

COMMISSIONERS' PROCEEDINGS

Adams County Courthouse Ritzville, Washington Regular Meeting

April 30, 2018
(Monday)

Call to Order @ 8:30 a.m.

Present:

Chairman John N. Marshall
Vice-Chairman Roger L. Hartwig

Oath of Office: Commissioner Designate Terrance J. Thompson

Auditor Hunt administered the Oath of Office to Commissioner Designate Terrance J. Thompson.

[10:02:21 AM](#)

Public Works

Public Works Director O'Brien and Engineer Yaeger reported the following:

- Progress of road maintenance projects;
- Maintenance and repairs of the fairgrounds irrigation system;
- Progress of the jail security camera system installation;
- Progress of the Bruce Transfer Station repairs;
- The SEPA comment period is closed on the McManamon Road Bridge project with Yaeger noting the final environmental summary classification will now be completed and submitted to Department of Ecology; property easements are being finalized.

Equipment Lease

The Chairman signed Governmental Equipment Lease-Purchase Agreement, Transaction No. 3489562, between Caterpillar Financial Services Corporation and Adams County Public Works for the lease 2018 Multi Terrain Loaders approved for purchase during regular session on April 16, 2018. Prosecutor Flyckt signed the document as approval of counsel.

Public Services Building

Options were reviewed for modifications to the Public Services Building for office space for an adult probation officer. Director O'Brien has been

conferring with Architect Paul Coppock, DOH Associates. No action was taken pending further discussion.

Road Stabilization

Bids were received from:

Roadwise, Inc. 4723 N. Rebecca Street Spokane, WA 99217	\$153.21/ton
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Envirotech Services 910 54 th Avenue, #230 Greeley, CO 80634	\$149.00/ton
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The Board **concurred with the recommendation of the Public Works Department to award the bid for Magnesium Chloride & Lignite 80/20 (road stabilization) to Envirotech, Inc., as the lowest bidder at \$149.00/ton.**

Lind-Hatton / Damon Road Overlay Project

Commissioner Hartwig moved, Marshall seconded, to *authorize the Chairman to sign the Washington State Department of Transportation Local Agency Federal Aid Project Prospectus for Lind-Hatton/Damon Road Overlay Project; and, Local Agency Agreement between Adams County and Washington State Department of Transportation for Lind-Hatton/Damon Road Overlay Project.* **Motion carried.**

Engineering Personnel

Public Works Director O'Brien reported receiving resignation letters from two employees in the Engineering Department. Engineering Supervisor Clint Biggar will retire effective June 30, 2018; and, Engineering Technician Carl Hanson will retire effective June 29, 2018. O'Brien requested and received by **consensus authorization to move forward with the process of filling the positions of Engineering Supervisor and Engineering Technician in the Public Works Department.**

[10:49:57 AM](#)

[11:01:03 AM](#)

Corrections Department

Sheriff Wagner requested and received by **consensus authorization to purchase deputy helmets (\$12,800); flashlights (\$4,800); TRT vests (\$10,000); and, consensus authorization for removal of dental equipment from the mobile command vehicle (\$2,000) for a total expenditure of \$29,600 utilizing Drug Enforcement Fund #130.**

Surplus Sheriff's Department Equipment

A public hearing to consider declaring certain Sheriff's Department equipment surplus was set for Monday, May 21, 2018, at 9:30 a.m. in Room 202 of the Adams County Courthouse, Ritzville.

Corrections Personnel

Sherriff Wagner reported a letter of resignation has been received from Corrections Officer Kamer, effective August, 2018. Sheriff Wagner requested and received **consensus authorization to move forward in the process of filling the position being vacated by Officer Kamer; and, to further allow a ninety (90) day training period for the new hire prior to the position becoming vacant.**

A plumbing issue in the jail over the weekend was discussed.

[11:33:39 AM](#)

Recess @ 12:00

Reconvene @ 1:00 p.m.

Executive Session

Executive session was called at 1:30 p.m., to last thirty (30) minutes, under RCW 42.30.110(1)(i) "...to discuss with legal counsel representing the agency litigation or potential litigation..."; and, under RCW 42.30.110(1)(g) "To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee." An additional fifteen (15) minutes was called at 2:00 p.m. Session ended at 2:15 p.m. Prosecutor Flyckt was present.

Additionally present were Gary and Valerie Hunt; and, Amalia Perez, Human Resources.

[2:15:07 PM](#)

Human Resources

Human Resources Manager Perez provided a general update on department activities, noting Adams County Policies as well as Union contracts are being reviewed.

[2:38:50 PM](#)

[3:16:42 PM](#)

Regulations for Marijuana Producers, Processors, and Retailers

Commissioner Hartwig moved, Marshall seconded, to *approve Ordinance O-01-2018 – An Ordinance Adopting Regulations for Marijuana Producers, Processors, and Retailers Authorized by RCW 69.50; Amending Adams County Code Chapter 17.08.040 District Use Chart;*

Adding a New Chapter 17.60 State-Licensed Marijuana Producers, Processors, and Retailers; Prohibiting Medical Marijuana Cooperatives Authorized by RCW 69.51A and Repealing Interim Resolution No. R-009-2018. Motion carried.

[3:21:48 PM](#)

[3:26:26 PM](#)

Washington Counties Risk Pool Appointments/Designations

Commissioner Hartwig moved, Marshall seconded, to *approve Resolution No. R-018-2018 In the Matter of Continuing Relationships with the Washington Counties Risk Pool and the Related Appointments and Designations of/for Each Member County.* Motion carried.

Integrated Health Care Services

Commissioner Hartwig moved, Marshall seconded, to *authorize the Chairman to sign Agreement No. 800-812-1289 between Spokane Regional Health District and Adams County Health District for the period January 1, 2018 through June 30, 2019 in the amount of \$6,000. (Support participation of Adams County staff in Foundational Public Health Services Cross Jurisdictional Sharing (FPHS CJS) Demonstration project to build Communicable Disease/STD Epidemiology (Epi) and Community Assessment capacity and capability. Dollars are for staff to attend training events and workshops.)* **Motion carried.**

Consent Agenda

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

Preliminary minutes of April 23 and 25, 2018

April 1 - 15, 2018 Payroll in the amount of \$386,784.99; and, Benefits in the amount of \$80,819.60 (Warrant # Series 529344-529376; Direct Deposit # Series 53823-54009; Benefit/Deduction # Series 1137155-1137167)

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	181440 – 181460	\$ 53,400.35
104	181461 – 181463	\$ 7,369.59

106	181464 – 181465	\$ 1,643.03
117	181466	\$ 513.54
122	181467 – 181468	\$ 2,386.26
123	181469	\$ 175.00
166	181470 – 181471	\$ 259.58
166	Hand Pays	\$ 750.00
108	0614 – 0616	\$ 462.66
115	0617 – 0623	\$ 2,225.36
401	0624 – 0629	\$ 24,640.06
501	0630 – 0631	\$ 34.49
590	0632 – 0650	\$ 50,287.00
	TOTAL	\$144,146.92

[3:28:20 PM](#)

Permanent Minutes Signed

April 16 and 18, 2018

Adjournment @ 3:50 p.m.

Submitted:

s/Patricia J. Phillips

Clerk of the Board

Edited and Approved:

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON
s/John N. Marshall, Chairman
s/Roger L. Hartwig, Vice-Chairman
s/Terrance J. Thompson, Commissioner

RESOLUTION NO. R-018-2018

**ORDER OF BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON**

**IN THE MATTER OF CONTINUING RELATIONSHIPS WITH THE WASHINGTON
COUNTIES RISK POOL AND THE RELATED APPOINTMENTS AND DESIGNATIONS
OF/FOR EACH MEMBER COUNTY**

WHEREAS, several Washington counties agreed to the creation of the Washington Counties Risk Pool (“Pool”), organized and operating under Chapters 48.62 and 39.34 RCW, to provide to its member counties programs of joint self-insurance, joint purchasing

of insurance, and joint contracting for or hiring of personnel to provide risk management, claims handling, and administrative services; and

WHEREAS, the Pool's Interlocal Agreement and Bylaws, and policies of its Board of Directors require appointees and/or designees from each member county; that is:

- a) **Director/Alternate Director** – officers or employees of each Pool member county that are appointed by and serve at the pleasure of the respective county's legislative authority (*Article 8 of the Interlocal Agreement and Article 2 of the Bylaws*);
- b) **County Risk Manager** – an employee of each Pool member county appointed to serve as a liaison between the County and the Pool as to risk management and who is responsible for the risk management function within the County (*Article 11(b) of the Interlocal Agreement*);
- c) **County Safety Officer** – an active employee designated by each Pool member county who, along with a related committee, are maintained to consider all recommendations concerning the development and implementation of a loss control policy to prevent unsafe practices (*Article 11(c) of the Interlocal Agreement*); and
- d) **County Claims Administrator** – each Pool member county must designate someone to administer civil claims, with whom incidents should be immediately reported to, who is responsible for sending all claims and lawsuits and reporting various known incidents to the Pool, and with whom the Pool will coordinate the County's claim administration (*sections B.6, C and E.1.b of the Pool Board of Directors' Claims Handling Policies and Procedures*);

NOW THEREFORE BE IT RESOLVED that **Adams County** hereby confirms the appointment or designation of the following individuals for the applicable and required relationships with the Washington Counties Risk Pool:

Director: Amalia Perez	County Title: Human Resources Manager
Alternate Director: Patricia J. Phillips	County Title: Clerk of the Board
Risk Manager: Patricia J. Phillips	County Title: Risk Manager/Clerk of the Board
Safety Officer: Dennis Sackmann	County Title: Facility Manager
Safety Officer: Michelle Plumb	County Title: Maintenance – Union
Claims Administrator: Patricia J. Phillips	County Title: Clerk of the Board
Prosecuting Attorney: Randy J. Flyckt	County Title: Prosecutor

BE IT FURTHER RESOLVED that this resolution shall become effective immediately upon its passage and shall supersede any prior conflicting action(s); and, Adams County, Washington
Resolution No. R-018-2018

BE IT STILL FURTHER RESOLVED that the Clerk of the Board of Adams County Commissioners shall forward a copy of this resolution, once executed, to the attention of the Executive Director at the Washington Counties Risk Pool, 2558 RW Johnson Road, Suite 106, Tumwater, WA 98512-6113

DATED this 30th day of April, 2018.

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

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

ORDINANCE NO. O-01-2018

AN ORDINANCE ADOPTING REGULATIONS FOR MARIJUANA PRODUCERS, PROCESSORS, AND RETAILERS AUTHORIZED BY RCW 69.50; AMENDING ADAMS COUNTY CODE CHAPTER 17.08.040 DISTRICT USE CHART; ADDING A NEW CHAPTER 17.60 STATE LICENSED MARIJUANA PRODUCERS, PROCESSORS, AND RETAILERS; PROHIBITING MEDICAL MARIJUANA COOPERATIVES AUTHORIZED BY RCW 69.51A AND REPEALING INTERIM RESOLUTION NO. R-009-2018

WHEREAS, Initiative 502 was passed on November 6, 2012, was codified into RCW 69.50, went into effect on December 6, 2012, and established comprehensive state-wide standards for licensing producers, processors, and retailers of recreational marijuana; and;

WHEREAS, WAC 314-55 became effective on November 16, 2013 and established rules for state marijuana licenses, application processes, requirements, and reporting and the Washington State Liquor and Cannabis Board began accepting applications for all license types on November 18, 2013, and;

WHEREAS, RCW 69.50 and WAC 314-55, authorizes cities, towns, and counties to adopt zoning requirements and health and safety requirements pertaining to production, processing, and dispensing or sale of recreational and medical marijuana under RCW 69.51A, and;

WHEREAS, pursuant to the provisions of RCW 36.70.795 and RCW 36.70A.390, the Adams County Board of County Commissioners adopted Resolution No. R-025-2106 on August 22, 2016 placing a six-month moratorium on the establishment of marijuana producers, marijuana processors, and marijuana retailers in certain areas of unincorporated Adams County, subsequently renewed said moratorium on February 21, 2017 under Resolution No. R-008-2017; again on August 14, 2017 under Resolution No. R-040-2017; and again on February 12, 2018 under Resolution No. R-009-2018 to study the impacts of such businesses; and;

WHEREAS, the Adams County Planning Commission received initial information and held numerous public meetings to review and gather additional

information and scope regarding regulating marijuana producers, processors, and retailers consistent with RCW 69.50, 69.51A, and WAC 314-55; and

WHEREAS, after providing at least fourteen (14) days of public notice, the Planning Commission conducted a public hearing on December 21, 2017 and after receiving public comment and deliberation did move to pass a recommendation that the Board of County Commissioners adopt an ordinance regulating state licensed marijuana producers, processors, cooperative, and retailers, and;

WHEREAS, the Board received the Adams County Planning Commission's recommendation on the proposed Zoning Code text amendment on January 16, 2018 and the Board set two (2) public hearings on March 12, 2018 and March 14, 2018 and;

WHEREAS, the Board held two (2) duly noticed public hearings on March 12, 2018 and March 14, 2018 to receive comments on the proposed amendments, and;

WHEREAS, the Board agrees with the recommendation of the Adams County Planning Commission and has determined that additional clarification and other minor amendments are necessary to this ordinance, are consistent with, and are in the interest of the public's health, safety, and welfare, and;

WHEREAS, this ordinance implements amendments and a new section to Title 17 of the Adams County Code, and;

WHEREAS, Resolution No. R-009-2018 served as an interim regulation and it is the intent of the Board to repeal and replace Resolution No. R-009-2018;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADAMS COUNTY, AS FOLLOWS:

SECTION 1. Chapter 17.08.040 of the Adams County Code is hereby amended to read as set forth in attached Exhibit A of this Ordinance.

SECTION 2. There is hereby added to Adams County Code Title 17, Zoning, and new Chapter 17.60, which is to read as set forth in attached Exhibit B of this Ordinance.

SECTION 3. Resolution No. R-009-2018 is hereby repealed and replaced with the provisions hereof.

SECTION 4. If any section, subsection, sentence, clause, phrase or other portion of this ordinance or its application to any person is, for any reason, declared invalid, illegal or unconstitutional in whole or in part by any court or agency of competent jurisdiction, said decision shall not affect the validity of the remaining portions hereof.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon adoption.

ADOPTED this 30th day of April, 2018

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

BOARD OF COUNTY COMMISSIONERS
Adams County, Washington
s/John N. Marshall, Chairman
s/Roger L. Hartwig, Vice-Chairman
Vacant, Commissioner

APPROVED AS TO FORM:
s/Randy J. Flyckt, WSBA # 29302
Adams County Prosecuting Attorney