

## COMMISSIONERS' PROCEEDINGS

Regular Meeting  
Adams County Courthouse, Ritzville

May 12, 2003  
(Monday)

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

**Present:**

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

\*0-91

**Big Bend Electric, Inc. Franchise**

Chairman Plager opened the public hearing to consider a franchise for Big Bend Electric, Inc. Jim Johnson, Manager and Dave Barden, Engineering and Power Supply Manager of Big Bend Electric were present. No verbal or written comments were received. Chairman Plager closed the hearing at 10:04 a.m.

Commissioner Stevens moved, Johnson seconded, to *approve Resolution No. R-48-03 In the Matter of Grant of Franchise to Big Bend Electric, Inc.* Motion carried unanimously.

\*91-1160

**Lind-Hatton Road – CRP-138**

Engineer Johns provided a written review of each of the bids received on the project. His recommendation was that “the apparent low bid from Pegram Constr. be rejected as non-responsive and the bid be awarded to the 2<sup>nd</sup> low bidder Tommer Const.” Discussion followed with a memo received via fax at 10:29 a.m. from the WSCRABoard Executive Director Jay P. Weber read and distributed. Doyle Pegram and his Traveler’s Insurance agent addressed the bid bond issue. The Board informed the parties that they would consult with Adams County Prosecutor Flyckt on the matter in order to fully assess all risks in the matter before making a final decision.

\*1160-1320

### **City of Ritzville Property**

Richard Mezoff, Ritzville, inquired about the availability of county funds to assist in the cleanup and demolition of adjoining property to his business that is located within the city limits. Chairman Plager informed Mezhoff that the county would review the request.

\*1320-2293

### **Neilson Bridge – CRP-137**

Commissioner Johnson moved, Stevens seconded, to *approve Pay Estimate #3 to A&R Construction, Inc., Lewiston, Idaho for work completed April 1, 2003, through April 30, 2003, on Neilson Bridge.*

**Motion carried unanimously.**

### **Para/Kummer Reimbursable Work**

Commissioner moved, seconded, to *authorize the Public Works Department to perform reimbursable road work on behalf of Michael Para on Yeisley Road west of Booker Rd. (1200 feet of double application BST) and Tom Kummer on Yeisley Road east of Booker Rd. (750 feet single application BST and 500 feet double application BST).* **Motion carried unanimously.**

### **Economic Development Coordinator**

Public Works Director O'Brien reported that Roger Krug has accepted the Economic Development Coordinator job offer from the county.

### **GIS**

The progress of implementation of the GIS System within the county was discussed by Public Works Director O'Brien, Central Services Director Cantrell, Assessor Anderson, Sheriff Barger, and E-911 Administrator Ottmar

Commissioner Johnson moved, Stevens seconded, to *authorize the Public Works Department to advertise the GIS Coordinator position for the county.* **Motion carried unanimously.** This position was included in the 2003 Public Works budget. Funding for an additional position to handle GIS mapping duties was also budgeted within the 911 budget and will be advertised/filled at a later date.

\*2293-2300

### **Executive Session**

Executive Session was requested under RCW 42.30.110(1)(i) – litigation – for ten (10) minutes and held from 11:15 a.m. until 11:25 a.m. An

additional five (5) minutes was announced and posted and held until 11:30 a.m. Prosecutor Flyckt, Deputy Prosecutor Utigard-Borg, Public Works O'Brien, and Engineer Johns were present.

\*2300-3714 (Tape #2) \*0-158

**Prosecutor**

Prosecutor Flyckt discussed the following:

- reimbursement for Superior Court Judge benefits – Board consensus authorized Flyckt to join Adams County as Plaintiff with King County et al
- modifications to the proposed “dairy ordinance” were discussed – Flyckt will forward changes in written format
- Quit Claim Deed to the City of Othello – City of Othello Attorney Whitaker response clarified questions regarding the deed and Prosecutor Flyckt recommended the Board execute the document
- contracts for misdemeanor prosecution with various cities in the county were discussed

**Recess @ 12:00**

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

\*158-263

**Lind-Hatton Road – CRP-138**

Commissioner Stevens moved, Plager seconded, to *reject the apparent low bidder (Pegram Construction) due to irregularities and award the bid for construction of Lind-Hatton Road – CRP-138 to second low bidder Tommer Construction.*

**Vote:**

**Stevens – Yes**

**Plager – Yes**

**Johnson – No**

**Motion carried two (2) to one (1).**

\*263-909

**Elevator Intercom**

Sheriff Barger reported that the elevator intercom system was currently not working and was included in the scheduled repairs to the intercom system in the jail. Video surveillance capability remains operable.

### **Law Enforcement Mutual Aid**

Commissioner Stevens moved, Johnson seconded, to *authorize the Chairman to sign the Interlocal Cooperative Agreement to Provide Law Enforcement Mutual Aid and Mobilization between the Cities of Othello and Ritzville and Adams County.* **Motion carried unanimously.**

\*909-1026

### **Quit Claim Deed**

Commissioner Johnson moved, Stevens seconded, to *approve the Quit Claim Deed from Adams County to the City of Othello releasing any and all remaining interest in real property described in the Quit Claim Deed and shown on Exhibit A attached.* **Motion carried unanimously.**

### **Adams County Planning Commission**

Commissioner Plager moved, Johnson seconded, to *re-appoint Ross Heimbigner, Ritzville, to the Adams County Planning Commission for a three (3) year term effective retroactively April 1, 2003, through March 31, 2006.* **Motion carried unanimously.**

### **Lind-Hatton Road CRP-131**

Commissioner Johnson moved, Stevens seconded, to *approve Resolution No. R-51-03 In the Matter of Notice of Call for Bids for Construction Improvements Lind-Hatton Road Project (CRP-131/TA2259), Road #33521.* **Motion carried unanimously.**

Bid opening was scheduled for Monday, June 2, 2003 at 10:00 a.m. in Room 202 of the Adams County Courthouse, Ritzville.

### **Cellular Telephone Policy**

Commissioner Stevens moved, Johnson seconded, to *approve Resolution No. R-50-03 In the Matter of Amending the Adams County Personnel Policy Section 5 – County Equipment Usage and Adding Section 5A – Cellular Telephone Policy.* **Motion carried unanimously.**

### **Consent Agenda**

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

Preliminary minutes of May 5 and 7, 2003

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	032267-032314	\$ 14,023.16
103	032315-032319	\$ 5,184.84
104	032320-032341	\$ 7,690.52
105	032342-032345	\$ 19,750.00
111	032346	\$ 363.40
113	032347	\$ 90.69
117	032348-032361	\$ 2,425.76
122	032362	\$ 340.00
133	032363	\$ 174.69
133	Quick Pay	\$ 14,851.69
166	032364-032374	\$ 1,453.82
301	032375	\$ 815.02
502	032376-032380	\$ 5,903.55
001	0678-0681	\$ 620.00
115	0682-0710	\$ 50,306.78
401	0711-0714	\$ 184.86
501	0715-0726	\$ 7,258.52
590	0727-0760	\$ 14,092.84
TOTAL		\$145,530.14

Approval of April payroll in the amount of \$499,898.81; benefits in the amount of \$119,099.31

Chairman Plager left the meeting at 2:00 p.m. to attend another meeting in Othello.

\*1026-1035

**Executive Session**

Commissioner Stevens requested Executive Session under RCW 42.30.110(1)(b) – real estate acquisition - for fifteen (15) minutes. Session was held from 2:20 p.m. until 2:35 p.m.; announced and posted for an additional fifteen (15) minutes until 2:50 p.m. Public Works Director O'Brien and Engineer Johns were present for the sessions.

Vice-Chairman Johnson called an additional Executive Session under RCW 42.30.110(1)(b) – real estate acquisition – for fifteen (15) minutes at 3:35 p.m. Session ended at 3:50 p.m.

**Permanent Minutes Signed**

April 28, 2003

**Correspondence Received**

WSU Cooperative Extension, Acting Dean and Director Linda Kirk  
Fox re: appreciation for funding support from Adams County

Galik, Kevin re: thanks for opportunity to interview for Economic  
Developer position

Dale Cantrell, Central Services re: request to review meal  
allocation amounts and consider adjustment

Notice/Agenda of Palouse Watershed WRIA #34 Planning Unit  
Coordination Meeting

Adams County Water Conservancy Board Agenda for May 19,  
2003, and minutes of April 28, 2003

Public Employment Relations Commission Notice of Meeting  
Tuesday, May 13, 2003 – Compliance Docket: Adams County, Case  
16336-U-02-4180

**Adjournment @ 4:30 p.m.**

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

Edited and Approved:

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

**RESOLUTION NO. R-48-03**

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

**IN THE MATTER OF GRANT OF FRANCHISE TO BIG BEND ELECTRIC COOPERATIVE, INC.**

**WHEREAS**, Big Bend Electric Cooperative, Inc. has had several franchises with the county over an extensive time period and those franchises have covered specific portions of the county; and,

**WHEREAS**, Big Bend Electric Cooperative, Inc. has now applied for a "Blanket Franchise" that covers all county roads within Adams County in order to more efficiently construct, operate and maintain electric facilities throughout the entire county area; and,

**WHEREAS**, terms and conditions of the utility franchise have been reviewed by the Department of Public Works as well as the Board of County Commissioners; and,

**WHEREAS**, a public hearing on the franchise was held on Monday, May 12, 2003;

**THEREFORE BE IT HEREBY RESOLVED** that **BIG BEND ELECTRIC COOPERATIVE, INC. is GRANTED** a blanket franchise for a period of twenty-five (25) years effective January 9, 2003, through January 9, 2028, in accordance with "Exhibit A" Terms and Conditions of Utility Franchise attached.

**DATED** this 12<sup>th</sup> day of May, 2003.

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

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

**RESOLUTION NO. R-50-03**

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

**IN THE MATTER OF AMENDING THE ADAMS COUNTY PERSONNEL POLICY  
SECTION 5 – COUNTY EQUIPMENT USAGE AND ADDING SECTION 5(A) –  
CELLULAR TELEPHONE POLICY**

**WHEREAS**, the Adams County Personnel Policy adopted July 14, 1997, and later amended September 28, 1998, April 17, 2000, and September 17, 2001, specified rules governing usage of county equipment; and,

**WHEREAS**, use of cellular phones assigned county employees has necessitated adoption of a policy to outline criteria for the purchase and use of cellular telephones, and to establish guidelines for reimbursement by employees for personal use of County cellular telephones;

**THEREFORE BE IT RESOLVED** that the attached **Adams County Cellular Telephone Policy** is hereby adopted as Section 5(A) of the Adams County Personnel Policy.

**DATED** this 12<sup>th</sup> day of May, 2003.

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

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

**RESOLUTION NO. R-51-03**

**NOTICE TO CONTRACTORS**

County of Adams  
Department of Public Works  
Ritzville, Washington

Sealed bids will be received by Adams County at the office of the Board of County Commissioners located in the courthouse at 210 W. Broadway, Ritzville, Washington 99169, **until 10:00 a.m., Monday, June 2, 2003** and will then be opened and publicly read for the following construction improvements:

**Lind-Hatton Road Project (CRP-131 / TA2259), Road # 33521 MP 13.30 to MP 13.68 by the realignment of the roadway by grading, draining, installation of culverts, gravel and asphalt surfacing and other work, all in accordance with the attached Contract Plans, these Contract Provisions, and the Standard Specifications**

All bid proposals shall be accompanied by a bid proposal deposit in cash, certified check, cashier's check or surety bond in amount equal to five percent (5%) of the amount of such bid proposal. Should the successful bidder fail to enter into such contract and furnish satisfactory performance bond within the time stated in the specifications, the bid proposal deposit shall be forfeited to the County of Adams. All checks and bonds shall be made payable to the Adams County Treasurer.

The Board of Adams County Commissioners reserves the right to reject any or all bids, to waive informalities or irregularities in the bids or in the bidding, if the best interest of

Adams County will be served, or to accept the bid, which in their opinion best serves the interest of Adams County.

Maps, plans, specifications, and proposals may be obtained from the office of the Department of Public Works, 210 W. Alder, Ritzville, Washington, 99169; phone (509) 659-3276.

Informational copies of maps, plans and specifications are on file for inspection in the office of the Adams County Engineer in Ritzville, Washington, and the chapter office of the Associated General Contractors of America in Spokane, Washington.

Adams County in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000-4 and Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, Part 21, nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin in consideration for an award.

DATED this 12<sup>th</sup> day of May, 2003.

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

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