example farm access construction and maintenance.
- I. Accessory Dwelling Units conforming to provisions of Section 19.10.065.
- J. Level 1 and level 2 Electric Vehicle Charging Stations. (Revised 10/17/11 Ordinance #072330)

**19.10.030 - Lot Size Requirements.**

- A. There shall be no minimum lot size for non-residential permitted uses in this district.
- B. The minimum lot size for residential uses permitted in this district shall be as determined per Section 19.10.060 (B)(2)(b).

**19.10.040 - Setback Requirements.**

- A. The minimum setback for all non-residential structures shall be twenty (20) feet on all sides, provided that a minimum setback of thirty-five (35) feet shall be required adjacent to the right-of-way of any state or county

roadway designated as a primary or secondary arterial in the Comprehensive Plan.

- B. In the case of antenna support structures or meteorological towers, the front setback shall be thirty-five (35) feet from the right-of-way of any State or County road; side and rear setbacks shall be twenty (20) feet. Small wind energy generators are subject to the setback requirements in Chapter 19.62 - Small Wind Energy Generators. (Revised 10/20/08, Ordinance #068810) (Revised 11/16/09, Ordinance # 070081)
- C. Accessories to the antenna support structures shall have a minimum setback of five (5) feet. (Revised 5/14/01, Ordinance #058050, Revised 12/10/01, Ordinance #058999)
- D. To facilitate road setback location, measurement may be made from the centerline of the adjacent road. The front setback shall be half the distance of that specific right-of-way width, plus the required setback, as measured from the road centerline.

**19.10.050 - Height of Buildings.**

- A. The maximum height of non-residential buildings and related accessory structures in this district shall be fifty (50) feet with the exception of agricultural grain bins or elevators. (Revised 8/1/11, Ordinance #072095)
- B. The maximum height of rural residences and related accessory structures in this district shall be thirty-five (35) feet.
- C. Antenna support structures shall not exceed 350 feet in height.

**19.10.060 - Rural Residential Use.**

One single-family dwelling per parcel shall be a permitted use whenever the requirements of this Title are fulfilled except when there are two existing houses within 500 feet of each other, and there is an existing zoning permit allowing for two residences, or the two residences are non-conforming grandfathered uses, then a short plat containing the two houses is allowed. The Planning Director shall certify through the Rural Housing Certificate (RHC) process that all requirements of this Title have been met. (Revised April 19, 2010, Ordinance #070610) (Revised 3/31/14 Ordinance #075323) (Revised 3/31/14 Ordinance #075323)

- A. Development requiring Certification
  - 1. Issuance of a Rural Housing Certificate shall be required for:
    - a. Creation of a new residential parcel on which will be located existing residence(s), except that such new parcel with existing residence(s), need not comply with the provisions of 19.10.060 (B)(1)(b) viewshed, (B)(2)(f) development buffer where the available land to be used as a buffer is not owned by the applicant, (B)(2)(g) setbacks where the available land to be used as a buffer is not owned by the applicant, and (B)(2)(i) highly visible locations; or
    - b. Alteration of an existing residential parcel via a boundary line adjustment except when additional land is added to a parcel for which a CZC, RRSR or RHC has been filed. Also excepted are boundary line adjustments on agricultural parcels greater than 20 acres containing a residence, which either increases or decreases the parcel size. This boundary line adjustment example will still need to meet zoning code setback requirements and the Whitman County Environmental Health Department's requirements regarding drainfield and well placement; (Revised 3/31/14 Ordinance #075323) (Revised 3/31/14 Ordinance #075323)or

- c. Construction of a residence on an existing parcel which has not been certified. In this circumstance, if the size and shape of the existing parcel, and wetlands or flood hazard areas limit the location of a new residence so that it is not possible to meet the agricultural buffer or 100-foot house setback distance from the road, these specific regulations shall not apply except that the greatest adherence to these distances possible is encouraged. (Revised 10/27/08, Ordinance #068837)
- 2. Issuance of a Rural Housing Certificate shall not be required on an existing rural residential parcel for which no parcel enlargement, reduction or division is requested when a new accessory structure is built and an existing residence or an existing accessory structure is altered, expanded or replaced. For replacement purposes, the new residence may be sited up to 50 feet from the original residential footprint. (Revised 2/7/11, Ordinance #071612).  
Because of limitations due to the size, shape, or existing vegetation of/on the parcel it may be necessary to replace the residence further than 50 feet from the original footprint. In this circumstance, if it is possible to meet the siting requirements for a rural housing certificate such as buffers, setbacks, viewshed, and no structures on hilltops or ridges, then they must be met. If meeting these siting requirements is not possible then those regulations shall not apply except that the greatest adherence possible to these regulations is encouraged.

The parcel shall be reviewed for compliance with all applicable ordinances, including those which regulate setbacks, road access, preservation or expansion of the septic system, drainfield and replacement drainfield area, flood hazard, wetlands, aquifer recharge, and habitat conservation areas. However, no notice to adjacent landowners is required, and the size and other constraints of the parcel may prevent full compliance with hilltop prohibitions, the house 100-foot road setback distances, and buffer or setback distances required from other property; in which case these requirements do not apply. This review shall be termed Rural Residential Site Review (RRSR) and files shall be kept as proof of review and for future reference. (Revised 10/27/08, Ordinance #068837)

An RRSR will be required for boundary line adjustments that increase the size of a residential parcel containing less than 20 acres if no previous CZC, RHC or RRSR has been done.

No RRSR will be required for boundary line adjustments that increase or decrease the size of a parcel greater than 20 acres, which contains a residence. (Revised 3/31/14 Ordinance #075323)

- B. Certification Approval - Issuance of a Rural Housing Certificate shall be granted when a proposal meets all of the following conditions:

- 1. Approval of Residence Location.
  - a. New rural residences may be sited in locations which meet requirements for a viewshed site or meet requirements for a residential group.
  - b. Viewshed Site - Definition. A proposed residential building footprint which is located at least 1,500 feet horizontally from the nearest residence or certified residential site; or is located within 1,500 feet of one or more existing residences or

certified residential sites but not visible from any of said residences or certified residential sites.

- i. Definition of Not Visible: a proposed residential site is considered to be not visible if an observer standing at the corners of the footprint of the proposed residence and with their eye level at five (5) feet above existing grade cannot see any part of an existing residence or the footprint of another proposed residence due to the interposition of natural landforms.
  - ii. Exception for Highly Visible Residences: an existing residence within a viewshed under consideration and located on a hilltop or ridge, or whose highest point is higher than the slope on which it is located, shall be ignored due to its highly visible location.
- c. Residential Group.
- i. Definition: A residential group is defined as a collection of two to nine certified, residential parcels which are located such that at least some portion of each of the included residences is within 300 feet of some portion of another included residence. (Limited to nine or less residences to avoid the potential consequences of WAC 16-231-510.)
  - ii. Creation of a residential group. The owner of any residence constructed prior to January 1, 2007 may apply for review to create a residential group by submitting an application for a Rural Housing Certificate to obtain permission to construct a new residence which must be located within 300 feet of the existing residence.
  - iii. An existing residential group may be expanded to a maximum of nine houses.
- d. Agricultural Notification. In the case of any application for a Rural Housing Certificate, all owners of property within 1,500 feet of the proposed residential building footprint shall be notified by mail. Any owner of a commercial agricultural operation within 1,500 feet of the proposed new site may appeal the decision to the Board of Adjustment within 20 days after the date of the notice, to show that a significant negative effect on their farming operation would be created. If the owners sign a waiver from this requirement, such notice is not required.
2. Approval of Parcel Configuration.
- a. In General: For the purpose of meeting the minimum building lot requirements of this section, public and private easements or rights-of-way for roads, railroads or utilities shall be ignored.
  - b. Minimum lot size: The area of the subject lot shall be no less than the minimum area required by the Whitman County Department of Environmental Health to safely accommodate approved water supply and on-site sewage disposal systems.
  - c. Access to an improved road: All residential parcels shall be accessible from an improved County road or State highway.
  - d. Frontage/easement requirement: Lots without frontage on an improved public road shall be permitted if access to such a road has been obtained via an easement across adjacent property and if said access has been approved by the appropriate agency.
  - e. Driveways

- i. Any driveway that serves more than two residences shall be designed and constructed to Fire Code minimums, under oversight by a professional engineer licensed in the State of Washington.
  - ii. Driveways shall be designed to fit existing land contours.
  - iii. Access to an improved public road must be approved and issued by the Whitman County Public Works or the Washington State Department of Transportation. Shared driveways are encouraged to enhance safety of traffic flow entering and leaving improved roads.
- f. Development Buffers
- i. Residential development other than of the types listed in (f)(iv)(1) through (11), below, shall not be allowed within 200 feet of property being used for commercial agricultural production at the time of development, or within 100 feet if written permission of the owner of property in production is secured. This area between residential development and commercial agricultural production shall be referred to as the "development buffer."
  - ii. Development buffers shall appear on the short plat of the parcel and any other surveys subsequently produced.
  - iii. The width of an adjacent road's right-of-way may be included as part of the development buffer.
  - iv. Structures and activities related to residential living shall not be allowed within the development buffer. Such structures and activity areas include residences, decks, play areas, home occupation areas, greenhouse, garden, orchard, ornamental trees and so forth. Structures and uses that shall be allowed within the development buffer include, but are not limited to:
    - 1) Garages
    - 2) Storage sheds
    - 3) Equipment sheds
    - 4) Driveways
    - 5) Wells, if not part of a Group A or B water system
    - 6) Septic system drain fields
    - 7) Stables
    - 8) Livestock pens and corrals
    - 9) Hay storage
    - 10) Vegetation compatible with adjacent agricultural uses, including pasture, wildlife areas, hay land and native plants.
    - 11) Windbreaks and shelterbelts
  - v. The residential owner may lease the development buffer for agricultural uses such as farming, grazing and so forth.
- g. Setbacks.
- i. The minimum setback for all non-residential structures shall be twenty (20) feet on all sides, provided that a minimum setback of thirty-five (35) feet shall be required adjacent to the right-of-way of any State or County Bituminous Surface Treatment/Asphalt Concrete Pavement (BST/ACP) road. (Revised 3/31/14 Ordinance #075323)
  - ii. For all residential structures the minimum setback from roads shall be 100 feet and the minimum setbacks on all

other sides of the residence shall be twenty (20) feet except where the development buffer requires a greater distance.

- h. Water and Sanitation. The applicant shall provide proof of adequate and potable water, as required by Whitman County Environmental Health for a rural residence and shall meet all other requirements of Whitman County Public Health, the Washington State Department of Health and any other agencies regarding the permitting of wells and domestic waste disposal.
  - i. Highly visible locations. Buildings and structures located on hills or ridges shall be sited and/or constructed to minimize the appearance of a silhouette against the sky as measured this way. No part of the living space of a structure shall be higher than the highest part of the landform on which it will be built. A landform is described for the purpose of this chapter as the natural topographic high point separated from other topographic high points by a drop of at least 40 feet. All accessory structures built or placed after the approval of the application for the RHC for the proposed residence must have roof lines no higher in elevation than the principal residential structure. (Amended by Ordinance on August 2, 2010, Ordinance #071008)
3. Approval of Lighting.  
New lighting fixtures shall be designed and installed so as to control the direction and intensity of light which affects neighboring properties or roadways, so that direct rays of light don't shine onto neighboring properties or serve as a source of light pollution.
- a. New lighting fixtures must be shielded, hooded and oriented towards the ground.
  - b. Use of motion-sensing devices and/or timers is encouraged.
  - c. No new lighting shall blink, flash or be of an usually high intensity or brightness.
  - d. All new lighting fixtures shall be appropriate in scale, intensity and height to their use.
4. Weed Control.
- a. It is the responsibility of the owner(s) of rural land to control weeds.
  - b. Uncontrolled weeds that are a source of further weed dispersion across property boundaries constitute a significant threat to agricultural production. Therefore, a statement asserting this responsibility shall appear on any plat that creates a lot for the purpose of a residential site. However, this ordinance is not intended to, and does not, restrict any rights or remedies available to an owner or lessor of land affected by uncontrolled or inadequately controlled weeds, whether the statement is included in the plat or not.
5. Receipt of Affidavit of Acknowledgement of Agricultural Practices.
- a. The deed restriction and/or easement sample as stated below shall be used when rural residential parcels are created, and when there is a residential building permit and/or conveyance of a rural residential property:

**COUNTY OF WHITMAN  
STATE OF WASHINGTON  
CERTIFICATION OF ADJACENT AGRICULTURAL USE**

The undersigned do hereby certify to be the owner(s) of the hereinafter legally described real property and do hereby acknowledge that the proposed development is within the vicinity of property utilized for commercial agricultural purposes. Persons who may reside or work in any of the proposed structures may be subjected to inconvenience or discomfort arising from the pursuit of agricultural operations, including but not limited to plowing, seeding, application of agricultural chemicals (herbicides, pesticides, and fertilizer), cultivation, harvesting, the keeping of livestock, employment and use of labor, the operation of machinery, the transport or relocation of farm machinery or farm products, the storage of crops, and other accepted and customary agricultural activities conducted in accordance with federal and state laws. These normal agricultural practices that occur any time of day and any day of the week generate dust, fumes, smoke, noise and odor, and may slow traffic, or otherwise conflict with residential property uses. Whitman County has established agriculture as a priority use on agricultural lands (Ordinance No. 044668, February 4, 1991). Residents of property within the vicinity of agricultural lands should be prepared to accept such inconvenience or discomfort from normal, necessary farm and ranch operations. In the event of conflict, the residential property owner recognizes the preference to resolve it in favor of farm and ranch practices.

The party(ies) who sign this acknowledgement, and their successors, hereby waive all common law rights to object to normal and necessary agricultural management activities legally conducted on agricultural land that may conflict with the use of this property for residential purposes.

This statement of acknowledgement shall be recorded with the Whitman County Auditor, and shall be binding on the undersigned, any future owners, encumbrances, their successors, heirs, or assignees.

Legal description of land: \_\_\_\_\_

A certification by the property owner is necessary to obtain a Rural Housing Certificate, and prior to all building permits issued for this property. Whitman County Zoning Ordinance Section 19.10.

I certify that I am/we are the owner(s) of the land described hereon.

Printed name of land owner: \_\_\_\_\_

Land owner signature: \_\_\_\_\_ Date: \_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF WASHINGTON     )  
  )ss  
COUNTY OF WHITMAN     )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before \_\_\_\_\_ a Notary Public in and for the aforesaid state, personally appeared before me \_\_\_\_\_; to me known to be the person(s) who executed the foregoing certificate and that they signed the same as their free and voluntary act and deed in witness whereof, and date above written.

\_\_\_\_\_  
Notary Public In and For the State of Washington  
Residing at \_\_\_\_\_

My commission expires \_\_\_\_\_

- b. The following steps are required for this compliance:
  - i. \_\_\_\_\_ Completing and signing this Certification
  - ii. \_\_\_\_\_ Obtaining Planning Office review
  - iii. \_\_\_\_\_ Filing this Certification with the County Auditor
  - iv. \_\_\_\_\_ Providing proof from the County Auditor for the Planning and/or Building Inspection office(s) that this Certification has been filed
- c. The existence of this Certification must be conveyed to each future owner of this property.

C. Vesting.

- 1. Upon receipt of fees and a complete application, the Planning Director shall grant to the applicant a temporary development right. The Planning Office shall not accept any additional Rural Housing Certificate applications for residences within the viewshed of the proposed residence until the Planning Director has either granted or denied a Rural Housing Certificate for the proposed residence.
- 2. If granted a Rural Housing Certificate, the applicant shall have 270 days during which to complete construction of an approved well and to file a short plat. Failure to complete these steps within this time period shall result in voiding of the Rural Housing Certificate except when an approved water supply has been established and a building permit for a residence has been issued, a short plat is not required.

**19.10.065 - Accessory Dwelling Units.**

- A. Purpose. An Accessory Dwelling Unit (ADU) is an additional smaller, subordinate dwelling unit on a lot with, or in, an existing or new house. These units are intended to provide for a greater range of choices of housing types in the Agricultural District. Accessory Dwelling Units are intended to enhance options for families by providing opportunities for older or younger relatives to live in proximity while maintaining a degree of privacy.
- B. Applicability. A property with a primary residence and an Accessory Dwelling Unit is different from a property with two residences because the intensity of use is less due to the limitations of size and number of bedrooms. An Accessory Dwelling Unit that meets the requirements of this subsection may be allowed on any lot developed with an existing single-family dwelling, except as noted herein.
- C. Development Standards.
  - 1. No more than one Accessory Dwelling Unit per legal lot is permitted and it must be accessory to a single-family residence. If a short plat is approved, an Accessory Dwelling Unit for each lot is permitted only if all other provisions of this Chapter are met.
  - 2. No Accessory Dwelling Unit is allowed if there are two primary residences on one parcel of land. (Revised April 19, 2010, Ordinance #070610).
  - 3. Whenever the requirements of this Section are at variance with the requirements of any of the lawfully-adopted ordinances, the most restrictive, or that imposing the higher standards to be met prior to a land use being permitted, shall govern.
  - 4. The applicant must apply for a building permit for an Accessory Dwelling Unit. An Accessory Dwelling Unit shall comply with applicable building, fire, and health and safety codes. An Accessory Dwelling

Unit cannot be occupied until a certificate of occupancy is issued by the building department.

5. An Accessory Dwelling Unit may be created through:
  - a. Internal conversion within an existing dwelling.
  - b. The addition of new square footage to the existing house or to a garage and any addition thereto.
  - c. Conversion of an existing structure.
  - d. Inclusion in the development plans for, or as part of, the construction of a new single-family detached dwelling unit.
  - e. A separate detached dwelling unit on the same lot as the primary dwelling unit.
    - 1) An Accessory Dwelling Unit shall conform to existing zoning requirements, including, but not limited to setbacks. The addition of an Accessory Dwelling Unit shall not make any lot, structure or use nonconforming within the development site.
    - 2) Building height is limited to twenty-five (25) feet for a detached Accessory Dwelling Unit. Building height requirements of the underlying zone do apply to the Accessory Dwelling Unit for internal conversion or structural addition to the existing primary dwelling.
    - 3) The total gross floor area of an Accessory Dwelling Unit shall not exceed either 1,100 square feet or 50% of the total gross floor area of the primary residence, whichever is less.
    - 4) An Accessory Dwelling Unit shall not contain more than two (2) bedrooms.
    - 5) For an Accessory Dwelling Unit created by internal conversion or by an addition to an existing primary dwelling, only one (1) entrance may be located on the front of the house, unless the house contained additional front doors before the conversion. Secondary entrances should be located on the side or rear of the primary residence to the extent possible.

D. Historic Structures.

If an Accessory Dwelling Unit is on the same lot as or within a historic structure which has been designated on the national, state or local historic register, the following design guidelines are applicable:

- a. Exterior materials should be of the same type, size and placement as those of the primary dwelling structure.
- b. Trim on edges of elements of accessory structures and additions should be the same as those of the primary structure in type, size and placement.
- c. Windows in any elevation which faces a street should match those in the primary structure in proportion, i.e., same height, width and orientation (horizontal or vertical).
- d. Pediments and Dormers. Each Accessory Dwelling Unit over twenty (20) feet in height should have either a roof pediment or dormer if one or the other of these architectural features are present on the primary dwelling.

**19.10.080 - Short Plat and Subdivision.**

No short plat or subdivision for residential use shall be accepted by the Planning Office unless such plat complies with this chapter:

- A. No short plat creating more than three (3) lots, including the remainder of the original parcel of land, shall be approved within the Agricultural District.
- B. No long subdivision plat shall be approved within the Agricultural District.
- C. A short plat may be used to separate out a parcel on which is located a residence in existence prior to the adoption of this ordinance. This home site must meet the requirements of Section 19.10.060. It will then be considered a conforming rural residential use, and shall be issued a Rural Housing Certificate.
- D. The creation of parcels of less than twenty (20) acres in area is permitted for non-residential, agricultural, conservation and/or habitat purposes. It is also permitted for isolating non-agricultural features for separate ownership purposes such as a well, a residential wind turbine and similar features.
  - 1. Language describing the use limitations for agriculturally related short plats shall be placed on the plat. The short plat survey shall include the following statement: "This parcel and its structures are limited to agricultural use only. This parcel has not been evaluated as a building site for any other use. If there is a future intent to try to use this parcel and its structures for any uses other than agriculture, further review for compliance with Whitman County code is required, and it is possible that this parcel will not be able to comply and be approved for different uses."
  - 2. If, in the future, there is a desire to change the use of this parcel, such as enlarging it to be part of a future residential or other use, the properties will have to be reviewed again to see if such proposed use can comply with land use regulations. If such approvals can be obtained, a revised plat containing language reflecting changes must be filed with the County Auditor. (Amended 9/10/12, Ordinance #073358)

**19.10.090 - Conditional Uses and Administrative Permits.**

- A. Because of considerations of traffic, noise, lighting, hazards, health and environmental issues, the following uses shall not be permitted in the Agricultural District unless a conditional use permit authorizing such use has been granted by the Board of Adjustment; provided, however, that in situations described herein where an administrative use permit may be granted in lieu of a conditional use permit, the use of the land shall not be permitted until such time as an administrative use permit has been granted by the County Planning Office. (Revised 11/18/91, Ordinance #45331)
  - 1. Public or private substations, renewable energy generating facilities, energy storage facilities and energy facilities fueled by natural gas. (Revised 11/16/09, Ordinance #070081) and (Amended 9/10/12, Ordinance #073358)
  - 2. Small wind energy generators greater than 125 feet in height and greater than 100 Kw. cumulative generating capacity. (Revised 10/20/08, Ordinance #068810)
  - 3. Utility storage and transportation facilities.
  - 4. Private and public recreational facilities such as campgrounds, golf courses, rifle ranges, and similar uses.
  - 5. Churches.
  - 6. Airstrips.
  - 7. Solid waste site or transfer station.

8. Feedlots.
  9. Commercial agricultural commodity warehouse. (Adopted 7/1/13, Ordinance # 074394)
  10. Veterinary clinics, boarding kennels, and similar uses.
  11. Surface mining and crushing subject to the minimum standards listed in Sections 19.59 and 19.60.
  12. Home-based businesses that exceed the threshold of a permitted use may be allowed as an administrative use or a conditional use. (For more information on home-based businesses permitting, see Chapter 19.56.) (Revised April 21, 2008; Resolution No. 068024)
  13. Gun clubs and fraternal organizations.
  14. On-site hazardous waste treatment and storage facilities, provided that such facilities are accessory to a permitted or conditional use, and provided that such facilities meet the state siting criteria adopted pursuant to RCW 70.105.210.
  15. Landfill for inert materials (earth, concrete and asphalt) of more than 2,000 cubic yards of material (including over 2,000 cubic yards of aggregate stockpile materials on a separate parcel from the mining operation) [For earth fills less than 2,000 cubic yards, see Section 19.05.020(4)].
  16. Recycling Facility, provided, however, that hazardous material, infectious material and/or radioactive material which federal or state regulations would allow to be recycled but which the County may deem to be unsafe or detrimental to public welfare, shall not be allowed without a Conditional Use Permit issued by the Board of Adjustment and a Special Permit issued by the Whitman County Health Department. Said permits shall establish specific conditions for the processing-handling of the hazardous material, infectious material and/or radioactive material, where the State of Washington or the Federal Government has not otherwise preempted all control and regulation of said materials. (Revised 11/18/91, Ordinance #045331)
  17. Agricultural Research Facility, such as but not limited to greenhouses, laboratories, machine sheds, arboretum, animal science facilities, farm equipment service and maintenance operations associated with a principal conditional use listed herein, and a caretaker residence. (Revised 4/26/95, Ordinance #048077)
  18. Mining, quarry, and/or other similar natural resource operations located within 1,000 feet of any residence or within one mile from any incorporated community or designated unincorporated rural community, subject to the minimum standards in Section 19.59 and Section 19.60.
- B. An Administrative Use Permit shall be required for:
1. Surface mining and crushing subject to the minimum standards listed in Section 19.59 and Section 19.60.
  2. Mining located more than one mile from an incorporated community or designated unincorporated rural community.
  3. Landfill for inert materials (earth, concrete and asphalt) of less than 2,000 cubic yards of materials.
  4. Natural topsoil and subsoil fill materials on agricultural lands.
  45. Support structure facilities, (towers and accessories) for antennae and other similar uses greater than forty (40) feet in height subject to the requirements of Section 19.58 - Communication and Utility Facilities. (Revised 2/7/11, Ordinance #071612).
  56. Level 3 Electric Vehicle Charging Stations. (Revised 10/17/11, Ordinance #072330)

- 67. Temporary asphalt and/or concrete batch plants. (Revised 8/17/15, Ordinance #076901)

**19.10.100 - Natural Topsoil and Subsoil Fill Materials on Agricultural Lands.**

- A. PURPOSE: The intention of this section is to allow by an administrative process natural top soil and subsoil such as clay, silt, sand or gravel to be deposited on agricultural lands and have the land continue in agricultural use. The topsoil or subsoil fill may come from any offsite development or land restoration project but subject to the following requirements:
  - 1. he soil deposited can only be top soil or clean earth. No manmade materials such as concrete, asphalt, glass, tires or woody vegetation is allowed.
  - 2. Best Management Practices (BMP's) are required to control stormwater runoff and airborne soil erosion. An erosion control plan must be submitted and approved by the Planning Department before the administrative use permit is issued.
  - 3. The fill site is to be monitored by the County Environmental Health Department and subject to their requirements for clean earth.
  - 4. A road haul permit may be required from the Public Works Department for protection of county roads.
  - 5. Fills shall be placed in lifts not to exceed two feet to at least 90% compaction as determined by ASTM D-1557 Modified Proctor.
  - 6. Fills shall be placed no thicker than 15 feet without providing a geotechnical engineer's report outlining conditions under which the 15 feet may be safely exceeded.
  - 7. Final fill slopes shall not exceed 4:1 (horizontal to vertical) without providing a geotechnical engineer's report outlining conditions under which steeper slopes can be safely constructed.
  - 8. Fill cannot be placed on slopes steeper than 4:1 without constructing a basal key and benching the fill to improve slope stability.
  - 9. Fill that is placed and compacted in this manner will not be deemed suitable for installation of gravity septic drainfields in the future.
  - 10. Any future development of the fill area will require a full geotechnical engineering evaluation prior to permitting for construction.
  - 11. Fill placed within four feet of the completed final ground surface need only be lightly compacted to allow for ongoing agricultural use.

**19.10.110 - Special Conditional Use for Planned Residential Development (PRD).**

- A. PURPOSE: This section establishes a location for and allows for the creation of a Planned Residential Development, (PRD), designed to foster creative, efficient, and comprehensive site development, intended for special site locations, conditions and circumstances, in concert with WCO Chapter 18.50, Subdivision Ordinance - Planned Residential Development, and:
  - 1. Create a development form which allows for preservation of important sites within the County, containing significant natural shoreline areas, geology, habitat and/or ecosystems, and the goals of which are compatible with Whitman County's Comprehensive Plan.
  - 2. Produce a development which would be better than traditional lot-by-lot development, on either consolidated lots or unsubdivided property, through variety in design, placement of

buildings, and use of undeveloped natural areas, in order to capitalize on the special features of the individual site.

3. Permit flexibility that will encourage a more creative approach in the development of land and will result in a more efficient, aesthetic, and desirable use of undeveloped areas, while at the same time harmonizing with adjoining development.
4. Ensure preservation of important natural habitat, and important ecosystems.
5. Preserve and enhance special site features including areas of cultural significance and, habitat, wetlands and; compliance with the County's critical areas ordinances.
6. Maximize use of alternative energy sources and energy-efficient structures, while employing strategies for conservation of water and other resources.

B. There is created a special conditional use for Planned Residential Developments within specific areas of the Agricultural District.

1. The general areas within the Agricultural District in which a special conditional use for Planned Residential Developments shall be allowed are as follows:

Township 20 N. Ranges E. 39, 40, 41, 42, and 43;

Township 19 N. Ranges E. 39, 40 and 41;

Township 18 N. Ranges E. 39 and 40;

Township 17 N. Ranges E. 39 and 40;

Township 16 N. Ranges E. 38, 39 and 40;

Township 15 N. Ranges E. 37, 38, 39 (except sections 24, 25 and 36),  
41, 42, and 43;

Township 14 N. Ranges E. 36, 37, 38, 39, 40, 41, 42 and 43;

Township 13 N. Ranges E. 37, 38, 39, 40, 43 and 44;

Township 12 N. Ranges E. 44, 45 and 46; or,

Township 11 N. Ranges E. 45 and 46

2. Within the above described general areas only a proposed PRD parcel meeting the following criteria shall be allowed a special conditional use permit.
  - a. Not more than 25% of the proposed PRD parcel shall contain prime farm land, defined as land used for the production of a crop on which the average yield for the preceding three years exceeded the Whitman County average by 20%.
  - b. The proposed PRD parcel contains at least 51% of any or any combination, of the following soil associations: Ander-Benge-Kuhl Association; Bakeoven Tucannon-Cheney Association; Kuhl-Alpowa Association; Starbuck-Alpowa Association, or, land that can be described as non-tillable.
  - c. The "General Soil Map, Whitman County, Washington" published by the U.S. Department of Agriculture, Soil Conservation Service, edition 1979, as now or hereafter amended, shall be recognized as illustrative of the general locations of the designated soil associations and aid in determining non-tillable land. A copy of this map or its current version shall be retained in the Planning Department office for public access.
  - d. Should a question occur during the Conceptual Plan Review for a PRD, as set forth in WCO Chapter 18.50, the applicant shall, by

proof acceptable to the County Planner, establish compliance with this section.

3. No special conditional use for a PRD shall be granted, for any reason without exception, to any PRD proposed parcel wherein any portion of the proposed PRD parcel is within two miles of the boundary of any state park.
- C. Except for the provisions of this section, an applicant for a special conditional use for a PRD shall not be required to meet any other provisions of WCO 19.10 or any section of WCO Chapter 19 which is inconsistent with the provisions of WCO Chapter 18.50, Subdivision Ordinance - Planned Residential Development, as now or hereafter amended.
  - D. The Planning Commission shall be the sole agency to review and approve, modify or deny a special conditional use for a PRD. A denial by the Planning Commission may be appealed to the Board of County Commissioners within 30 days of the denial.
  - E. A special conditional use for a PRD shall be granted by the Planning Commission with at least the following minimum conditions:
    1. Full compliance with the provisions of WCO Chapter 18.50, Subdivision Ordinance-Planned Residential Development.
    2. Full compliance with the County's critical areas ordinances, as now or hereafter amended, as well as any and all State Environmental Policy Act determinations, and,
    3. Approval of the Planned Residential Development by the Whitman County Board. (Revised 4/30/07 Ordinance #066838, effective 5/15/07)

### Chapter 19.30 - LIGHT INDUSTRIAL DISTRICT

#### **19.30.010 - Purpose and Intent.**

The purpose of the Light Industrial District is to provide minimum standards for the development of sites for establishments producing higher value products, such as: processed foods, recreational, scientific or business supplies and related compatible uses such as warehouses or service industries--provided that no use provides retail sales at the point of manufacture or causes hazardous or obnoxious conditions due to emissions, or outdoor storage of materials.

#### **19.30.020 - Permitted Uses.**

- A. The manufacture, processing, compounding, storage, packaging, or treatment of food products.
- B. The manufacture, assembly, compounding, packaging, or treatment of products similar to the following: scientific, business or industrial machinery or instrumentation; recreational equipment and clothes; drugs, cosmetics or toiletries, finished hardware products or construction specialties; mobile or modular homes.
- C. Research, experimental or testing laboratories.
- D. Professional services associated with the construction industry such as: architects, engineers, construction management, developers and planners.
- E. Transportation providers, such as motor freightlines.
- F. Wholesale businesses selling finished goods stored within buildings.
- G. Storage facilities for personal property (mini storage units), commercial goods or commodities such as warehouses, or mini-warehouses and similar uses. ~~Warehouses.~~

- H. Businesses providing services to industries and business such as: repair, technical or facility maintenance services.
- I. Accessory uses and structures incidental to the above-mentioned uses.
- J. Home-based businesses (when a residence has been allowed by conditional use in a particular LI zone) utilizing only those accessory buildings and structures permitted under this chapter, and which from the premises' property line cannot be seen or heard or felt or smelled and will not have customer visits. (For more information on home-based businesses permitting, see Chapter 19.56.) (Revised April 21, 2008; Resolution No. 068024) and revised 10/27/08, Ordinance #068836).
- K. Levels 1, 2 and 3 Electric Vehicle Charging Stations.

**19.30.030 - Lot Size Requirements.**

The minimum lot size for principal uses permitted in this district shall be the minimum necessary to comply with the provisions of this title and the minimum necessary to safely accommodate water supply and, if necessary, on-site sewage disposal systems as approved by the Whitman County Department of Environmental Health.

**19.30.040 - Yard Requirements.**

- A. The minimum front-yard setback for all principal and accessory uses shall be 35 feet from the public right-of-way. On corner lots, this setback shall apply to both streets.
- B. Minimum side and rear yard setbacks for all principal and accessory uses shall be 10 feet. For antenna support structures the side and rear setbacks shall be 20 feet, and for their accessory structures, shall be 5 feet. (Revised 5/14/01, Ordinance # 058050)

**19.30.050 - Height of Buildings.**

40 feet excepting grain storage facilities. Antenna support structures shall not exceed 350 feet. (Revised 5/14/01, Ordinance # 058050)

**19.30.060 - Approach Requirements.**

- A. All new light industrial uses shall have direct access to a Class I-IV road as defined in the Comprehensive Plan. Access may be shared with adjacent commercial uses.
- B. Access shall be designed to Whitman County standards.
- C. A complete Level of Service (LOS) traffic and heavy vehicle weight analysis shall be submitted to and approved by the County Engineer for each proposed development prior to issuance of any permit and/or approval. If a development will cause the LOS on a County road to fall below adopted standards, the development shall be denied unless and until improvements can be made to support the development. Anticipated damage shall be mitigated according to Whitman County Development Standards in effect on the date of the damage. If no Development Standards are in effect, the anticipated impact to the LOS shall be mitigated at the direction of the County Engineer.
- D. No person shall create any access without first obtaining an approach permit and meeting the approach general provisions.
- E. Compliance with Chapter 19.52 - Transportation shall be completed prior to issuance of permits. (This section was revised 10/15/01, Ordinance # 058775)

**19.30.070 - Screening & Maintenance Requirements.**

- A. The purpose of this section is to establish landscape, screening and property maintenance standards to enhance the aesthetic appearance of property throughout the County.
- B. Screening shall provide a filtered view and may be provided by existing vegetation, landscaped areas, including the use of berms, fencing, trees and shrubs or a combination thereof. The use of drought tolerant vegetation is encouraged.
- C. Perimeter screening shall be provided as follows:
  - 1. At the front, side and rear of all commercial and industrial sites to provide an all season visual separation between adjacent land uses. Perimeter landscaping shall shield the views of industrial and commercial land uses, including outdoor storage, service, parking and loading areas, from roads and adjacent uses. If, however, the rear of the site is adjacent to an agricultural use, no rear yard perimeter screening is required.
  - 2. Avoid obstructing views of crosswalks, intersections and streetlights.
  - 3. In the case of conditional uses, these screening requirements shall be subject to the decision of the Board of Adjustment, which may adjust the requirements according to the needs of the specific locale.
  - 4. All yards shall be maintained such that there will be no accumulation of silt, mud or standing water causing unsightly or hazardous conditions either within the yard or on adjacent properties
  - 5. All yards and buildings shall be maintained in a neat, tidy manner, including trimming and upkeep of all landscaped areas, and the removal of debris and unsightly objects.
  - 6. All undeveloped land areas shall be maintained in permanent vegetative cover, farmed, or be landscaped with an approved combination of materials to control runoff. (This section was revised 3/24/03, Ordinance # 060953)

**19.30.080 - Conditional Uses and Administrative Permits.**

- A. Conditional Uses. Because of considerations of traffic, noise, lighting, hazards, health and environmental issues, the following uses shall not be permitted in the Light Industrial District unless a conditional use permit authorizing such use has been granted by the Board of Adjustment; provided, however, that in situations described herein where an Administrative Use Permit may be granted in lieu of a Conditional Use Permit, the use of the land shall not be permitted until such time as an Administrative Use permit has been granted by the County Planning Office.
  - 1. One single-family dwelling unit or mobile home to be occupied by an employee or owner of a permitted use.
  - 2. Eating establishments. (Revised 3/24/03, Ordinance # 060953)
  - 3. Retail sales incidental to the permitted uses. (Revised 3/24/03, Ordinance # 060953)
  - 4. Public facilities, such as utility substations and storage yards.
  - 5. Agricultural uses.
  - 6. Inert materials (earth, concrete and asphalt) of more than 2,000 cubic yards of material, excepting fill materials designed within reclamation plans of permitted quarries and/or mines. [For earth fills less than 2,000 cubic yards, see Section 19.05.020(4)];
  - 7. Recycling Facility, provided however, that hazardous material, infectious material and/or radioactive material which federal or state

regulations would allow to be recycled but which the County may deem to be unsafe or detrimental to public welfare, shall not be allowed without a Conditional Use Permit issued by the Board of Adjustment and a Special Permit issued by the Whitman County Health Department. Said permits shall establish specific conditions for the processing/handling of the hazardous material, infectious material and/or radioactive material, where the State of Washington or the Federal Government has not otherwise preempted all control and regulation of said material.

8. Home-based businesses that exceed the threshold of a permitted use may be allowed as a conditional use. (For more information on home-based businesses permitting, see Chapter 19.56.) (Revised April 21, 2008; Resolution No. 068024)

B. An Administrative Use Permit shall be required for:

1. Rock crushing and quarrying for the specific purpose of preparing a suitable site for construction of a specific building or buildings including access and parking lots, based upon a preliminary site and grading plan subject to the minimum standards of Section 19.05.015, Chapter 19.59 - Surface Mining and Rock Crushing and Chapter 19.60 - Blasting or Explosive Demolition. (Revised 3/24/03, Ordinance # 060953)
2. Home-based businesses that exceed the threshold of a permitted use may be allowed as an administrative use. (For more information on home-based businesses permitting, see Chapter 19.56.) (Revised April 21, 2008; Resolution No. 068024)
3. Support structure facilities, (towers and accessories) for antennae and other similar uses greater than forty (40) feet in height subject to the requirements of Section 19.58 - Communication and Utility Facilities. (Revised 2/7/11, Ordinance #071612).
4. Temporary asphalt and/or concrete batch plants.

**077295**      **41.** At 11:10 a.m. the regular meeting was recessed and the hearing convened by the Chairman for proposed revisions to Whitman County Code, Title 19.12.

Alan Thomson said the purpose of the revision to Chapter 19.12 is to eliminate the Cluster Residential zone in the tax sharing area. Applications will no longer be eligible for cluster residential zoning and a legal description is included. Some applicants are trying to complete their applications by January 1<sup>st</sup>.

There being no further comments the hearing was adjourned and the regular meeting reconvened.

**077296**      **42.** Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve the amendments of the Whitman County Zoning Ordinance Chapter 19.12 as stated in the approved findings of fact.

**ORDINANCE NO. 077296**

**AN ORDINANCE AMENDING CHAPTER 19.12 - CLUSTER RESIDENTIAL DISTRICT,** to approve eliminating cluster residential development inside the tax sharing area agreed to by the County and the City of Pullman, as described in the proposed ordinance hereto attached and made a part of by reference. These changes are consistent with the Whitman County Comprehensive Plan and Zoning Ordinance.

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 Planning

Department's Recommendations and Findings of Fact, after the Board's public hearing and adoption of Findings of Fact.

PASSED AND APPROVED by the Board of Whitman County Commissioners of

Whitman County, Washington, on the 21<sup>st</sup> day of December 2015.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
Dean Kinzer, Chairman

ATTEST:

\_\_\_\_\_  
Arthur D Swannack, Commissioner

\_\_\_\_\_  
Maribeth Becker, CMC  
Clerk of the Board

\_\_\_\_\_  
Michael Largent, Commissioner

**Chapter 19.12 - CLUSTER RESIDENTIAL DISTRICT**

(Adopted 12/22/2003; Ordinance #0061970)

**Section 19.12.010 - Declaration of Intent.**

The Cluster Residential District provides minimum standards for specified areas in order to allow more non-farm rural residential places while at the same time protecting the ability of other, neighboring agricultural producers to continue farming and raising livestock.

**Section 19.12.020 - Permitted Uses.**

- A. One single-family dwelling per buildable lot;
- B. Accessory structures to a permitted use;
- C. Temporary stands for sale of agricultural non-livestock products produced on the premises;
- D. Home-based businesses utilizing only those accessory buildings and structures permitted under this chapter, and which from the premises' property line cannot be seen or heard or felt or smelled and will not have customer visits. (For more information on home-based businesses permitting, see Chapter 19.56.) (Revised April 21, 2008; Resolution No. 068024)
- E. Agricultural activities including but not limited to cropping and grazing of livestock.
- F. Level 1 and level 2 Electric Vehicle Charging Stations. (Revised 10/17/11, Ordinance # 072330)

**Section 19.12.030 - Zone and Lot Size Requirements, and House to Acreage Ratios.**

- A. The minimum zone size for a short plat consisting of four buildable lots shall be 20 acres. The minimum zone size for a long plat consisting of at least six buildable lots shall be 60 acres.
- B. This zone must be capable of creating at least four lots that are suitable for building a single-family residence.
- C. Lots may be as small as ½ acre as long as the short plat ratio of at least 5 acres per residence is maintained, or the long plat ratio of at least 10 acres per residence is maintained.

**Section 19.12.040 - Yard Requirements.**

The minimum setback for all principal and accessory uses and structures shall be twenty feet on all sides, provided that a minimum setback of thirty-five feet shall be required for any yard adjacent to the right-of-way of any state or county roadway designated as a primary or secondary arterial in the Comprehensive Plan. To facilitate setback location, measurement may be made from the centerline of the road. The front yard setback shall be half the distance of that specific right-of-way width, plus thirty-five feet, as measured from the road centerline.

**Section 19.12.050 - Height of Buildings.**

The maximum height of buildings and structures in this district shall be thirty-five feet as measured from the average of the highest and lowest natural grade points of the foundation, to the top of the roof.

**Section 19.12.070 - Short Plat and Long Plat Subdivisions.**

Whitman County shall accept no short plat or subdivision for residential use within this Cluster Residential District unless such plat complies with this chapter:

A. Short plats:

1. A short plat in this zoning district must create four buildable lots in a zone of at least 20 acres; additional non-buildable lots, to be held in common ownership by a homeowners' association and not certified as eligible residential parcels, may also be created. The short plat shall identify any non-buildable lots as non-buildable and include a note stating that no residences may be constructed on parcels so labeled.
2. The four buildable lots must meet code requirements so that they are eligible for residential building permits. These lots must be platted, and the plat must show the private road right-of-way, drain field locations, well locations and utility easements. Road construction must be completed to each lot prior to the issuance of any building permit. Proof of adequate, potable water is required prior to approval of the short plat.
3. Minimum lot size shall be ½ acre and there is no maximum lot size.
4. If land is not held in common ownership, easements for roads and utilities must be provided. Road and utility construction and maintenance agreements are required.
5. Cluster Residential Districts, once created and platted, shall not be further subdivided unless the zoning classification is changed or the land is annexed. Minor boundary line adjustments may be allowed as long as these changes do not jeopardize the integrity of each lot as a building site nor the accessory systems developed to support the plat.
6. Prior to approval of the plat, the land owner shall file with the County Auditor a deed restriction and/or easement of acceptance of agricultural operations document. This document shall also be printed on the plat or adequately referenced so that future buyers have opportunity to be aware of this deed restriction and/or easement. Applicants for any residential building permit shall sign and file a form that indicates they are aware of the deed restrictions and/or easements. Documents that in the future convey the land to new owners shall also acknowledge the existence of these filed documents. The

deed restriction and/or easement sample is attached to the last part of this chapter.

7. Once an area has been successfully zoned Cluster Residential District, the process of platting may be initiated and completed. Upon successful completion of platting, the lots may be conveyed and building permits sought.

B. Long plats:

1. A long plat must create at least six buildable lots in a zone of at least 60 acres; additional non-buildable lots, to be held in common ownership by a homeowners' association and not certified as eligible residential parcels, may also be created. The preliminary and final plats shall identify any non-buildable lots as non-buildable and include a note stating that no residences may be constructed on parcels so labeled.
2. For each additional buildable lot, the zone size must be expanded by 10 acres, so that the ratio of 10 acres per residence is maintained.
3. The six or more buildable lots must meet code requirements so that they are eligible for residential building permits. These lots must be platted, and the plat must show the private road right-of-way, drain field locations, well locations and utility easements. Since a long plat can be phased, road construction must be completed to each lot prior to approval of that phase of the long plat, (the Final Plat). Proof of adequate, potable water is required prior to approval of the Final Plat, although a developer may wish to assure an adequate supply of potable water earlier in the process.
4. Minimum lot size shall be ½ acre and there is no maximum lot size.
5. If land is not held in common ownership, easements for roads and utilities must be provided. Road and utility construction and maintenance agreements are required.
6. Cluster Residential Districts, once created and platted, shall not be further subdivided unless the zoning classification is changed or the land is annexed. Minor boundary line adjustments may be allowed as long as these changes do not jeopardize the integrity of each lot as a building site nor the accessory systems developed to support the plat.
7. Prior to approval of the plat, the landowner shall file with the County Auditor a deed restriction and/or easement of acceptance of agricultural operations document. This document shall also be printed on the plat or adequately referenced so that future buyers have opportunity to be aware of this deed restriction and/or easement. Applicants for any residential building permit shall sign and file a form that indicates they are aware of the deed restrictions and/or easements. Documents that in the future convey the land to new owners shall also acknowledge the existence of these filed documents. The deed restriction and/or easement sample is attached to the last part of this chapter.
8. Once an area has been successfully zoned Cluster Residential, the process of platting may be initiated and completed. Upon successful completion of platting, the lots may be conveyed and building permits sought.

**Section 19.12.080 - Conditional Uses and Administrative Uses.**

Because of considerations of traffic, noise, lighting, hazards, health and environmental issues, the following uses shall not be permitted in the Cluster

Residential District unless a conditional use permit authorizing such use has been granted by the Board of Adjustment:

- A. Home-based businesses that exceed the threshold of a permitted use may be allowed as an administrative use or a conditional use. (For more information on home-based businesses permitting, see Chapter 19.56.) (Revised April 21, 2008; Resolution No. 068024)
- B. An Administrative Use Permit is required for a Level 3 Electric Vehicle Charging Station. (Revised 10/17/11, Ordinance # 072330)

**Section 19.12.90 - Special Features for Cluster Residential District, (CRD)**

A. PURPOSE: This section establishes potential locations for and allows for the creation of Cluster Residential Districts, (CRD), designed to foster creative, efficient, and comprehensive site development, intended for special site locations, conditions and circumstances, in concert with WCO Chapter 18.50, Subdivision Ordinance, and:

- 1. Produce a non-farm rural residential development which would be better than traditional, scattered houses, through variety in design, placement of buildings, and use of undeveloped natural areas, in order to capitalize on the special features of the individual site;
- 2. Permit flexibility that will encourage a more creative approach in the development of land and will result in a more efficient, aesthetic, and desirable use of undeveloped areas, while at the same time harmonizing with adjoining development;
- 3. Ensure preservation of important natural habitat, and important ecosystems;
- 4. Preserve and enhance special site features including areas of cultural significance and, habitat, wetlands and; compliance with the County's critical areas ordinances.
- 5. Maximize use of alternative energy sources and energy-efficient structures, while employing strategies for conservation of water and other resources.

B. There is created the possibility for a Cluster Residential District within specific areas of Whitman County, hereafter termed CRD Opportunity Areas, as follows:

The areas that may be converted from Agricultural District to the Cluster Residential District are those remaining areas from the originally identified cluster opportunity zone that lie outside the tax sharing area agreed upon between the County and the City of Pullman. The tax sharing area is identified as follows: The following described land located in Whitman County, State of Washington:

All that part of the NE ¼ of Section 25 lying southeast of a line drawn from the NE corner of the NE ¼ to the SW corner of the NE ¼ of said Section 25; The SE ¼ of Section 25; All that part of the SW ¼ of Section 25 lying southeast of a line drawn from the NE corner of the SW ¼ to the SW corner of the SW ¼ of said Section 25; All of Section 36; the East ½ of the NE ¼ and the East ½ of the SE ¼ of Section 35; All in Township 15 North, Range 44 East, W.M.

All that part of the SW ¼ of Section 25 lying west of a line that lies approximately 1,920 feet east and parallel to the West Section line of said SW ¼ of Section 25; The SE ¼, the SW ¼ and the NW ¼ all in Section 26; Sections 27, 28, 29, 30, 31, 32, 33, 34 and 35; The SE ¼, the SW ¼ and all that part of the NW ¼ lying west of a line that lies approximately 1,920 feet east and parallel to

the West Section line of said NW ¼, all in Section 36; All in Township 15 North, Range 45 East, W.M.

The South ½ of Section 31; the SW ¼ and Government Lots 3 and 4 of Section 32; All in Township 15 North, Range 46 East, W.M.

The NE ¼, the NW ¼, the SE ¼ and all that part of the SW ¼ lying easterly of a line that lies 1,000.00 feet westerly and parallel to the centerline of SR 195 all in Section 1; All that part of the East ½ of Section 2 lying easterly of a line that lies 1,000.00 feet westerly and parallel to the centerline of SR 195; All that part of Section 12 lying easterly and northerly of the centerline of SR 195 and all that part of said Section 12 lying between the centerline of said SR 195 and a line 1,000.00 feet westerly and southerly and parallel to the centerline of SR 195 from the intersection of SR 27 and SR 195 to the northerly section line of said Section 12; All in Township 14 North, Range 44 East, W.M. The NE ¼, the NW ¼ and the North ½ of the SW ¼ all in Section 1; The NE ¼, the NW ¼, the North ½ of the SW ¼, the SW ¼ of the SW ¼ and the North ½ of the SE ¼ all in Section 2; Sections 3, 4, 5, 6, 7 and 8; All of Section 9 lying northerly of the said centerline alignment for the "Alternative B" route as drawn and shown in the South By-Pass Conceptual Route study prepared for the City of Pullman by Taylor Engineering dated November 28, 2005, and also lying northerly of the centerline of County Road Number 9070, Old Moscow Road; All of Section 10 lying northerly of said centerline of County Road Number 9070, Old Moscow Road; All that part of the North ½ of Section 18 and the North ½ of the NW ¼ of Section 17 lying northerly of the centerline alignment for the "Alternative B" route as drawn and shown in the South By-Pass Conceptual Route study prepared for the City of Pullman by Taylor Engineering dated November 28, 2005; All in Township 14 North, Range 45 East, W.M.

1. ~~quarter-sections (a ¼ section equaling about 160 acres) that are within ½ mile of the Pullman city limits, in addition to a 97-acre parcel owned by the Evangelical Free Church in the SW ¼ of Section 30, Township 15N, Range 46E.W.M., Washington State; except existing Districts other than Agricultural, such as Highway/Waterway Commercial, Heavy Commercial, Airport Commercial, Light Industrial, Heavy Industrial and the Pullman Moscow Corridor District, which are as follows:~~

- ~~Township 15 Range 45 all of 28; parts of the NE, SE, SW, and NW ¼s of 29; N ½ and parts of SE and SW ¼s of 30;~~
- ~~Township 15 Range 44 SE ¼ of 25, E ½ and SW ¼s of Section 36;~~
- ~~Township 15 Range 45 parts of the NW, SW and SE ¼s of 31; NE ¼ and part of NW ¼ of 36;~~
- ~~S ½ and NW ¼ of 25; S ½ of 26; S ½ of 27; part of N ½ of 34;~~
- ~~Township 14 Range 44 NW ¼ and parts of SW, NE, and SE ¼s of 1; NE ¼ and part of SE ¼ of 12; NE ¼ of Section 13;~~
- ~~Township 14 Range 45 N ½ of 18; parts of the NW and SW ¼s of 6; parts of NW, NE, SE, and SW ¼s of 7; parts of NW, NE, SE, and SW ¼s of 8; N ½ of 17; NW ¼ of Section 16; W ½ and part of NE ¼ of 9;~~
- ~~N ½ of 10; parts of the NW and NE ¼s of 11; and part of the south half of the SW ¼ of Section 2.~~

A map has been produced to show these areas.)

2. Land within the above-described general areas may be considered for rezoning to Cluster Residential District. (Any area defined by interlocal agreement between the county and the city of Pullman that

describes city expansion areas [adjacent to water and sewer line potential extensions] will be excluded from this zone.) The process by which this zone may be created is as follows:

- a. The proposed Cluster Residential District zone change shall be at least 1,000 feet distant from any commercial agricultural land and any other commercial or industrial zone or existing conditional use that may have compatibility issues with the proposed Cluster Residential development, unless the owner(s) of said lands sign a waiver that they do not object to the establishment of such a zone.
- b. If no waiver is obtained, the zone change application may still be presented to the Planning Commission public hearing, but the burden of proof that said development would not negatively affect the adjacent agricultural land operations, commercial or industrial land use shall rest with the zone change applicant. The applicant must to the satisfaction of the Planning Commission, cogently explain how the proposed zone change and development would not hamper or curtail current agricultural, commercial or industrial practices, such as but not limited to prevailing wind problems, aerial applicator flight patterns required by topography, odor, noise, livestock, hours of operation and so forth.
- c. The applicant shall hold a meeting, with planning staff present, to discuss concerns with neighboring land owners, farm operators and residents before the hearing. Planning staff shall take notes at this meeting.
- d. The site plan prepared as part of the zone change application shall designate an area for the shared well, or for individual wells on each lot.
- e. The site plan prepared as part of the zone change application shall show preliminary County Environmental Health information that potential residential sites will have access to area and soils adequate to be permitted for septic system drain fields, sufficient for each proposed residential building site.
- f. The zone change application must show that the proposed access from an improved county road or state highway can be obtained from the appropriate government agency.
- g. The internal road that serves the lots shall be a shared private road. In general, this road shall be designed to stay on one of the land's contours. It shall be engineered to County standards, or as approved by the County Engineer, and shall meet fire code requirements.
- h. The dwelling area is defined as the area of a parcel of land in which building construction can occur, such as the area suitable for structures and landscaping. Wells, drain fields, driveways, the internal road, and so forth could be allowed within the buffer area, but must maintain the required 20-foot setback from the zone perimeter.
- i. The buffer from perimeter of the Cluster Residential zone to the lots, or the dwelling area within each lot, shall be a horizontal 200-foot distance of pasture, hay or native vegetation in those cases where the exterior Cluster Residential zone boundary is adjacent to lands in commercial agricultural use.

- j. Compliance with the County's critical areas ordinances will direct development away from flood hazard and wetland areas, and will protect the aquifers. The Building and Fire Codes will guide development with regards to steep slopes and geologically hazardous soils. Structures built on 1:3 slopes or steeper are subject to additional Building Code provisions.
  - k. Prior to the zone change public hearing, within county jurisdiction, notice shall be mailed to land owners within 1,000 feet of the proposed zone boundaries. Within city jurisdiction the notice distance shall be 300 feet. The property shall be posted with a public notice and the notice shall be published.
  - l. Prior to approval of any short plat survey or preliminary long plat survey, any Declaration of Covenants, Conditions and Restrictions (CCR) associated with said subdivision shall be reviewed by the County Planner for inclusion of
    - i. Regulations controlling assessments for the improvement and maintenance of shared infrastructure such as driveways and water systems.
    - ii. Regulations controlling amendment of the CCR document;
  - m. The CCR document may include other restrictions, such as those addressing type of construction, which are not required by Whitman County.
3. Special requirements within the zone:
- a. A grading permit shall be required prior to the disturbance of any vegetation and soils. Grading shall disturb the minimum area needed for the developments. It may be necessary for a grading permit to be issued prior to each new proposed development if the development occurs in phases or over time. The grading permit requirement shall be enforced through the Building Code.
  - b. Structures shall be located so that their highest point shall be lower than elevation of the highest ridgeline or hilltop within one-half mile of the building site.
  - c. Prior to the issuance of a building permit, in consultation with the appropriate Fire District, fuel breaks shall be designed to protect structures. It shall be the responsibility of each home owner and/or resident to implement and maintain the fuel break in such condition as to protect structures from wildfire damage. Whitman County shall have no liability for any wildfire damage.
  - d. Any development that is planned to meet State Department of Ecology storm water requirements shall be presented to Whitman County as part of the plat design. Although this is not a County requirement, this will involve land use, so the details of that development and/or the structures required shall be provided to Whitman County. In some cases, it may be possible to combine this with, for example, a fire flow storage system.
  - e. Outdoor lighting shall be of full cut-off design.
4. The deed restriction and/or easement sample as stated below shall be used when Cluster Residential Districts are created, and when there is a residential building permit and/or conveyance of Cluster Residential District lot ownership:
- a. Acknowledgement

COUNTY OF WHITMAN  
STATE OF WASHINGTON  
CERTIFICATION OF ADJACENT AGRICULTURAL USE

The undersigned do hereby certify to be the owner(s) of the hereinafter legally described real property and do hereby acknowledge that the proposed development is within the vicinity of property utilized for commercial agricultural purposes. Persons who may reside or work in any of the proposed structures may be subjected to inconvenience or discomfort arising from the pursuit of agricultural operations, including but not limited to plowing, seeding, application of agricultural chemicals (herbicides, pesticides, and fertilizer), cultivation, harvesting, the keeping of livestock, employment and use of labor, the operation of machinery, the transport or relocation of farm machinery or farm products, the storage of crops, and other accepted and customary agricultural activities conducted in accordance with federal and state laws. These normal agricultural practices that occur any time of day and any day of the week generate dust, fumes, smoke, noise and odor, and may slow traffic, or otherwise conflict with residential property uses. Whitman County has established agriculture as a priority use on agricultural lands (Ordinance No. 044668, February 4, 1991). Residents of property within the vicinity of agricultural lands should be prepared to accept such inconvenience or discomfort from normal, necessary farm and ranch operations. In the event of conflict, the residential property owner recognizes the preference to resolve it in favor of farm and ranch practices. The party(ies) who sign this acknowledgement, and their successors, hereby waive all common law rights to object to normal and necessary agricultural management activities legally conducted on agricultural land that may conflict with the use of this property for residential purposes.

This statement of acknowledgement shall be recorded with the Whitman County Auditor, and shall be binding on the undersigned, any future owners, encumbrances, their successors, heirs, or assignees.

Legal description of land: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A certification by the property owner is necessary to obtain approval for a zone change to Cluster Residential District, and prior to all building permits issued within this District. Whitman County Zoning Ordinance Section 19.12.080 (1)(f) and (2)(f)

I certify that I am / we are the owner(s) of the land described hereon.

Printed name of land owner: \_\_\_\_\_

Land owner signature: \_\_\_\_\_ Date: \_\_\_\_\_

ACKNOWLEDGMENT

STATE OF WASHINGTON )  
 ) SS  
COUNTY OF WHITMAN )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before \_\_\_\_\_ a Notary Public in and for the aforesaid state, personally appeared before me \_\_\_\_\_; to me known to be the person(s) who executed the foregoing certificate and that they signed the same as their free and voluntary act and deed in witness whereof, and date above written.

\_\_\_\_\_  
Notary Public In and For the State of Washington  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

The following steps are required for this compliance:

1. \_\_\_\_\_ Completing and signing this Certification.
2. \_\_\_\_\_ Obtaining Planning Office review
3. \_\_\_\_\_ Filing this Certification with the County Auditor
4. \_\_\_\_\_ Providing proof from the County Auditor for the Planning and/or Building Inspection office(s) that this Certification has been filed.

The existence of this Certification must be conveyed to each future owner of this property. (Revised 4/30/07 Ordinance #066838, effective 5/15/07)

077296 43. The formal transmittal for the Uniontown Cooperative rezone of 2.9 acres was received from Mr. Basler stating several similar rezones have been done in the past.

077297 44. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to set a hearing to authorize rezoning of 2.9 acres south of Leon Road in Uniontown from the Agricultural District to the Limited Heavy Industrial District and authorizing publishing thereof.

11:15 a.m. - Phil Meyer.

077298 45. No action taken.

077299 46. Mark Storey said the Interview Committee interviewed all 4 consultants and have selected Anchor QEA and would like to enter into contract negotiations with them. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve the selection of Anchor QEA as the VSP consultant.

077300 47. There being no changes to the current ER&R Rental Rates, Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve the 2016 ER&R Rental Rates.

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

|                                   |   |                                |
|-----------------------------------|---|--------------------------------|
| In the Matter of establishing     | ) |                                |
| 2016 Equipment Rental Rates       | ) | RESOLUTION No. <u>077300</u>   |
| Equipment Rental & Revolving Fund | ) |                                |
| Whitman County Public Works Dept. | ) | ESTABLISHING ER&R RENTAL RATES |
| Whitman County, Washington        | ) |                                |

WHEREAS, the Whitman County Equipment Rental and Revolving Fund is required to establish equipment and vehicle rental rates in accordance with statute; and,

BOCC MINUTES-12/21/15

WHEREAS, rental rates are intended to create enough reserve to pay for equipment replacement at the end of its useful life; and,

WHEREAS, the County Engineer and Maintenance Operations Manager track equipment capitalization, operation, and maintenance costs, and have recommended the following rental rates; and,

WHEREAS, the Board also recognizes the necessity of allowing Public Works the latitude to allow for mid-year adjustment to the rental rates, because of fluctuating costs,

NOW THEREFORE, BE IT HEREBY RESOLVED that Whitman County will establish the following ER&R rental rates for 2016, with the ability for the County Engineer to make minor adjustments at his sole discretion, depending on fluctuating cost factors, to take effect on January 1, 2016.

|                           |                                    |
|---------------------------|------------------------------------|
| Graders                   | \$48.00 per hour                   |
| Loaders                   | \$40.00 per hour                   |
| Excavators                | \$36.00 per hour                   |
| Trucks                    | \$38.00 per hour                   |
| Water Trucks              | \$75.00 per hour                   |
| Asphalt Distributors      | \$75.00 per hour                   |
| Paint Truck               | \$80.00 per hour                   |
| Asphalt Chip Spreader     | \$80.00 per hour                   |
| Crack Sealer              | \$40.00 per hour                   |
| Rollers                   | \$33.00 per hour                   |
| Brooms                    | \$30.00 per hour                   |
| Tractor Mowers            | \$40.00 per hour                   |
| Trailers                  | \$11.00 per hour                   |
| Snow plows                | \$14.00 per hour                   |
| Sanders                   | \$23.00 per hour                   |
| Pickups                   | \$11.00 per hour                   |
| Sheriff's vehicles        | \$1,000.00 to \$1,100.00 per month |
| Other Department Vehicles | \$ 500.00 to \$ 850.00 per month   |

ADOPTED this 21<sup>st</sup> day of December, 2015.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
Dean Kinzer, Chairman

ATTEST:

\_\_\_\_\_  
Arthur D Swannack, Commissioner

\_\_\_\_\_  
Maribeth Becker, CMC  
Clerk of the Board

\_\_\_\_\_  
Michael Largent, Commissioner

**077301**      **48.**    The Lacrosse South stockpile site crushing bid award was tabled to January 4<sup>th</sup>.

**077302**      **49.**    The Colfax stockpile site crushing bid award was tabled to January 4<sup>th</sup>.

**077303**      **50.**    Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to approve the resolution of intent to vacate a portion of O'Donnell road.

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

|  |   |                              |
|--|---|------------------------------|
| In the Matter of the Intent to Vacate  | ) | RESOLUTION No. <u>077303</u> |
| And Abandon a portion of the O'Donnell | ) |                              |
| Road No. 5570 lying outside of the new | ) |                              |
| Right of way for said O'Donnell Road,  | ) | INTENT TO VACATE AND         |
| in the SE ¼ of Section 25, Township 15 | ) | DIRECTIVE TO COUNTY ENGINEER |
| North, Range 45 East, W.M., in         | ) | FOR REPORT                   |
| Whitman County, WA                     | ) |                              |

WHEREAS, the Whitman County Board of County Commissioners considers useless, for the public, a portion of the O'Donnell Road lying outside of the new right of way of County Road No. 5570, the O'Donnell Road, in the SE ¼ of Section 25, in Township 15 North, Range 45 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 portion of the O'Donnell 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 a portion of the O'Donnell Road lying outside of the new right of way of County Road No. 5570, the O'Donnell Road, in the SE ¼ of Section 25, in Township 15 North, Range 45 East, W.M., in Whitman County, Washington, more particularly described as follows: All that portion of the O'Donnell Road being replaced by a new alignment for County Road Project No. C.R.P.5570-2 O'Donnell Road, recorded in the Whitman County Engineers office, and lying outside and westerly of the new County road right of way, as shown on said road construction plans, 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 portion of the O'Donnell Road.

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

DATED at Colfax, Washington, this 21st day of December, 2015.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
Dean Kinzer, Chairman

ATTEST:

\_\_\_\_\_  
Arthur D Swannack, Commissioner

\_\_\_\_\_  
Maribeth Becker, CMC  
Clerk of the Board

\_\_\_\_\_  
Michael Largent, Commissioner

077304 51. Commissioner Largent **moved** Commissioner Swannack **seconded** the motion and it **carried** to set a hearing to authorize the abandonment of a portion of the O'Donnell Road and to authorize publishing a notice of hearing.

DIVISION UPDATES:

**BOCC MINUTES-12/21/15**

**D077304A 52.** The following division updates provided by Public Works staff.

**Maintenance Division:**

**D077304B 52A.** Snow related maintenance issues discussed.

**D077304C 53.** Approved documents signed.

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

**1:30 p.m. - Reconvene/Board Business Continued.**

**Present:** Mike Berney, Greater Columbia Behavioral Health (GCBH).

**077305 54.** Mr. Berney reviewed the GCBH meeting held December 3, 2015.

**D077305A 54A. Funding and Fiscal Operations Committee Report:**

The Committee did not meet in November. The Committee Chair reminded the Board a recommendation for a supplemental budget would be put forth at either the January or February Board meeting.

**D077305B 54B. Regional Office Update:**

- Request by Regional Office staff to authorize additional time from the consultants that helped write the GCBH application to become a Behavioral Health Organization (BHO) on April 1, 2016. This will only be utilized if necessary to answer additional questions from the State.
- Commissioner Bouchey from Yakima County described a conversation he had with several legislators and others regarding the allocation of beds at Eastern State Hospital. Spokane RSN requested that 10 beds from GCBH's allotment be loaned to them.
  - Reminder: GCBH had loaned, for a fee, beds to Chelan/Douglas RSN in the past. The Attorney General's Office provided an opinion that this was not appropriate. This requested loan of GCBH's beds would be at no cost to Spokane RSN. A discussion amongst Board members was held regarding, among other things, the political implications of this request.
  - A question was raised by Regional Office fiscal staff about how much GCBH would be contributing towards employees benefits for the upcoming year. In the past these kinds of questions have gone to the GCBH Personnel Committee. The Board of Directors referred this question to the Personnel Committee for a recommendation at the January Board meeting.
  - A request to provide \$8,000 in funding for a second American Society of Addiction Medicine (ASAM) diagnostic training was received. The first training was completely full and there was a waiting list. This training is in support of the integration between the chemical dependency and mental health systems that will occur April 1<sup>st</sup>.

Whitman County voted in favor of authorizing additional time with the consultants if needed, a second ASAM training, and to loan some of GCBH's ESH beds to Spokane RSN. All votes were unanimous.

**D077305C 54C. Fourth Amended Interlocal Agreement for GCBH:**

This amendment has been sent out to the Counties for their signature. As of 12/03/15 five (5) Counties had signed and returned their signature page including Whitman County.

**D077305D 54D.** Commissioner Swannack asked about the status of penalties for reserve funds and Mr. Berney said that did take place, but it did not affect GCBH.

**2:00 p.m. - Recess.**

BOCC MINUTES-12/21/15

**D077305E THE BOARD OF WHITMAN COUNTY COMMISSIONERS** met in their Chambers in the Whitman County Courthouse, Colfax, Washington for **Monday, December 28, 2015** at **9:00 a.m.** Chairman Dean Kinzer, Arthur D Swannack and Michael Largent, Commissioners and Maribeth Becker, CMC, Clerk of the Board attended.

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

Present: Gary Petrovich, Cinnamon Brown, Mark Storey (9:05 a.m.) and Joe Reynolds (9:50 a.m.).

**D077305F 55.** Approved consent agenda items signed.

**077306 56.** General/Veterans' Relief/Payroll warrants numbered **320625-320634** for **\$370,146.89** and **320641-320802** for **\$399,365.16**.

**077307-077324 57.** Personnel change orders.

**D077324A 58.** No miscellaneous year-end documents.

**D077324B 59.** Need/No Need for Tuesday, 12/29/15 workshop.

**077325 60.** The following items were discussed but no action was taken.

- Red Cross Hometown Heroes
- Treasurer's Workshop
- Federal Confiscated Revenues
- D.A. Davidson Projects
- Auditor's 2015/2016 Budgets
- Snow Removal Update
- Transfer Station Repair Costs
- VSP Information
- MRSC Disclosure Statute
- Tax Levies

**077326 61.** Tuesday, December 29, 2015 workshop cancelled.

**10:20 a.m. - Adjournment.**

**D077326A** Commissioner Largent **moved** to adjourn the **December 21 and 28, 2015** meeting. Motion **seconded** by Commissioner Swannack and **carried**. The Board will meet in regular session, in their Chambers', in the Whitman County Courthouse, Colfax, Washington, on **January 4, 2016**. The foregoing action made this **28<sup>th</sup>** day of **December 2015**.

ss/ ARTHUR D SWANNACK, COMMISSIONER  
ss/ MICHAEL LARGENT, COMMISSIONER

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MARIBETH BECKER, CMC  
Clerk of the Board

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DEAN KINZER, CHAIRMAN  
Board of County Commissioners