

## **COMMISSIONERS' PROCEEDINGS**

**Adams County Courthouse  
Ritzville, Washington  
Regular Meeting**

**August 14, 2017**  
(Monday)

**Call to Order @ 8:30 a.m.**

**Present:**

Chairman Roger L. Hartwig  
Vice-Chairman Jeffrey W. Stevens  
Commissioner John N. Marshall

**Superior Court**

Adams County Superior Court Judge Steve Dixon updated the Board on the arrests of several individuals during recent drug busts in Adams County, and discussed the potential impact on the county budget.

[10:05:10 AM](#)

**Public Works**

Director O'Brien provided the weekly update on road maintenance and solid waste.

In other business, O'Brien reported the water fountain project at the fairgrounds is progressing with the current liner needing to be replaced prior to the rocks being set resulting in additional time and expense for the project. Also, during the final inspection of the underground power project, the inspector found the panel inside the Rotary building is outdated and unacceptable. Prior to moving forward, the panel will need to be replaced. O'Brien authorized Farmers' Electric to move forward with replacement of the electrical box and the Othello Rotary Club will be billed for the expense.

Engineer Yaeger provided updates on the progress of the McManamon Road Bridge Project; overlay projects; and, a drainage issue on Schaake Road.

**Prosecutor Front Entrance Remodel**

Public Works Director O'Brien reviewed the following results of the Small Works Roster Request for Proposals for the remodel of the Prosecutor

office front entrance:

Kyle Strohmaier Construction	no response
Banlin Construction	no response
Turner Restoration	no response
Pro Mechanical Inc.	no response
Rich Taylor	\$21,985.

Based on the recommendation of the Public Works Department, Board **consensus authorized awarding the Prosecutor Front Entrance Remodel Project to Rich Taylor, Spokane Valley, Washington in the amount of \$21,985 plus sales tax, as the lowest, responsive contractor meeting all bid specifications.**

### **Solid Waste Department**

Public Works Director O'Brien reviewed a small works project of a 10 X 24 awning shed roof off the side of the trailer building at the Bruce Transfer Station. Straight A Contracting, Othello, provided an estimate of \$6,352.87, including sales tax. Board **consensus authorized the Public Works Department to move forward with the project.**

### **ADA Self Evaluation Transition Plan**

A public hearing is set for September 11, 2017 at 10:00 a.m. in Room 202 of the Adams County Courthouse, Ritzville, to receive comment on the proposed Adams County ADA Self-Evaluation Transition Plan.

[10:56:30 AM](#)

[11:02:23 AM](#)

### **Initiative 502 Moratorium Renewal**

It being the time and place set for the public hearing to consider a renewal of the moratorium imposed by Resolution No. R-008-2017, Chairman Hartwig called the public hearing to order at 11:02 a.m.

Press from the *Ritzville Journal* was present.

Public comment was received from Mark Fancher.

There being no further comments, Chairman Hartwig closed the public hearing at 11:05 a.m.

### **Resolution No. R-040-2017**

Commissioner Stevens moved, Marshall seconded, to *approve Resolution No. R-040-2017 In the Matter of Renewing a Moratorium Relating to the Siting, Establishment, Location, and Permitting of any Structures or Uses Relating to the Cultivation, Production,*

***Processing, and Retailing of Marijuana in the Unincorporated County of Adams, Providing for a Public Hearing, Adopting Findings of Fact in Support of the Moratorium, and Confirming a Six Month Duration for the Moratorium to Address Regulating Such Matters in Adams County. Motion carried.***

Adams County Planning Commission members Bob Carlson and Michael Andersen discussed areas of concern in moving forward with adoption of permanent regulations including mapping of state licensed 502 grow locations in Adams County as well as signage to identify legal operations.

[11:26:31 AM](#)

**Recess @ 12:00**

**Reconvene @ 1:15 p.m.**

[3:10:10 PM](#)

**Voluntary Stewardship Program**

Prosecutor Flyckt reviewed the 2017-2019 Biennium Voluntary Stewardship Program (VSP) Work Plan Development and Implementation Contract, received from the Washington State Conservation Commission. Prosecutor Flyckt noted several portions of the contract language that is objectionable and he will modify the contract and present to the Board for final review.

[3:34:42 PM](#)

[4:14:57 PM](#)

**Adams County Development Council**

Commissioner Stevens moved, Marshall seconded, to *approve Addendum No. 11 between Adams County and the Adams County Development Council extending the terms and conditions of the original Agreement (May 12, 2008) for a period beginning July 1, 2017 and ending June 30, 2018. Motion carried.*

Commissioner Hartwig noted a desire for ACDC to continue, however, he will have difficulty approving future agreements without modifications. Commissioners Marshall and Stevens concurred with Commissioner Hartwig.

**Consent Agenda**

Commissioner Marshall moved, Stevens seconded, to *approve the Consent Agenda. Motion carried.*

Preliminary minutes of August 7 and 9, 2017

July 16 – 31, 2017 Payroll in the amount of \$390,308.43; and, Benefits in the amount of \$210,954.43 (Warrant # Series 528209-528340;

Direct Deposit # Series 50641-50832; Benefit/Deduction # Series 1132078-1132091)

Vouchers audited and certified by the Adams County Auditor as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090 and recorded on a listing, which was made available to the Board. These vouchers were listed as follows:

<u>Fund</u>	<u>Control Number</u>	<u>Amount</u>
001	172826 – 172859	\$ 15,324.39
103	172860 – 172862	\$ 3,441.39
104	172863 – 172884	\$ 20,476.49
109	172885	\$ 182.02
117	172886 – 172889	\$ 622.80
122	172890 – 172899	\$ 2,130.31
123	172900	\$ 155.62
131	172901	\$ 2,333.64
166	172902 – 172905	\$ 1,721.75
502	172906 – 172914	\$ 7,266.25
108	002015 – 002018	\$ 188.89
115	002019 – 002035	\$207,623.53
401	002036 – 002044	\$ 16,943.33
501	002045 – 002047	\$ 6,651.27
590	002048 – 002080	\$ 59,850.92
	TOTAL	\$344,912.60

[4:17:05 PM](#)

**Permanent Minutes Signed**

July 31 and August 2, 2017

**Correspondence Received**

Bob Luhn re: resignation of Commissioner Stevens

**Adjournment @ 4:20 p.m.**

Submitted:

s/Patricia J. Phillips

Clerk of the Board

Edited and Approved:

BOARD OF COUNTY COMMISSIONERS  
ADAMS COUNTY, WASHINGTON  
s/Roger L. Hartwig, Chairman  
s/Jeffrey W. Stevens, Vice-Chairman  
s/John N. Marshall, Commissioner

**RESOLUTION NO. R-040-2017  
ORDER OF BOARD OF COUNTY COMMISSIONERS  
ADAMS COUNTY, WASHINGTON**

**IN THE MATTER OF RENEWING A MORATORIUM RELATING TO THE SITING, ESTABLISHMENT, LOCATION, AND PERMITTING OF ANY STRUCTURES OR USES RELATING TO THE CULTIVATION, PRODUCTION, PROCESSING, AND RETAILING OF MARIJUANA IN THE UNINCORPORATED COUNTY OF ADAMS, PROVIDING FOR A PUBLIC HEARING, ADOPTING FINDINGS OF FACT IN SUPPORT OF THE MORATORIUM, AND CONFIRMING A SIX MONTH DURATION FOR THE MORATORIUM TO ADDRESS REGULATING SUCH MATTERS IN ADAMS COUNTY.**

**WHEREAS**, the state law allows for regulation of marijuana producers, marijuana processors, marijuana retailers, and marijuana retail outlets in a manner which ensures protection of County businesses and neighborhoods from the impacts of such businesses; and

**WHEREAS**, pursuant to the provisions of RCW 36.70.795 and RCW 36.70A.390, the Adams County Board of Commissioners did adopt Resolution No. R-025-2016, placing a six month moratorium on the siting, establishment, location, and permitting of marijuana cultivation, production, processing and retailing in the unincorporated County of Adams to study the impacts of such businesses;

**WHEREAS**, the County Board of Commissioners did adopt Resolution No. R-008-2017 to renew said moratorium for an additional six months to provide more time for the research and analysis needed to develop appropriate land use regulations; and

**WHEREAS**, said moratorium shall expire August 21, 2017 unless renewed or otherwise extended as provided in RCW 36.70.795 and RCW 36.70A.390; and

**WHEREAS**, the Adams County Planning Commission has been working to identify appropriate measures and to prepare draft legislation to address regulating the siting, establishment, location, and permitting of any structures or uses relating to the cultivation, production, processing and retailing of marijuana in unincorporated Adams County; and

**WHEREAS**, the County Board of Commissioners determines it is necessary to renew said moratorium to limit the location of licensed recreational and medical marijuana retail sales, production, processing, and implementation of SB 5052 and HB 2136 in the interest of the protection of public safety and health, and in the interest of providing additional time to evaluate the best alternative for the community;

**THEREFORE BE IT HEREBY RESOLVED** as follows by the Adams County Board of Commissioners:

1. The above recitals are hereby adopted as findings of fact.
2. Pursuant to the provisions of RCW 36.70.795 and RCW 36.70A.390, Adams County does hereby adopt a six (6) month moratorium extension prohibiting the establishment or siting of state licensed recreational and medical marijuana retail outlets, production, processing, and implementation of SB 5052 and HB 2136, which shall expire unless renewed or otherwise extended as provided in RCW 36.70.795 and RCW 36.70A.390.

3. Marijuana producers, marijuana processors, marijuana retailers, and retail outlets are hereby designated as prohibited uses within residentially zoned areas, areas within one (1) mile of a residentially zoned area, and areas within two (2) miles of an incorporated community boundary within the unincorporated areas of Adams County. A map illustrating such boundaries is attached hereto and incorporated herein as Exhibit A.
4. Marijuana production and processing activities allowed in the agricultural zones shall be required to be located 800 feet from existing residential dwellings, and shall maintain a 300 foot setback from on-owned or non-similar use of property lines.
5. Marijuana extraction processes are hereby prohibited in unincorporated Adams County except in areas zoned industrial, which are not otherwise prohibited.
6. Pursuant to the provisions of RCW 36.70.795 and RCW 36.70A.390, a duly advertised public hearing was conducted on August 14, 2017 at 11 a.m. in Room 202 of the Adams County Courthouse, 210 W. Broadway, Ritzville, Washington.
7. Unless amended, or renewed pursuant to RCW 36.70.795 and RCW 36.70A.390, this extended moratorium shall sunset in 6 months from the date of adoption.
8. Should any portion hereof be found unlawful, unconstitutional or in any way nullified or overturned, the remainder hereof shall remain in full force and effect.

**DATED** this 14<sup>th</sup> day of August, 2017.

BOARD OF COUNTY COMMISSIONERS  
ADAMS COUNTY, WASHINGTON  
s/Roger L. Hartwig, Chairman  
s/Jeffrey W. Stevens, Vice-Chairman  
s/John N. Marshall, Commissioner

ATTEST:  
s/Patricia J. Phillips  
Clerk of the Board