

COMMISSIONERS' PROCEEDINGS

Regular Meeting Adams County Courthouse, Ritzville

January 29, 2007
(Monday)

Call to Order @ 8:30 a.m.

Present:

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

County Public Services Building

Public Works Director O'Brien provided an update on the additional work in progress and/or completed at the County Public Services Building. 2006 expenses, including staff time, incurred and paid by Public Works, were presented for reimbursement from the construction fund. Public Works will bill the construction fund for reimbursement as needed on a quarterly basis during 2007.

O'Brien discussed operation, maintenance, and depreciation estimates for all offices as well as quarterly rent allocations.

Integrated Health Care Services

Commissioner Stevens moved, Plager seconded, to *authorize the Chairman to sign the Sales Contract between Johnson's Glass and Door's, Othello and Adams County to supply and install three counter top glass division walls for the Integrated Health Care Services building section in the amount of \$6,364.10 including tax.* **Motion carried.**

Road Levy Certification

Commissioner Plager moved, Stevens seconded, to *authorize the Chairman to sign the CRABoard Certification of the 2007 Road Levy and Estimated Revenue Produced*

Vacate Alley

A public hearing to consider the vacation of a portion of the alley in Block 10, Section 9, Township 15N, Range 28E specifically that portion between

3rd Avenue west and 2nd Avenue west in Othello Realty Company First Addition, Othello, Washington, was set for Monday, February 26, 2007, at 10:00 a.m. in Room 202 of the Adams County Courthouse, Ritzville.

Vacate Right-of-Way

Commissioner Plager moved, Stevens seconded, to *approve **Resolution No. R-15-07 In the Matter of Petition to Vacate a Portion of the McFadden Road #89994 Right-of-Way lying within Section 1, Township 19N, Range 38E, in Adams County, Washington specifically Tract 1 and Tract 2 as described on Attached Exhibit A.*** **Motion carried.**

A public hearing to consider the right-of-way vacation was set for Monday, February 26, 2007, at 10:15 a.m. in Room 202 of the Adams County Courthouse, Ritzville.

Six Year Transportation Improvement Program – Amended

Engineer Johns reported that two projects – Urquhart Road and Bengewinona Road – were required to be added to the previously adopted Six Year Transportation Improvement Program since they were included in the County Road Administration Board Rural Arterial Program project array and therefore the county needed to amend the previously adopted program for 2007-2012.

A public hearing to consider the amendment to the program was set for Monday, February 12, 2007, at 10:00 a.m. in Room 202 of the Adams County Courthouse, Ritzville.

Easement

Commissioner Plager moved, Stevens seconded, to *authorize the Chairman to sign the Easement between Chester E. Templin and Garrett Chester Templin and Adams County for additional right-of-way property Parcel #1, Tract A (portion of Section 3, Township 20N, Range 36EWM) to facilitate the Hills Road Safety Project CRP-156 and to sign the Real Estate Excise Tax Affidavit.* **Motion carried.**

Easement

Commissioner Plager moved, Stevens seconded, to *authorize the Chairman to sign the Easement between Neil R. Telecky and Adams County for additional right-of-way property Parcel #2, Tract A, B, and C (portion of Section 2, Township 20N, Range 36EWM) to facilitate the Hills*

Road Safety Project CRP-156 and to sign the Real Estate Excise Tax Affidavit. Motion carried.

Public Defense Funding

Public Defender Bajalcaliev discussed the approved ways per RCW 10.101 in which the additional State allocation of funds for public defense could be spent. Bajalcaliev noted that the State would be looking for demonstrable improvements from the use of the additional funds especially in view of the fact that additional allocations are being considered. Following discussion, the Board concurred with recommendations to utilize the funds for interpreter services for attorney-client interviews with the option to have the local public defender office staffed with a bi-lingual individual that could perform both functions. Bajalcaliev will also research the “language line” to determine if that would be viable. Funds were authorized also for a Work Study Intern (3rd year law student) who would handle very specific cases under attorney supervision thereby facilitating earlier case resolution and reduction in continuances.

Recess @ 12:00

Reconvene @ 1:00 p.m.

Recess @ 2:00 p.m.

Session not open to the public – RCW 42.30.140(4)(b) – Union Negotiations Gary and Valerie Hunt, Public Works Director O’Brien, and Engineer Johns were present.

Additional fifteen (15) minutes was noted at 2:30 p.m.

Additional fifteen (15) minutes was noted at 2:45 p.m.

Reconvene @ 3:00 p.m.

Executive Session

Executive Session under RCW 42.30.110(1)(g) - Personnel – was called for thirty (30) minutes at 3:07 p.m. Present in addition to the Board were Adams County Noxious Weed Control Board members Kagele, Dyck, Harder, Clinesmith, and Coffman; and, Human Resources Gary and Valerie Hunt. Prosecutor Flyckt was present at the request of the Board of Commissioners.

Additional thirty (30) minutes was called and posted at 3:37 p.m.

Executive session ended at 3:59 p.m.

Recess @ 3:59 p.m.

Reconvene @ 4:07 p.m.

Planning Commission

Commissioner Stevens moved, Plager seconded, to *appoint Rolando Cerrillo, Othello, to the Adams County Planning Commission to fill a position vacancy (open since March 31, 2006) effective January 29, 2007 through March 31, 2010. Motion carried.*

Solid Waste Advisory Committee (SWAC)

Commissioner Plager moved, Stevens seconded, to *re-appoint Layne Iltz to the Solid Waste Advisory Committee for a three year term effective January 1, 2007 through December 31, 2009. Motion carried.*

Gallagher Reppond

Commissioner Stevens moved, Plager seconded, to *authorize the Chairman to sign the following:*

Amendment Number One to Adams County Flexible Benefits Plan (reflecting that as of January 1, 2007, no more than \$1,500 may be allocated to the Health Care Reimbursement Fund or Health Flexible Spending Account by a Participant in or on account of any Plan Year); and, the Adopting Resolution thereto. Motion carried.

Consent Agenda

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

Preliminary minutes of January 22 and 24, 2007

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	070392-070441	\$ 22,675.24
103	070442	\$ 290.75
104	070443-070472	\$ 50,475.77
104B	070473-070479	\$ 11,836.57

104B	Hand Pay	\$	500.00
105	070480-070482	\$	22,500.00
112	070483	\$	159.75
117	070484	\$	2,302.00
322	070485	\$	45.84
502	070486-070490	\$	1,204.52
001	69-70	\$	726.72
115	71-77	\$	6,186.85
401	78-83	\$	5,902.49
501	84-88	\$	2,158.92
590	89-90	\$	1,064.99
TOTAL			\$128,030.41

Approved **Resolution No. R-09-07 In the Matter of Notice of Call for Bids for Herbicides/Residual** (Bid opening was set for Tuesday, February 20, 2007, at 10:00 a.m.)

Approved **Resolution No. R-10-07 In the Matter of Repayment of Taxes**

Approved **Resolution No. R-12-07 In the Matter of Transferring Funds from the Current Expense Fund #001 to Courthouse O&M Fund #501**

Public Works Union

Patty Beseler, Washington State Council of County and City Employees Staff Assistant filed a formal "Request for Mediation, a copy of the current working Agreement, and copy of the Proposals" for the Public Works Union.

WRIA 43 Upper Crab/Wilson Creek Watershed Plan

A public hearing to consider testimony on the proposed WRIA 43 Upper Crab/Wilson Creek Watershed Plan was scheduled for Tuesday, February 20, 2007 (due to Monday Holiday) at 10:00 a.m. in Room 202 of the Adams County Courthouse, Ritzville, Washington.

Permanent Minutes Signed

January 8, 10, 16 and 17, 2007

Adjournment @ 4:45 p.m.

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

Edited and Approved:

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

RESOLUTION NO. R-09-07

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

**NOTICE OF CALL FOR BIDS
Adams County Department of Public Works**

Notice is hereby given by the Board of Adams County Commissioners that sealed bids will be received at their office in the Courthouse in Ritzville, Washington until 10:00 a.m. Tuesday, February 20, 2007, at which time and place they will be publicly opened and read for purchase of the following:

HERBICIDES/RESIDUAL

Forms are available at the Adams County Department of Public Works, 210 W. Alder, Ritzville, Washington 99169. Quotations must be on the form provided by the Department of Public Works and be attached to the County specifications.

Bidders shall submit bids in a separate envelope addressed to the Adams County Board of Commissioners, 210 W. Broadway, Ritzville, Washington 99169.

The Board of Adams County Commissioners reserves the right to accept or 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 serves the best interest of Adams County.

DATED this 29th day of January, 2007.

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

s/Rudy Plager, Commissioner

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

RESOLUTION NO. R-10-07

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

IN THE MATTER OF REPAYMENT OF TAXES

WHEREAS, Adams County has contracted with specific cities and towns within the county for repayment of taxes normally levied by these cities and towns, but by mutual agreement and contract levied by the county Current Expense Fund for 2007 taxes; and,

WHEREAS, the total amounts contracted are to be repaid to these cities and towns by December 31, 2007;

THEREFORE BE IT RESOLVED that the Adams County Treasurer will, on the last day of the months of February through November, 2007, transfer repayments to these cities and towns in the same percentage as the actual taxes collected and on the last day of December, 2007, transfer the amount of the balance of the repayments, thereby fulfilling the terms of the contracts.

DATED this 29th day of January, 2007.

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

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

RESOLUTION NO. R-11-07

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

IN THE MATTER OF AMENDING RESOLUTION NO. R-35-06 THAT IDENTIFIED CERTAIN ADAMS COUNTY POSITIONS AS EXEMPT UNDER PROVISIONS OF THE FAIR LABOR STANDARDS ACT (FLSA) BY ADDING ADDITIONAL POSITIONS AS EXEMPT AND CONCURRENTLY AMENDING THE ADAMS COUNTY PERSONNEL POLICY

WHEREAS, following review of the job descriptions of certain positions within Adams County it was determined that those positions qualified as exempt under provisions of the Fair Labor Standards Act (FLSA);

THEREFORE BE IT HEREBY RESOLVED that the following positions be added to the Adams County list of exempt positions:

County Designated Mental Health Professional
Registered Nurse
Environmental Health Program Director
Personal Health Program Director
Chemical Dependency Clinical Director
Mental Health Clinical Director
Developmental Disabilities Program Director

AND, BE IT FURTHER RESOLVED that the Adams County Personnel Policy, Appendix A, is amended to reflect those additional positions.

DATED this 24th day of January, 2007.

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

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

RESOLUTION NO. R-12-07

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

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

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

THEREFORE BE IT HEREBY RESOLVED that fifty thousand and no/100 dollars (\$50,000) be transferred from Current Expense Fund #001 BARS 597.18.30.00 to Courthouse O&M Fund #501 BARS 397.18.30.00.

DATED this 29th day of January, 2007.

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

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

RESOLUTION NO. R-15-07

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

IN THE MATTER OF PETITION TO VACATE A PORTION OF THE MCFADDEN ROAD #89994 RIGHT-OF-WAY LYING WITHIN SECTION 1, TOWNSHIP 19N, RANGE 38E, IN ADAMS COUNTY, WASHINGTON SPECIFICALLY TRACT 1 AND TRACT 2 AS DESCRIBED ON ATTACHED EXHIBIT A

WHEREAS, when the McFadden Road was rebuilt in 2005 it required a centerline alignment to move so that the road would cross the SP&S Railroad grate at a grade crossing instead of the existing crossing across the Ed Victor Bridge #205-1; and,

WHEREAS, the county then secured an easement for 60 feet of right-of-way along the new alignment for the construction project CRP-146 centerline and filed the appropriate documents at that time; and,

WHEREAS, those portions of the right-of-way are no longer needed for Adams County road purposes and a preliminary report has been filed by the Adams County Engineer;

THEREFORE BE IT HEREBY RESOLVED that the Adams County Engineer is hereby directed under authority of RCW 36.87.030 to examine and make a final report upon such vacation to the Legislative Authority of Adams County.

DATED this 29th day of January, 2007.

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

s/Rudy Plager, Commissioner

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