

## COMMISSIONERS' PROCEEDINGS

Adams County Courthouse  
Ritzville, Washington  
Regular Meeting

May 7, 2018  
(Monday)

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

**Present:**

Chairman John N. Marshall  
Vice-Chairman Roger L. Hartwig  
Commissioner Terrance J. Thompson

[9:30:35 AM](#)

**Sheriff's Department**

Sheriff Wagner requested Board consideration of an increased sales tax measure to provide additional funding in his department. No action was taken pending further research on the matter.

[9:56:25 AM](#)

[10:05:35 AM](#)

**Public Works**

Public Works Director O'Brien provided updates on road maintenance; solid waste; and, facilities.

**Cunningham Road Widening Project #1**

Commissioner Hartwig moved, Thompson seconded, to *approve the Contract and Contract Bond for Wheeler Excavation, LLC, Benton City, Washington for the Cunningham Road Widening Project #1 (CRP-179).*

**Motion carried.**

**Bench Road/State Route 24 Intersection**

Engineer Yaeger reviewed the roundabout design for the proposed Bench Road/State Route 24 intersection roundabout project.

A telephonic meeting is set for Monday, May 21, 2018, from 2:30 p.m. to 4:00 p.m. to discuss and finalize the intersection layout.

**Pavement Placement on Deal Road Bridge Approach (Project #82-0010) and Providence Road Railroad Crossing Approach Project (#83-0201)**

Commissioner Thompson moved, Hartwig seconded, to *approve the Contract between Central Washington Asphalt, Inc., Moses Lake, Washington and Adams County for Pavement Placement on Deal Road Bridge Approach (Project #82-0010) and Providence Road Railroad Crossing Approach (Project #83-0201) in the amount of \$41,340 for the combined projects.* **Motion carried.**

**Amend 2018 Annual Road Construction Program**

Commissioner Hartwig moved, Thompson seconded, to *approve Resolution No. R-019-2018 In the Matter of Adopting the Amended 2018 Annual Road Construction Program.* **Motion carried.**

**Title VI Non-Discrimination Agreement**

Commissioner Hartwig moved, Thompson seconded, to *authorize the Chairman to sign the Title VI Non-Discrimination Agreement for Populations under 100,000 between Washington State Department of Transportation and Adams County.* **Motion carried.**

**Engineering**

Engineer Yaeger noted final design is being completed on the McManamon Road Bridge project with advertising for project bids set for August, 2018.

Engineer Yaeger reported approval was received from the CRABoard that project costs for the Cunningham Road Widening project, previously not available until 2019, will be reimbursed in 2018 when actual expenses are incurred.

[10:42:57 AM](#)

**502 Concerns**

Adams County citizen Russell Wright discussed 502 concerns with the Board and property seizures conducted by Sheriff Wagner. Mr. Wright was advised that final disposition of this matter lies with the court.

**Recess @ 12:00**

**Reconvene @ 1:00 p.m.**

[2:00:39 PM](#)

### **Finance Committee**

Auditor Hunt provided a preliminary review of the Annual Report, with accompanying schedules, for fiscal year ending December 31, 2017 prior to submittal to the State Auditor's Office. Revenue and expenditure reports were reviewed.

[2:34:44 PM](#)

[3:00:35 PM](#)

### **Grievance**

The Board held a session to hear a grievance filed by Danielle Miller, Superior Court Chief Deputy Clerk.

Ms. Miller addressed the Board concerning the placement of a new hire beyond the standard salary range.

Present were Prosecutor Flyckt; Gary and Valerie Hunt; and Amalia Perez, Human Resources; Pat Thompson, Deputy Director, Washington State Council of County and City Employees; and Dean Vercruysse, Staff Representative, AFSCME AFL-CIO. Additionally, several county staff members were present.

The Board will take the matter under consideration and, pursuant to Adams County Policy, issue Ms. Miller a response by May 21, 2018.

[3:15:10 PM](#)

### **Executive Session**

Executive session was called at 3:20 p.m., to last twenty (20) minutes, under RCW 42.30.110(1)(i) "...to discuss with legal counsel representing the agency litigation or potential litigation...". An additional twenty (20) minutes was called at 3:40 p.m. Session ended at 4:00 p.m. Prosecutor Flyckt was present.

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

[4:13:45 PM](#)

### **Resolution No. R-020-2018**

Commissioner Thompson moved, Hartwig seconded, to *approve Resolution No. R-020-2018 In the Matter of Establishing an Interfund Loan from Adams County Current Expense Fund #001 to Adams County Cemetery District 2 Fund #659; and, Establishing a Repayment Schedule. Motion carried.*

**Resolution No. R-021-2018**

Commissioner Hartwig moved, Thompson seconded, to *approve Resolution No. R-021-2018 In the Matter of Amending Adams County Resolution No. R-34-94. Motion carried.*

**Consent Agenda**

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

Preliminary minutes of April 30 and May 2, 2018

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	181474 – 181508	\$ 22,279.15
103	181509 – 181513	\$ 1,918.71
104	181514 – 181529	\$ 7,161.22
117	181530	\$ 70.08
123	181531 – 181532	\$ 2,245.00
130	181533 – 181534	\$ 159.21
131	181535	\$ 149.04
108	655 – 657	\$ 335.27
115	658 – 664	\$ 1,737.65
401	665 – 668	\$ 5,933.37
501	669 – 675	\$ 9,937.27
590	676 – 701	\$101,677.62
590	Hand Pays	\$ 128.25
	TOTAL	\$153,731.84

[4:15:51 PM](#)

**Permanent Minutes Signed**

April 23 and 25, 2018

**Correspondence Received**

Notice of Marijuana License Application re: Big Belly Acres, 2310 W. Sutton Road, Suite C1, Othello (*change of corporate officers/stockholders application*)

Kathy Carlson, Contracts Coordinator, Washington State Department of Commerce re: Award for State Fiscal Year 2019 (*copy of*)

*letter addressed to Stephen McFadden, Adams County Economic Development Director)*

Adams County Noxious Weed Control Board re: Minutes of February 13, 2018 and Agenda for May 8, 2018

**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/John N. Marshall, Chairman  
s/Roger L. Hartwig, Vice-Chairman  
s/Terrance J. Thompson, Commissioner

**RESOLUTION NO. R-019-2018**

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

**IN THE MATTER OF ADOPTING THE AMENDED 2018 ANNUAL ROAD  
CONSTRUCTION PROGRAM**

**WHEREAS**, the County Road Administration Board Standards of Good Practice requires the adoption of the Annual Road Construction Program in accordance with WAC 136 Chapter 16;

**WHEREAS**, the Odessa – County Road Bridge Replacement; and the Lind – Hatton / Damon Road Overlay project require addition to the previously adopted 2018 Annual Road Construction Program since they received State and or Federal Funding; and,

**THEREFORE BE IT RESOLVED** that the amended Annual Road Construction Program for 2018 as presented by the Adams County Engineer and filed and attached hereto is hereby adopted.

**DATED** this 7<sup>th</sup> day of May, 2018.

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

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

**RESOLUTION NO. R-020-2018**

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

**IN THE MATTER OF ESTABLISHING AN INTERFUND LOAN FROM ADAMS  
COUNTY CURRENT EXPENSE FUND #001 TO ADAMS COUNTY CEMETERY  
DISTRICT 2 FUND #659; AND, ESTABLISHING A REPAYMENT SCHEDULE**

**WHEREAS**, it has been determined that a loan of Four thousand dollars (\$4,000) from Adams County Current Expense Fund #001 to Adams County Cemetery District 2 Fund #659 is required to meet cash flow needs; and,

**WHEREAS**, it has been determined that the loan proceeds be transferred in one (1) disbursement in order to pay expenses as follows:

- \$4,000 to be disbursed effective May 8, 2018;

**THEREFORE BE IT HEREBY RESOLVED** that the Adams County Treasurer is hereby authorized to transfer an amount of Four thousand and no/100 dollars (\$4,000) in one installment as directed above from Adams County Current Expense Fund #001 BARS 589.90.00 to Adams County Cemetery District 2 Fund #659 BARS 389.90.00 and,

**BE IT FURTHER RESOLVED** that said loan shall be repaid pursuant to the terms set by the Adams County Board of Commissioners which shall be prime minus one percent as determined at the time of disbursement; and,

**BE IT FURTHER RESOLVED** that the Adams County Treasurer shall repay the above loan and interest from Adams County Cemetery District 2 Fund #659 to Adams County Current Expense Fund #001 as directed below:

- \$2,000 to be disbursed effective 5/19/2019
- \$2,000 to be disbursed effective 5/19/2020.

**DATED** this 7th day of May, 2018.

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

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

**RESOLUTION NO. R-021-2018**

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

**IN THE MATTER OF AMENDING ADAMS COUNTY RESOLUTION NO. R-34-94**

**WHEREAS**, Adams County levied a one-tenth of one percent (1/10 of 1%) sales and use tax to be collected within Adams County beginning May 1, 1994, and used exclusively for criminal justice purposes by Adams County and the cities and towns within the county; and

**WHEREAS**, Adams County adopted Resolution No. R-34-94 establishing Fund 105A Criminal Justice Sales and Use Tax Proceeds to deposit all revenue derived from the additional tax in a timely manner; and

**WHEREAS**, the use of criminal justice sales and use tax is regulated by RCW 82.14.340 which states "Moneys received from any tax imposed under this section must be expended for criminal justice purposes. Criminal justice purposes are defined as activities that substantially assist the criminal justice system, which may include circumstances where ancillary benefit to the civil justice system occurs, and which includes domestic violence services such as those provided by domestic violence programs, community advocates, and legal advocates, as defined in RCW 70.123.020."

**WHEREAS**, the monies received from criminal justice sales tax under RCW 82.14.340 are no longer subject to non-supplanting requirements (Ch. 127, Laws of 2010);

**WHEREAS**, it is the intent of the Adams County Board of Commissioners that Criminal Justice Sales Tax dollar appropriations be made following the regulations stated in Washington State Law RCW 82.14.340;

**THEREFORE, BE IT RESOLVED** that Resolution R-34-94 be amended to realign with current Washington State Statutes.

**DATED** this 7th day of May, 2018.

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

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