

COMMISSIONERS' PROCEEDINGS

Regular Meeting Adams County Courthouse, Ritzville

March 28, 2005
(Monday)

Call to Order @ 8:30 a.m.

Present:

Chairman Jeffrey W. Stevens
Vice-Chairman Roger L. Hartwig
Commissioner Rudy Plager

Lobbyist

Lobbyist Jim Potts provided a legislative update (via telephone).

Public Works Mechanic

Director O'Brien reported that a promotion in-house had been made to fill the Othello based mechanic position thereby eliminating the commuting costs for a mechanic from Ritzville to cover.

Annual Certification for Calendar Year 2004

Commissioner Hartwig moved, Plager seconded, to *authorize the Chairman to sign the Annual Certification for Calendar Year 2004 per WAC 136-04 and the Certificate of Road Funds for Fish Passage Barrier Removal.* **Motion carried.**

Quail Landing Plat

Commissioner Plager moved, Hartwig seconded, to *approve the Final Plat for Quail Landing since all conditions imposed by the Adams County Planning Commission had been met.* **Motion carried.**

County Public Services Building

SEPA Notice for the County Public Services Building, 425 E. Main St., Othello, was received from the City of Othello and briefly reviewed and discussed. Comments are due the City by April 1, 2005.

Hog Operation (Proposed)

Building and Planning Director Wiltse reported that no official application for the hog operation had been received as of this date and therefore no review process had been implemented.

Economic Development

Analyst Krug provided an economic development update including additional information on the wind project.

Jail

Jail Administrator Banner informed the Board that costs of \$423.70 were going to be incurred for extraditing an individual under Adams County warrant from San Diego County, California. (Later this date Banner returned to report that the plan that provided for mutual exchange and transporting of prisoners would only provide for a portion of the transport and costs now were expected to be \$1,407.00.)

E-911

Kellie Ottmar, E-911 System Manager/Coordinator, detailed and discussed the following:

- status report on the wireless upgrade;
- statistics on calls received via wire line, wireless, and all calls combined;
- the need for two (2) additional trunks due to the large number of cell phone calls with the State reimbursing the county for this cost;
- noted that a router change was in process and that the automatic location circuits were being upgraded

Dispatch Area Remodel

Sheriff Barger reported that an in-house committee had been established to explore options for accommodating dispatch, deputies, and E-911 equipment so that some ideas were available when the architect came on site for preliminary review and study.

Recess @ 12:00

Reconvene @ 1:00 p.m.

Executive Session

Special Deputy Prosecutor Strohmaier requested a thirty (30) minute executive session under RCW 42.30.110(1)(i) – litigation. Session was held from 1:55 p.m. until 2:18 p.m.

Federal Annual Certification Report (Sheriff)

Commissioner Hartwig moved, Stevens seconded, to *authorize the Chairman to sign the Federal Annual Certification Report to U. S. Department of Justice/ACA Program and to the U. S. Department of the Treasury.* **Motion carried.**

Surplus Computer Equipment

Commissioner Hartwig moved, Stevens seconded, to *declare Central Services Computer Equipment surplus as follows:*

*#12992 PC for intergovernmental transfer to City of Ritzville
#5307 Phone, #6244, 6249, 6264, 6265, 6292, 6601, 6603, 6659,
6660, 6663, 6811 (Monitors); 11779, 12949 (Server) 11781 Firewall; 6686
Scanner; 12923, 12924, 12980, 12981, 12991 (PC's); 12974 Tape Backup*

Martin Hall Transportation

Commissioner Hartwig moved, Stevens seconded, to *authorize the Chairman to sign the Agreement for the Transport of Juvenile Detainees between Adams County and Community, Counseling, and Correctional Services, Inc. to provide certain specialized transportation services for juvenile detainees in Martin Hall for the sum of \$125.00 for each juvenile requiring transportation services.* **Motion carried.**

Payment covers all transportation services required for such juveniles to and from Martin Hall, following arrest, for court appearances, and for return to Martin Hall, without limitation on the number of trips at mutually agreed upon destinations and pick-up locations within County.

Martin Hall Bond Refinance

Commissioner Plager moved, Hartwig seconded to *approve **Resolution No. R-26-05 In the Matter of Amending Resolution No. R-118-96; Approving and Authorizing the Issuance of a Substitute Bond; and, Providing for Other Matters Properly Relating Thereto** and to authorize the Chairman to sign **Exhibit A Limited Tax General Obligation Bond (Martin Hall Project).*** **Motion carried unanimously.**

Consent Agenda

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

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	051496-051522	\$14,273.16
103	051523-051526	\$ 2,731.03
104	051527-051544	\$10,568.87
108	051545-051553	\$ 3,880.93
112	051554	\$ 323.00
117	051555-051556	\$ 183.53
502	051557-051567	\$ 4,487.24
001	737-738	\$ 119.34
115	739-751	\$ 3,818.71
122	752	\$ 245.75
401	753-754	\$ 2,455.72
501	755-761	\$ 1,613.17
590	762-773	\$23,958.87
TOTAL		\$68,659.32

Correspondence Received

Ross Heimbigner, Ritzville re: resignation from Adams County Planning Commission

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/Jeffrey W. Stevens, Chairman
s/Roger L. Hartwig, Vice-Chairman
s/Rudy Plager, Commissione

RESOLUTION NO. R-26-05

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
ADAMS COUNTY, WASHINGTON, AMENDING RESOLUTION NO. R-118-96;
APPROVING AND AUTHORIZING THE ISSUANCE OF A SUBSTITUTE
BOND; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING
THERETO**

ADAMS COUNTY, WASHINGTON

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ADAMS
COUNTY, WASHINGTON, as follows:**

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;

WHEREAS, the County and eight other counties (collectively the "Members") entered into an Amended and Restated Interlocal Juvenile Detention Facility Agreement (Martin Hall), as amended, in August of 1996 (the "Agreement"), to provide for the joint acquisition, renovation, operation and maintenance of Martin Hall for use as a "juvenile rehabilitation center" (the "Martin Hall Project");

WHEREAS, in Resolution No. R-118-96, adopted by the Board of County Commissioners of Adams County (the "Board") on November 12, 1996 ("Resolution No. R-118-96") the Board found that the Martin Hall Project would increase the County's ability to detain and treat dependent, wayward and delinquent children, and thereby promote the health, welfare and safety of the County's residents;

WHEREAS, the County is authorized and empowered by chapters 13.16, 36.67 and 39.46 RCW to issue, sell and deliver its limited tax general obligation bonds to finance juvenile detention facilities for dependent, wayward and delinquent children;

WHEREAS, RCW 82.14.340 authorizes the Members to participate in agreements pursuant to chapter 39.34 RCW to jointly expend funds for the construction, improvement and expansion of juvenile justice facilities;

WHEREAS, in Resolution No. R-118-96 the Board found it desirable for the County to jointly expend funds with the other Members for the Martin Hall Project;

WHEREAS, in Resolution No. R-118-96 the Board found it necessary for the County's share of the Martin Hall Project costs to be financed as the County did not have cash on hand to make such expenditures;

WHEREAS, in Resolution No. R-118-96 the Board found that the County's costs would be reduced if one of the Members issued bonds to finance the Martin Hall Project, and that such reduction in costs would benefit the County's residents and taxpayers;

WHEREAS, pursuant to Resolution No. 165-1996, adopted by the Board of County Commissioners of Stevens County (the "Stevens County Board") on December 10, 1996, Stevens County issued its "Stevens County Limited Tax General Obligation Bonds, Series 1996" in the original principal amount of \$6,000,000 (the "1996 Stevens County Bonds");

WHEREAS, in Resolution No. R-118-96 the Board found it necessary that a portion of the 1996 Stevens County Bonds be repaid by the County in order for the expenditures of the proceeds of the 1996 Stevens County Bonds to represent a "joint expenditure" of funds within the meaning of RCW 82.14.340;

WHEREAS, in Resolution No. R-118-96 the Board authorized the issuance and delivery to Stevens County of its "Limited Tax General Obligation Bond (Martin Hall Project)" in the original principal amount of \$444,420 (the "Bond") to acknowledge its obligation to pay a portion of the Martin Hall Project costs:

WHEREAS, Stevens County reserved the right to redeem the outstanding 1996 Stevens County Bonds maturing on December 1 in the years 2007 through 2016, inclusive, in whole or in part at any time, on or after December 1, 2006, at the price of par, plus accrued interest to the date of redemption;

WHEREAS, after due consideration, the Stevens County Board has determined that it will be financially advantageous to the Members and result in a savings to the Member's taxpayers to defease, pay, redeem and retire all or a portion of the 1996 Stevens County Bonds maturing on December 1 in the years 2007 through 2016, inclusive, by the sale, issuance and delivery of refunding bonds;

WHEREAS, the issuance of such refunding bonds by Stevens County requires that Resolution R-118-96 be amended; and

WHEREAS, the Board finds it in the County's best interest to amend Resolution R-118-96 so that Stevens County may issue such refunding bonds;

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

Section 1: Definitions

Words not defined herein shall have the meaning given to them in Resolution No. R-118-96.

Section 2: Amendment to Defined Term in Resolution No. R-118-96

The definition of "Stevens Bonds" contained in Resolution No. R-118-96 is hereby amended to provide as follows (double-lined words to be inserted):

“...that Stevens County issue up to \$6,000,000 of its limited tax general obligation bonds (as originally issued or hereafter refunded pursuant to their terms, the “Stevens Bonds”) to finance the Martin Hall Project...”

Section 3: Amendment to Section 1 of Resolution No. R-118-96

Section 1. of Resolution No. R-118-96 is hereby amended to provide as follows (~~interlineated~~ words to be deleted):

“*Section 1.* To represent the County’s pro rata share of the costs of financing the Martin Hall Project, a general obligation bond (the “Bond”) in substantially the form set forth in Exhibit “A” hereto (and by reference incorporated herein) is hereby authorized to be issued and delivered to Stevens County, Washington. The Bond shall be dated the date of the Stevens Bonds, shall mature on the final maturity date of the Stevens Bonds, shall be in a principal amount equal to 7.407% of the aggregate principal amount of the Stevens Bonds, and shall bear interest in an amount equal to 7.407% of the interest initially due in each year on the Stevens Bonds, ~~subject to adjustment if the County elects to redeem a portion of the Bond prior to its maturity,~~ payable on the same dates as interest on the Stevens Bonds is payable. The principle of the Bond will be payable, in part, on the same dates as principal of the Stevens Bonds is payable in an amount equal to 7.407% of the principal initially due in each year on the Stevens Bonds, ~~subject to adjustment if the County elects to redeem a portion of the Bond prior to its maturity.~~ The Bond shall not be transferable by Stevens County.”

Section 4: Amendment to Section 2 of Resolution No. R-118-96

Section 2 of Resolution No. R-118-96 is hereby deleted and replaced in its entirety as follows:

“*Section 2.* The Bond is not subject to redemption prior to maturity.”

Section 5: Substitute Bond

The Chair, the Clerk and such other officers of the County as may be appropriate, and Lukins & Annis, P.S., the County’s Bond Counsel, are each hereby severally authorized and directed to execute a substitute bond for the Bond in substantially the form attached to this Resolution as Exhibit A, an Internal Revenue Service Form 8038-G and any and all other certificates and documents and do any and all things determined necessary or appropriate to consummate the amendments of Resolution No. R-118-96 set forth in this Resolution.

Section 6: Other Sections of Resolution No. R-118-96 Unaffected

Except as set forth in this Resolution, all the provisions of Resolution No. R-118-96 shall remain in full force and effect.

Section 7: Ratification

All actions not inconsistent with the provisions of this Resolution heretofore taken by the Board and the County's employees with respect to the adoption of this Resolution are hereby in all respects ratified, approved and confirmed.

Section 8: Repealer

All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and shall have no further force or effect.

Section 9: Effective Date

This Resolution shall take effect immediately upon its adoption.

ADOPTED by the Board of County Commissioners of Adams County, Washington, at a regular meeting thereof, held on March 28, 2005.

BOARD OF COUNTY COMMISSIONERS
OF ADAMS COUNTY, WASHINGTON
s/Jeffrey W. Stevens, Chairman
s/Roger L. Hartwig, Vice Chairman
s/Rudy Plager, Commissioner

ATTEST:
s/Linda Reimer, Clerk

C E R T I F I C A T E

I, Linda Reimer, Clerk of the Board of County Commissioners of Adams County, Washington, hereby certify that the foregoing resolution is a full, true and correct copy of a resolution duly passed and adopted at a regular meeting of the Board of County Commissioners, duly held at the regular meeting place thereof on March 28, 2005, of which meeting all members of such Board had due notice and at which a majority thereof was present; and that at such meeting such resolution was adopted by the following vote:

AYES, and in favor thereof: Stevens, Hartwig, Plager

NAYS: None

ABSENT: None

ABSTAIN: None

I further certify that I have carefully compared the same with the original resolution on file and of record in my office; that such resolution is a full, true and correct copy of the original resolution adopted at such meeting; and that such resolution has not been amended, modified or rescinded since the date of its adoption, and is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County on March 28, 2005.

ADAMS COUNTY, WASHINGTON
s/Linda Reimer, Clerk of the Board of
County Commissioners

EXHIBIT "A"

No. 1

\$ _____

**UNITED STATES OF AMERICA
STATE OF WASHINGTON**

ADAMS COUNTY

LIMITED TAX GENERAL OBLIGATION BOND (MARTIN HALL PROJECT)

ADAMS COUNTY, Washington (the "County"), a political subdivision duly organized and existing under and by virtue of the Constitution and laws of the State of Washington, hereby acknowledges itself to owe and for value received, promises to pay to

STEVENS COUNTY

on the following dates the following amounts of principal of and interest on this Bond, all as provided for in Resolution No. R-118-96, adopted by the Board of County Commissioners on November 12, 1996, as amended by Resolution No. R26-05, adopted by the Board of County Commissioners on March 28, 2005 (as so amended, the "Resolution"):

<u>Date</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
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This Bond matures on December 1, 2016, and is issued in the principal amount of \$ _____.

This Bond is not subject to redemption prior to its maturity.

This Bond shall not be transferable by Stevens County.

This Bond is a limited tax general obligation of the County. The full faith, credit and resources of the County have been pledged to pay the principal of and interest on this Bond, subject to the limitations on such pledge set forth in the Resolution.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that this Bond is issued pursuant to and in strict compliance with the Constitution and the laws of the State of Washington now in force, and the ordinances and resolutions of the County, specifically the Resolution, and that all acts, conditions and things required to be done precedent to and in the issuance of this Bond have happened, been done and performed.

This Bond is issued in substitution for a bond numbered 1, entitled "Adams County Limited Tax General Obligation Bond (Martin Hall Project)," dated December 17, 1996, in the original principal amount of \$444,420.

IN WITNESS WHEREOF, Adams County, Washington, has caused this Bond to be executed by the signature of the Chairman of its Board of County Commissioners, attested by the signature of the Clerk of its Board of County Commissioners, and impressed with the seal of the Board of County Commissioners on March 28, 2005.

ADAMS COUNTY, WASHINGTON
s/Jeffrey W. Stevens
Chairman, Board of County Commissioners

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