

ASOTIN COUNTY BOARD OF COMMISSIONERS

April 4, 2016

Regular Meeting

The Board of Commissioners in and for the County of Asotin, State of Washington, met this date. Present were Brian Shinn, Chairman and Jim Jeffords Member. Jim Fuller, Vice Chair on vacation.

Regular meeting called to order at 9:00 a.m.

(1)

Jeffords moved to approve the minutes of March 28, 2016 as written. Fuller seconded, motion carried.

Open to the public:

(2)

Lyle Parks told the Board, he hoped the tumbleweeds at the Port site were going to be taken care of. Dustin Johnson, Public Works Director said the County is responsible for the roads the property is the responsibility of the Port. The Board suggested to Parks to attend a Port of Clarkston meeting to voice his concerns.

(3)

Stan Bailey, 20288 Snake River Road told the Board this was the first big weekend for beach use. Bailey said he thought he saw progress with cleaner beaches and only saw one vehicle on a beach, however, there was one beach that looked like the people left in a hurry and left a lot of garbage and fecal matter. Bailey said he hoped the Board will approve the resolution regarding beach use so the Sheriff's Office has more authority about enforcing these types of beach abuse.

Danika Gwinn, Clinical Director & Cicily Zornes, Executive Director - Quality Behavioral Health:

(4)

Gwinn and Zornes introduced themselves. Gwinn said they were here today to give a quick snapshot of program changes. Gwinn said nothing has or will change with client services, there has been changes in organization names due to combining some programs. There no longer is an RSN but rather a Behavioral Health Organization (BHO) and Chemical Dependency Services is now referred to as Substance Use Disorders (SUD).

Jeffords asked what they call it when they have to respond to the Jail. Gwinn said it is Crisis.

Shinn commented, the Board has gotten complaints about the services at the Jail. Gwinn said maybe once every three months there maybe a problem but usually that is based on the speed of getting someone into Eastern State Hospital. Gwinn said she sees it getting better by Eastern sending them to the Jail for a quicker evaluation but it is not good on Jail staff. Gwinn said she has heard that Eastern may be stopping their 72 hour hold.

Fuller commented that he and Gwinn have had meetings with the Judge, Prosecuting Attorney, Defense Attorneys and the Jail Commander to better understand their services. Eliminating frustrations in the Jail and Courts.

Gwinn explained the information on services hours for Quality Behavioral Health, mental health and substance use disorder services.

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(5)

Shinn read aloud a Proclamation from Governor Jay Inslee regarding Public Safety Telecommunicators Week, the week of April 10-16, 2016.

(6)

Public hearing held at 9:30 a.m. regarding surplus of Law Library property, with eight public present. Jane Risley, Law Library member informed the Board, the new Superior Court Judge, Scott Gallina does not like the disorder of the law library and wants it cleaned up. Risley said the law books are outdated for four to five years and they plan to replace them with computers. There is an abundance of shelves that will not be needed. Risley said the Law Library Committee plans on painting and replacing carpet.

Risley requested the Board authorize a surplus auction of the shelves that is scheduled for Tuesday, April 5th.

No further comments, hearing closed at 9:5 a.m.

(7)

Fuller moved to adopt Resolution 16-09 "Resolution Declaring Certain personal Property Surplus and Setting Place, Time and Date for Auction". Jeffords seconded, discussion: Shinn asked about correcting the Annex address to 95 Second Street and inserting a time for the auction. Risley said they could correct the address and the time is from noon to 1:00 p.m. No further discussion, motion carried.

John Hilderbrand, County Sheriff:

(8)

Hilderbrand presented a State parks and Recreation Commission boating safety grant letter of award for \$11,717.49 which requires match funds. Hilderbrand requested the Board authorize the use of the grant funds, stating because of the matching of funds and not knowing where he would get those funds from, he was not required to use the full amount of the grant. Hilderbrand said his budget is very tight and may need a budget amendment.

Fuller asked Hilderbrand if they are still working with the Corp of Engineers for funding. Hilderbrand said they are, he has just sent it in and waiting to hear back.

Shinn commented that the Sheriff's budget is destroyed with the deputies that are off and being paid and the overtime that is being paid. Shinn asked if he has discussed the funding with CFO. Hilderbrand said he is trying to but their schedules have not worked out. Hilderbrand said he knows his budget can't do the full match, but maybe he could find a couple thousand. Shinn asked when the funds could be used. Hilderbrand said he could start using now, but holding off to make sure of the match funds.

Shinn requested Hilderbrand come back to the Board with a plan showing his couple of thousand and where the rest of the funds would come from.

Jeffords said the grant spells out what can be done with the funds. Hilderbrand said that is what he can do, but again he does not have to use all the available grant funds. Shinn said he understands what the funds can be used for, however, he still would like him to bring back a plan that would show where funds are coming from.

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(9)

Public hearing held at 9:50 a.m. regarding Beach Safety Ordinance, with twelve public present. Lynn Jarvis, Snake River Task Force member commented on the draft ordinance wording. Jarvis suggested to preclude issues that the word vehicle be added to self-propelled; at 11.01 remove the wording related to type of wood so it is not limited; 11.04 add the word beaches at the end of the first sentence and either add the word beaches at 11.04 #2 or remove "in an exposed or unsanitary condition".

Noel Hardin, Fire District #1 Fire Chief said he agreed with Jarvis' comments. Hardin said he would like to see a size added to the firepan wording. Add demo debris as a prohibited wood and at 11.02 where it refers to a motor vehicle needing a permit from government agency, people might figure if they have a discovery permit is allowable. Jane Risley, Deputy Prosecuting Attorney said the Prosecuting Attorney's Office wanted this wording to be the same as federal regulations.

Shinn asked about a suggested size for the firepan, maybe a 3 foot by 5 foot. Hardin said the common size would be no larger than a 4 x 4. Jeffords said maybe we could use the Forest Service size.

Hardin suggested stiffer fines, maybe something similar to the burning ordinance where there is a minimum fine.

Rich Eggleston, Snake River Road said he was glad to see this being done. Eggleston suggested preserving private property rights. Eggleston asked about 1.02 disallowing motorized vehicles and questioned the use by property owners having to do maintenance because of boat traffic and runoff which effects private property and then the owner has to use a motorized vehicle to place rocks, etc. Doing this means the property owner might have to access public property to get to the private property, how would enforcement be on the property owner. Shinn said he would think there would be some allowable access. Fuller said there would be a shoreline management issue and the shoreline management group would have to be contacted before any type of work was done on the shoreline.

Eggleston commented on 1.02 #1 regarding launching boats or other watercraft asking if that meant private watercraft. Shinn said he believed so. Eggleston said, since about 2000 he has been launching business boats and also private boats. Fuller said he would think there is regulations regarding that in the shorelines plan. Karst Riggers, Building Official/County Planner said it is discussed.

Stan Bailey said he is happy to see this processing. Bailey said since we now have a Sheriff and Fire Chief that are willing to help out.

Jane Risley asked the Board, regarding the fires, are they ready to make a decision regarding the fines today, if so she can get the ordinance changed to include the same wording as the burning ordinance so it could be ready for next week. The Board agreed to use the same wording regarding fines.

Hearing no further comments, hearing closed at 10:15 a.m.

(10)

By consensus the Board authorized the Deputy Prosecuting Attorney to add the same wording as in the burning ordinance regarding fines, to the beach ordinance.

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Karst Riggers, Building Official/County Planner:

(11)

Riggers presented for preliminary approval, Short Plat 15-28 for Lew Mangum at 1417 Elm Street. Riggers explained this application is to develop 2.21 acres into a four lot subdivision in the Low/Medium Density Residential Zone. Riggers said each lot could be developed with a single family dwelling or a duplex.

Riggers informed the Board, the subdivision will be served by public water system and sanitary sewer. The development will require a fire hydrant be installed. A 20 foot fire access road with approved turnarounds will be required for Lots 2, 3 and 4 and all roads and turnarounds will be required to be constructed prior to final plat approval. Riggers said, because Lot 4 is outside the 900 foot regulation, a fire hydrant will have to be located. Also because this is a fire access road, it will be posted, no parking. Noel Hardin, Fire Chief said he is fine with a 20 foot wide road since there will be a fire hydrant.

Shinn asked if the Sheriff's Office has authority to ticket any vehicles parked in the no parking area. Riggers said he did not think so. Shinn asked Sheriff Hilderbrand, Hilderbrand said they could not because it is private property, but if there was a fire they could.

Jeffords asked Hardin about his letter saying the Fire District required a 26 foot road and was it because it exceeds the 500 foot road length. Riggers said that was correct, but it depends on the starting point of measurement.

Fuller said he had a concern that when the property is sold, the buyer is sure of safety issues. Riggers said the buyer needs to be know what they are buying and the "no parking" will be stated on the plat map.

Riggers informed the Board, the Planning Commission recommends preliminary approval with staff and Fire District requirements.

Jeffords moved to follow the recommendation of the Planning Commission for preliminary approval with staff and Fire District requirement. Fuller seconded, motion carried.

(12)

Riggers presented for final approval, Zone Change 16-03 for David Carney at 2380 Appleside Blvd. Riggers said this is 2.07 acres in the Light Neighborhood Commercial/Low Medium Density Residential Zone. Riggers said this application is to make the entire property Light Neighborhood Commercial and would be a map amendment only.

Riggers informed the Board, the current zoning 300 feet west of Appleside Blvd is light neighborhood commercial and multiple parcels along the Appleside corridor, from 3rd Avenue to 6th Avenue are effected by the split zone. Riggers said this proposal is consistent and supported the goals and policies for commercial development within the Comprehensive Plan.

Riggers informed the Board, the Planning Commission received a petition from a few neighbors opposing the zone change also a couple of neighbors attended the Planning Commission meeting opposing the change because they were unsure of what might happen with the property.

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Riggers said he believes, people on Appleside still think Appleside is a residential zone and it isn't. It has been zoned commercial since 2001.

David Carney, property owner informed the Board he has no intention of making any changes to the current use. The renter he has in there right now is the best renter he has ever had. Carney said this renter is a horse trainer and he could move all of her stuff to the front of the property, but that would be goofy, she could buy the property and have as many horses that she wants.

Fuller asked if the renter could apply for a conditional use permit. Riggers said she could and that would be the next step if this zone change is approved because what she does is considered "kenneling" but if it is not approved she would have to relocate to the front of the property because "kenneling" is not permitted in the residential zone.

Boyd Johnson, 2150 4th Avenue said it isn't only the unknown for what could happen with the property with a zone change but the condition of the property as it currently is with horse manure piled up and the flies and smell.

Riggers said he contacted Carney once his office was made aware of the business located there and informed Carney what his options were.

Fuller moved to deny the Zone Change 16-03 for David Carney. Jeffords seconded, motion carried.

Dustin Johnson, Public Works Director:

(13)

Johnson presented for the Chairman's signature, Amendment No. 3 (Final) for Grant Agreement #G1200603 with the Department of Ecology for the Ridgeview Drainage Mitigation project. Johnson explained the only change is to extend the end date from June 30, 2016 to December 31, 2016.

Jeffords moved to authorize the Chairman to sign the amendment. Fuller seconded, motion carried.

(14)

Fuller moved to authorize the Chairman to sign the 2016 Multiple Materials contracts as follows: Schedule C-CRS-2P with Western States Asphalt, LLC; Schedule D - Hot Mix Asphalt and Tack Oil with Poe Asphalt Paving, Inc.; Schedule E - Aggregates with Atlas Sand and Rock and Schedule F - Gas and Diesel Fuel and the Fuel Purchase Agreement with Coleman Oil. Jeffords seconded, motion carried.

(15)

Fuller moved to authorize the renewal of the Wesley Group contract for the period of September 1, 2016 through August 31, 2017 with no change in rate or service. Jeffords seconded, motion carried.

(16)

Jeffords discussed the letter of resignation from Donna Franklin, Human Services Board Chairperson. Jeffords reminded the Board, they have discussed the need of this Board since the change in the mental health and substance abuse services. Jeffords said he feels the Commissioners know information before this board does and there really isn't a need for the board any longer. Jeffords said he feels this board has been a great board in the past but has lost it's usefulness. Fuller agreed. Jeffords moved to accept Franklin's resignation and thanked all the people who has been involved.

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Fuller seconded, motion carried.

(17)

Jeffords moved to dissolve the County Health & Human Services Board. Fuller seconded, motion carried.

(18)

Board gave committee reports.

(19)

Open to the Public (continued): None

(20)

Media - None

Claims approved and ordered paid:

#001	Current Expense	\$118,712.83
#101	County Road	\$ 37,677.16
#104	County Fair	\$ 7,358.28
#108	Alcoholism	\$ 975.65
#126	Building & Planning	\$ 80.00
#129	Community Services	\$ 1,083.22
#146	Special Real Estate	\$ 294.01
#170	Trial Court Improvements	\$ 536.80
#410	Regional Landfill	\$ 936.04
#460	Stormwater	\$ 32,823.25
#501	ER&R	\$ 300.24
#502	Central Services	\$ 905.96

The following voucher (warrant) numbers are approved for payment:
257702 through 257787 for \$201,683.44

Board recessed at 11:25 a.m. until 1:00 p.m. for executive session(s).

Board reconvened at 1:00 p.m. with all members present.

Executive session held at 1:00 p.m. for approximately thirty minutes regarding contract negotiations per RCW 42.30.140(4).

Executive session held at 1:30 p.m. for approximately forty-two minutes regarding review of County employee per RCW 42.30.100(1)(g).

Executive session held at 2:12 p.m. for approximately thirteen minutes regarding personnel issues per RCW 42.30.10(1).

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Board reconvened to regular session at 2:25 p.m.

(21)

After discussion of an article in the Lewiston Tribune newspaper the Board agreed to send a response to the paper.

Jeffords moved to send a response to the Lewiston Tribune regarding the March 29, 2016 article related to the court judgement against the County regarding a public records issue. Fuller seconded, discussion: Fuller said this is for clarification of statements made in the article. No further discussion, motion carried.

(22)

By consensus the Board agreed to allow offices to close at noon on April 22, 2016 for Fair Friday, noting that if staff takes the time off, they have to use vacation time and if they do not have vacation time they have to take time off without pay.

Board recessed at 2:52 p.m. until 10:15 a.m. Wednesday, April 6th for a work session with the Veteran's Advisory Committee.

Board reconvened at 10:15 a.m., April 6th with Shinn and Jeffords present.

(23)

Work session held with Veteran's Advisory Committee to discuss local issues.

Board recessed at 11:10 a.m. until 10:00 a.m. on Friday, April 8th for a work session regarding the Adult Probation.

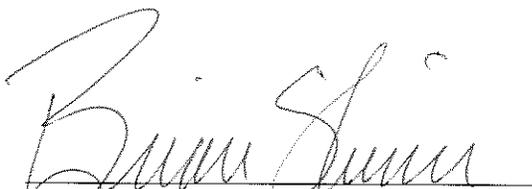
Board reconvened at 10:00 a.m. with all present.

(24)

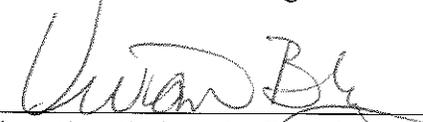
Board held a work session regarding the Adult Probation position with Sheriff John Hilderbrand; Jim Smith, Jail Commander; Tina Kernan, District Court Judge and Chris Kemp, CFO.

Board agreed they are in favor of returning the program back to the Sheriff's Office however they would like to see the vacant Correction Deputy positions refilled and get the opinion of Superior Court Judge Scott Gallina.

Board adjourned at 11:00 a.m. until their next regular scheduled meeting at 9:00 a.m. April 11, 2016.



Brian Shinn, Chairman



Vivian Bly, Clerk of the Board
April 11, 2016