

COMMISSIONERS' PROCEEDINGS

Regular Meeting
Adams County Courthouse, Ritzville

October 7, 2002
(Monday)

Call to Order @ 8:30 a.m.

Present:

Chairman Jeffrey W. Stevens
Vice-Chairman Rudy Plager
Commissioner Richard Johnson

*0-1175

McManamon Rd.

Commissioner Plager moved, Johnson seconded, to *approve Payment #5 – Final for CRP-115 McManamon Rd. for release of retainage to North Central Construction, Moses Lake, Washington in the amount of \$39,340.58.* Motion carried.

*1175-2362

Ritzville District Court

Judge Hille presented information to the board on filings and revenues for the Court. Hille discussed the staffing shortage within the Ritzville Office. Captain Dube of the Washington State Patrol identified the focus and core mission of the Patrol and how that affected the courts. Ms. Banner addressed court security. Ms. Grams reported on the “deferred program” and the time required to process and track those deferments.

Recess @ 12:00

Reconvene @ 1:00 p.m.

*2362-31320

It being the time of 1:00 p. and the place set for the public hearing on proposed Ordinance No. O-02-02, an ordinance establishing an additional excise tax on radio access lines, Chairman Stevens opened the hearing.

Present: Sheriff Barger, Undersheriff Weiss, Deputy Kevin Fuhr, and press from Othello Outlook and Ritzville Journal.

Sheriff Barger and Undersheriff Weiss discussed the dedicated use of the additional revenue from the cell phone tax.

There being no further comments, Chairman Stevens closed the hearing at 1:14 p.m.

Commissioner Plager moved, Johnson seconded, to *approve Ordinance No. O-02-02 An Ordinance Amending Ordinance No. O-03-95 Establishing an Excise Tax on Radio Access Lines for Continuing Operation of the Adams County Enhanced 9-1-1 Emergency System and Procedures for Collection and Administration of Said Tax; and, Concurrently Amending Portions of Adams County Code Chapter 3.28. Motion carried.*

*3130-end (Tape #2) *0-531

Training Aid for Firearm Protection

Sheriff Barger requested and received authorization to purchase a training aid for use in firearm protection training. This capital outlay expenditure will be funded from the firearms allocation in the 2002 budget.

Sheriff Department Personnel

Authorization was given to hire for vacant corrections/dispatch personnel (2) positions.

Testing for "sergeant" position will be an assessment test rather than just an entry level one to provide a more in depth overview of applicants.

Accrued Sick Leave Buyout (Barger)

Sheriff Barger requested verification of policy that governs when an employee is eligible to receive a buyout of accrued sick leave.

Executive Session

Sheriff Barger requested a five (5) minute executive session under RCW 42.30.220(1)(i) and was in session from 1:54 p.m. until 1:58 p.m.

*531-3310

Proposed "Mega" Dairies

John Robertson addressed the board regarding concerns with a proposed "mega dairy" to be located in the Lind area. Information was given to the Board to read.

Chairman Stevens noted that Senator Patty Murray had forwarded to the Board a copy of the letter she received from Randy and Debbie Kulm. Those present in

addition to Robertson (Dennis Swinger, Sr., Randy and Debbie Kulm, Tim Smith, and Gary Gfeller) agreed to begin a fact-finding mission and to provide that information to the Board within thirty days. The Board will research the pros/cons of such an operation with their counterparts in other counties. Building and Planning Director Wiltse will research and review applicable rules and regulations on such an operation.

Amend 2002 Budget

A public hearing to consider amendments to the 2002 Adams County Budget was set for Monday, October 21, 2002, at 1:30 p.m. in Room 202 of the Adams County Courthouse, Ritzville.

Consent Agenda

Commissioner moved, seconded, *to approve the Consent Agenda*:

Preliminary minutes of September 30, 2002

Approved September payroll in the amount of \$488,856.16; benefits in the amount of \$116,024.21

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	025024-025075	\$ 51,925.14
103	025076-025078	\$ 2,289.33
104	025079-025094	\$ 6,496.04
105	025095-025096	\$ 13,025.00
107	025097	\$ 250.00
108	025098-025115	\$ 11,494.81
108a	025116	\$ 1,267.95
111	025117	\$ 679.68
112	025118	\$ 182.00
131	025119-025120	\$ 117.15
133	025121	\$ 97.64
166	025122-025128	\$ 908.57
301	025129	\$ 711.35
502	025130-025136	\$ 9,523.65
590	025137	\$ 526.76

115 1552	\$ 76,365.83
TOTAL	\$175,860.90

Approved Amendment Number A to Contract #E 03025 between the Washington State Military Department and Adams County for Enhanced 911 Operations (this takes the funding level for FY 03 down through Coordinator's training in the Statement of Work/Budget sheet with an overall contract increase of \$21,000)

Approved **Resolution No. R-74-02 In the Matter of Approving and Authorizing the 2003 Maintenance and Operations Budget Pursuant to the Amended and Restated Interlocal Juvenile Detention Facility Agreement (Martin Hall); and, Providing for Other Matters Properly Relating Thereto**

Correspondence Received

Public Employment Relations Commission re: Notice of Case Filing – Issued 9/26/02

Jim Curdy, Mattawa re: request for letter to President on Fast Flux Test Facility

Washington State Auditor Brian Sonntag re: current economic conditions and work on several projects designed to address the financial impact of state audits

H. E. Gritman Senior Center re: request for operating funds

Senator Patty Murray re: forwarding correspondence received from Randy Kulm on "Mega Dairy" proposal

Permanent Minutes Signed

September 23, 2002

Adjournment @ 4:30 p.m.

Submitted:
s/Linda Reimer, CMC
Clerk of the Board

Edited and Approved:

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON
s/Jeffrey W. Stevens, Chairman
s/Rudy Plager, Vice-Chairman

s/Richard Johnson, Commissioner

**RESOLUTION NO. R-74-02
ORDER OF BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON**

IN THE MATTER OF APPROVING AND AUTHORIZING THE 2003 MAINTENANCE AND OPERATIONS BUDGET PURSUANT TO THE AMENDED AND RESTATED INTERLOCAL JUVENILE DETENTION FACILITY AGREEMENT (MARTIN HALL); AND, PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO

WHEREAS, Adams County, Washington (the "County") is a political subdivision duly organized and existing under and by virtue of the Constitution and laws of the State of Washington; and,

WHEREAS, the County is required by Chapter 13.16 RCW to acquire, construct and maintain juvenile detention facilities for dependent, wayward and delinquent children; and,

WHEREAS, Chapter 309, Laws of 1995, authorizes cities and counties, or any combination thereof, to participate in agreements, pursuant to Chapter 39.34 RCW, to jointly expend funds for criminal justice purposes of mutual benefit, which include, but are not limited to, the construction, improvement and expansion of jails, court facilities and juvenile justice facilities; and,

WHEREAS, the County and eight other counties entered into an Amended and Restated Interlocal Juvenile Detention Facility Agreement (Martin Hall) ("the Amended and Restated Agreement") executed by each County on the following dates:

Douglas County - August 26, 1996
Stevens County - August 20, 1996
Pend Oreille County - July 22, 1996
Spokane County - August 13, 1996
Adams County - August 19, 1996
Asotin County - August 19, 1996
Lincoln County - July 15, 1995
Whitman County - July 15, 1996
Ferry County - July 15, 1996

under the authority granted by Chapter 39.34 RCW, Chapter 309, Laws of 1995, and Chapter 10, Laws of 1995, 2nd sp. sess., to provide for the joint operation and maintenance of Martin Hall for use as a "Juvenile Rehabilitation Center" as amended from time to time; and,

WHEREAS, Section 12 of the Amended and Restated Agreement requires the Adams County Board of Commissioners ("the Board") to approve the Operating Budget for the Operation and maintenance of Martin hall, which has been prepared by the Martin Hall Juvenile Facility Board;

NOW THEREFORE IT IS HEREBY FOUND, DETERMINED AND ORDERED as follows:

Section 1: The Board hereby approves the Operating Budget (as defined in Section 12 of the Amended and Restated Agreement), in substantially the form attached hereto as Exhibit "A". The county shall pay its proportionate amount of costs incurred pursuant to this approved Operating Budget in accordance with Section 5 of the amended and Restated Agreement.

Section 2: All other resolutions of the Board that are inconsistent with the provisions of this Resolution are hereby repealed to the extent of such inconsistency.

Section 3: This Resolution shall take effect immediately upon its adoption.

ADOPTED by the Board of Adams County Commissioners of Adams County, Washington, at a regular meeting thereof held on October 7, 2002.

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON
s/Jeffrey W. Stevens, Chairman
s/Rudy Plager, Vice-Chairman
s/Richard Johnson, Commissioner

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

ORDINANCE NO. O-02-02

ADAMS COUNTY, WASHINGTON

AN ORDINANCE AMENDING ORDINANCE NO. O-3-95 ESTABLISHING AN EXCISE TAX ON RADIO ACCESS LINES FOR CONTINUING OPERATION OF THE ADAMS COUNTY ENHANCED 9-1-1 EMERGENCY SYSTEM AND PROCEDURES FOR COLLECTION AND ADMINISTRATION OF SAID TAX; AND, CONCURRENTLY AMENDING PORTIONS OF ADAMS COUNTY CODE CHAPTER 3.28

WHEREAS, the 2002 State Legislature found that statewide Enhanced 9-1-1 has proven to be a lifesaving service and that routing a 9-1-1 call to the appropriate public safety answering point with a display of the caller's identification and location should be available for all users of telecommunications services regardless of the technology used to make and transmit the 9-1-1 call; and,

WHEREAS, the Legislature found that is in the best public interest to ensure that there is adequate ongoing funding to support Enhanced 9-1-1 services; and,

WHEREAS, the 2002 State Legislature amended RCW Chapter 82.24B to allow county legislative authorities to increase the excise tax on each radio access line to fund the emergency services communications system;

NOW, THEREFORE BE IT ORDAINED by the Board of Adams County Commissioners that Ordinance No. O-3-95, Section 1 is hereby amended to read:

SECTION 1: EXCISE TAX

Pursuant to chapter 82.14B RCW, there is hereby levied an excise tax of fifty (50) cents per month on each radio access line, for which the address of the end user set forth in the records of the radio communications service company providing such radio access lines is located in Adams County, to assist in financing the Adams County emergency services communications system.

SECTION 6: EFFECTIVE DATE OF TAX – NOTICE TO RADIO COMMUNICATION COMPANIES

- A.** The tax imposed by Section 1 shall be effective on January 1, 2003, which is more than sixty (60) days after the adoption of this ordinance.

AND, BE IT FURTHER ORDAINED that Adams County Code Chapter 3.28.010 and 3.28.060 are amended and shall take effect on January 1, 2003.

ADOPTED this 7th day of October, 2002.

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON
s/Jeffrey W. Stevens, Chairman
s/Rudy Plager, Vice-Chairman
s/Richard Johnson, Commissioner

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

Approved as to form:
s/Gary Brueher, Prosecuting Attorney