

COMMISSIONERS' PROCEEDINGS

Adams County Courthouse, Ritzville May 1, 2000

The regular meeting of the Adams County Board of Commissioners was called to order by Chairman Bill Wills on Monday, May 1, 2000, at 8:00 a.m. in Ritzville. Commissioner Jeffrey W. Stevens and Commissioner W. L. Schlagel were present.

It was noted that the agenda as posted and disbursed to press and the public should have indicated in the heading that it was a regular meeting set for 8:00 a.m. and the call to order was set for 8:00 a.m.

Two (2) hours of executive session was projected on the agenda and it was announced that the board and the attorney would probably not need that much time. Attorney Ed Johnson was introduced to the board as the assigned attorney from the Risk Pool replacing Tom Kingen.

Executive session per RCW 42.30.110(1)(i) was called for approximately thirty (30) minutes by Attorney Tom Kingen. Present in addition to Kingen and the board were Attorney Ed Johnson from the Law Firm of Perkins Coie, Leon Long, and Shawn R. Logan. Prosecutor Brueher joined the group at 8:25 a.m. This session was held from 8:11 a.m. until 8:41 a.m.

Attorney Kingen called for an additional ten (10) minutes which was posted. The session ended at 8:51 a.m.

Attorney Kingen called for an additional ten (10) minutes which was posted. Kingen and Johnson left the session at 8:54 a.m. Session ended at 9:01 a.m.

*0-96

Chairman Wills announced that the board was in public session as of 9:01 a.m. Attorney Kingen and Johnson returned to the meeting. Chairman Wills asked each board member to express their preference for an attorney to handle the Sandhaus #2 case since the Law Firm of Perkins Coie could not handle it due to conflict of interest. Additionally, the Washington Counties Risk Pool notified via letter dated April 25, 2000, that the Pool was under no obligation to defend or indemnify in this matter. Each Commissioner stated a preference for Attorney Roger Reed of the Law Firm of Reed & Giesa.

Commissioner Schlagel moved, Stevens seconded, to retain Attorney Roger Reed to represent the County in the Sandhaus #2 case. Motion carried unanimously. Telephone contact will be made with Attorney Reed later this date to ascertain his acceptance or denial of the case.

Chairman Wills requested Prosecutor Brueher to appoint Attorney Reed as Special Deputy Prosecutor for Adams County. Prosecutor Brueher acknowledged the request and agreed to handle the matter within 48 hours pending acceptance by Attorney Reed.

*96-207

It being the time of 10:00 a.m. and the place set for the opening of bids for one (1) 6,000-gallon semi-trailer water tanker, bids were opened from:

Clyde/West, Inc. E. 3107 Trent Spokane, Washington 99202	\$43,487.00 3,522.45 \$47,009.45	OMCO Make/Model Tax @ 8.1%
Western Power & Equipment West 7916 Sunset Highway Spokane, Washington 99204	\$42,476.00 3,440.56 \$45,916.56	ETNYRE Make/Model Tax @ 8.1%

*207-1165

Public Works Director Long provided the board with a copy of the right-of-way research done on property owned by Darin and Devon Michel, Othello. Long will fax the reply to the Michel's.

Long noted that the Interlocal Agreement with the City of Ritzville that is on the Consent Agenda reflects modified prices from that signed earlier due to some computation errors.

Gale Kulm reported that crack sealing had started in the Othello area; preliminary work has begun on the Bengue/Washtucna road improvements; dust abatement on Danielson and a section of Gillis is scheduled; and weed control spraying has commenced.

Long and Kulm reported on contact made with a road grader operator by an Othello citizen requesting a stoppage of work unless water was applied to the road first. Board consensus was that the supervisors needed to be able to exercise their judgment in scheduling roadwork within the county. Supervisors and staff will make every effort to be aware of any special needs/conditions presenting at the time of scheduled work.

The board requested the Public Works Department to proceed with resolving/securing right-of-way issues related to Rodeo Lake so that work could be scheduled in conjunction with the East Columbia Basin Irrigation District.

Engineer Lijek updated the board on the proposed retail business for the Othello area and the anticipated road impacts. The City of Othello reduced their scope under SEPA to cover just the retail facility with any other expansion to the area requiring another SEPA process to be initiated. Lijek will respond to the SEPA notice in order to protect the county's interest related to future expansion. Lijek reported that bridge review and analysis work has begun with Nichols Engineering.

The board went into executive session under RCW 42.30.110(1)(i) with Attorney Roger Reed (via telephone) for approximately ten (10) minutes from 11:23 a.m. until 11:33 a.m. Prosecutor Brueher was present.

Attorney Reed announced an additional ten (10) minutes in executive session. This session was held from 11:33 a.m. until 11:43 a.m.

Prosecutor Brueher and Attorney Reed will jointly prepare a contract between Adams County and the Law Firm of Reed & Giesa that will be executed in the near future.

*1165-1734

Prosecutor Brueher informed the board that Adams County had entered into a contract with Attorney Tom Sackmann to provide support enforcement legal services. The contract allows for up to thirty-six (36) hours per month with a 30-day termination notice.

Prosecutor Brueher then requested board approval of a raise for the employee currently serving as Deputy Prosecutor. This raise would move the employee from R18S1 to R18S4 after six months of employment with the county. The board discussed the request and the reclassification procedure. No decision was made.

The board recessed for lunch at 12:00 noon and reconvened at 1:00 p.m.

The board conducted the second quarter jail inspection.

*1734-2512

Planner Dave Anderson provided historical background and details of the Kameron Estates subdivision and presented the preliminary plat for Kameron Estates #2 (subdivision of Lot 31). The matter had been heard in public hearing before the Adams County Planning Commission on February 17, 2000, and the Commission recommended approval by the Board of County Commissioners. A number of letters received regarding the subdivision were reviewed. Following discussion and clarification of water/sewer issues and lot numbers/size, Commissioner Schlagel moved, Stevens seconded, to approve the Preliminary Plat for Kameron Estates #2. Motion carried.

*2512-3372

Building and Planning Director Caputo provided the board with some preliminary history regarding the application for property sale/division by Gering Enterprises, Inc.

*3372-3742 (tape changeover #2) *0-1116

Gering Enterprises, Inc. (represented by Gayle Gering) was present along with their attorney, Dennis Morgan to discuss the division of some property under ACC 16.32.030, and subsections C and I being interpreted by them and Adams County Building and Planning differently. Present in addition to Gering and Morgan were Attorney McGuire representing Jim Johnson, potential buyer; Prosecutor Brueher; and, Building and Planning Director Caputo.

No decision was reached following a lengthy discussion between all parties. Further review and research will be conducted with a decision in the matter scheduled for Monday, May 15, 2000.

*1116-1160

Commissioner Stevens moved, Schlagel seconded, to award the bid for one 6,000-gallon semi-trailer water tanker to Western Power & Equipment, Spokane in the amount of \$45,916.56. Motion carried.

Commissioner Stevens moved, Schlagel seconded, authorize the Public Works Department to replace the windows in the accounting department with windows that

would open to allow for outside ventilation. Motion carried. This will be paid from the Public Works funds.

The board pulled the Quit Claim Deed and the Real Estate Excise Tax Affidavit from the Consent Agenda pending additional information and negotiations related to the county owned property.

Commissioner Stevens moved, Schlagel seconded, to approve the Consent Agenda:

Preliminary minutes of April 24 and 25, 2000

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	002094-002122	\$ 24,079.57
104	002123-002132	\$ 18,075.69
105	002133	\$ 744.37
108	002134-002135	\$ 156.46
117	002135-002144	\$ 1,069.07
118	002145	\$ 50,442.34
502	002146-002149	\$ 810.58
115	852-866	\$ 47,451.93
501	867	\$ 5,260.48
590	870-875	\$ 15,444.34
TOTAL		\$163,534.83

Changes to the Mass Mutual Retirement Account for John Timm

Resolution No. R-36-00 In the Matter of Transferring Funds from Current Expense Fund #001 to Courthouse O&M Fund #501

Chairman to sign the Haul Road Agreement (HR06-0243) for Schoessler Rd., Danekas Rd., Seidl Rd., Klein Rd., and Tokio Rd.

Chairman to sign the Lincoln County Department of Public Works Reimbursable Work Request to allow for work to be completed on Bob Lee Rd. #87524 by Lincoln County at an estimated cost of \$815.47

Interlocal Agreement between Adams County and City of Ritzville that sets forth prices for road building and construction materials to be purchased by the City from the County

Correspondence was received from:

Grant D. Pfeifer, Regional air Quality Section of DOE re: Order granting authority for the Adams County Board of County Commissioners to administer the agricultural burn permitting program within Adams County

Adams County EDC re: request for one appointed Elected Official from Adams County to serve on Review Board for Loan and Grant Applications (WA-CERT)
Copy of letter to Jeannie Ochoa from Leon Long re: Taggares Park Walk Path
Devon & Darin Michel re: power lines on Cunningham Rd. and Farm Unit 89
Block 46

There being no further business to come before the board the meeting adjourned at 4:30 p.m.

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON
s/Bill Wills, Chairman
s/Jeffrey W. Stevens, Commissioner
s/W. L. Schlagel, Commissioner

ATTEST:
s/Linda Reimer, CMC/AE
Clerk of the Board

RESOLUTION NO. R-36-00

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

**IN THE MATTER OF TRANSFERRING FUNDS FROM CURRENT EXPENSE FUND
#001 TO COURTHOUSE O&M FUND #501**

WHEREAS, funds were allocated in the Current Expense Fund #001 for the operation of Courthouse O&M Fund #501;

THEREFORE BE IT RESOLVED THAT \$30,000 be transferred from Current Expense non-departmental BARS 001.099.597.18.30.00 to the Courthouse O&M Fund #501 BARS 397.18.30.00 to be effective May 1, 2000.

DATED this 1st day of May, 2000.

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, COMMISSIONERS
s/Bill Wills, Chairman
s/Jeffrey W. Stevens, Commissioner
s/W. L. Schlagel, Commissioner

ATTEST:
s/Linda Reimer, CMC/AE
Clerk of the Board