

## COMMISSIONERS' PROCEEDINGS

### Regular Meeting Adams County Courthouse, Ritzville

May 7, 2007  
(Monday)

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

#### Present:

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

9:30 a.m.

#### Van Marter Bridge

Mayor Larry Koch addressed the "funding shortage" on the Van Marter Bridge Project and requested county assistance. Several options were explored with consensus for the Town of Lind to apply for a grant from Fund #324 - Economic Development. Engineer Johns will assist with tabulating and verifying final costs that will be a part of the application.

9:50 a.m.

10:08 a.m.

#### Public Works

Engineer Johns addressed various road speed limit issues; discussed changes in the law pertaining to placement of 'Yield' signs; reviewed traffic and access issues near a planned housing development; and, reported that negotiations continue on the planned construction of Cemetery Bridge.

#### Waste Management of Washington

TAC member O'Brien reported that Waste Management of Washington had submitted a request for an extension of the Mitigation Agreement (specifically the date for construction to commence on the regional landfill) to October 31, 2007, to allow for further discussion on mitigation issues. The Board expressed concern with further delays given the period of time that was already available under the Agreement terms. The Board **by consensus authorized a three (3) month extension ending August 31,**

**2007.** Special Deputy Derr will prepare the necessary documents for execution by May 29, 2007.

11:00 a.m.

11:05 a.m.

### **Zoning Amendment**

Chairman Hartwig opened the public hearing at 11:05 a.m.

Planner Wiltse reviewed the changes and noted the specific change in the regulations governing mobile homes and manufactured homes; and, noted Exhibit A and Exhibit B modifications.

There were no members of the public present.

Hearing no further comments Chairman Hartwig closed the hearing at 11:24 a.m.

Commissioner Plager moved, Stevens seconded, to *approve **Ordinance No. O-01-07 An Ordinance of Adams County Amending Exhibit "A" and Exhibit "B" of Ordinance No. O-01-05. Title 17. Zoning. Motion carried.***

11:25 a.m.

11:30 a.m.

### **E-911**

E-911 System Administrator Kellie Ottmar reviewed 911 call volumes and discussed calls received via *VOIP* as well as the approaching implementation of *Next Generation 911*. Training requirements for the new programs, staffing, and workflow were discussed. A proposal was presented to modify the percentage of time assigned for MSAG duties (from 25% to 50%) that would then qualify the county for full salary reimbursement by the State. County funds previously allocated for that position would then be available to hire additional dispatch staff. A review of positions, tasks, and funding (2007 and proposed 2008) was noted and discussed. No decision was made on the proposal.

Ottmar requested Board consideration to change the county meal reimbursement rate to the State rate for when she attends training since all her expenses are State reimbursed. Discussion followed with no policy change approved.

12:11 p.m.

### **Recess @ 12:00**

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

1:04 p.m.

### **Waste Management Operating Permit**

Brent Stenson, Environmental Health, presented a copy of the Full Permit for Municipal Solid Waste Landfilling for the Adams County Regional Landfill and Recycling Center for Owner/Operator Waste Management of Washington Disposal Services, Inc. (WMW).

Stenson noted the additional conditions under Section XII. Washington State Department of Health regulations allow for no less than a full year for this type of permit extension.

Following discussion, Commissioner Stevens moved, Plager seconded, to *authorize the Adams County Health Department to proceed with a one (1) year extension of the operating permit for Waste Management of Washington. Motion carried two (2) to one (1) with Stevens and Hartwig voting yes; Plager voting no.* Commissioner Plager noted that he was opposed to the one year extension provision. Date of Permit expiration is now May 31, 2008.

### **Melgren Illegal Landfill**

Brent Stenson, Environmental Health, presented the Executive Summary on the environmental investigation of the Melgren illegal landfill prepared by Schwyn Environmental Services. Stenson reviewed the data noted in Table 16 – Soil Sample Analytical Results – Organic Constitutes.

### **Health Emergency Provisions**

Stenson addressed concerns expressed by Tom Haworth, Adams County Mosquito Control District, to have in place permits that would allow for application of certain specific products in the in the event of a health emergency caused by mosquitoes. Any action during the emergency would be allowed only if it was included in the Master Health Emergency Plan. Updates to the Plan are in progress and special requirements of the Mosquito Control District will be included.

2:00 p.m.

2:05 p.m.

### **Fish & Wildlife (PILT)**

Assessor Anderson notified the Board that the county was eligible to request payment in lieu of taxes on property that the Washington State

Department of Fish & Wildlife owns in Adams County. The Department currently owns 860 acres within Adams County.

The Board sent a letter to the Fish & Wildlife Department requesting this payment based on the amount paid on similar parcels of open space land taxable under chapter 84.34 RCW

### **Mapping Software**

Assessor Anderson requested authorization to purchase a software update that is necessary to maintain certain layers in the mapping process. Purchase now at \$3,500 would allow for an overlap in the maintenance agreement that would then result only in an additional \$1,000. Future annual renewals for ArcEditor would then be \$1,500. The Board **by consensus authorized the purchase of ArcEditor.**

2:25 p.m.

3:34 p.m.

### **Juvenile Administrator Reclassification**

Commissioner Stevens moved, Plager seconded, to *reclassify the Juvenile Administrator position to Management Level 1.* **Motion carried.** The employee currently holding that position will be placed at Step 3 with the change effective July 1, 2007.

Commissioner Plager noted that there were certain standards expected at the management level and every year job performance must be reviewed.

### **Mosquito Control Board**

Commissioner Stevens moved, Plager seconded, to *appoint Dale Wyman to the Adams County Mosquito Control Board, District #3 effective May 7, 2007 through March 31, 2009.* **Motion carried.**

### **McManamon Road**

Commissioner Plager moved, Stevens seconded, to *approve **Resolution No. R-42-07 In the Matter of Notice to Contractors for Construction Improvements for McManamon Road Project #1, CRP-149, Group #1 and Project #2, CRP-154, Group #2.*** **Motion carried.** Bid opening was set for 10:00 a.m. on Tuesday, May 29, 2007.

### **Consent Agenda**

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

Preliminary minutes of April 30, 2007 and May 2, 2007

April, 2007 Payroll in the amount of \$629,030.42 and Benefits in the amount of \$109,250.24 (Warrant # series 510368-510486; Direct Deposit # series 16056-16217; and Benefit/Deduction #series 1053490-1053508)

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	072076-072106	\$ 11,493.28
103	072107-072108	\$ 14,871.87
104	072109-072122	\$ 18,600.61
104B	072123-072126	\$ 2,516.54
111	072127	\$ 200.00
112	072128-072129	\$ 299.75
116	072130	\$ 169.50
123	072131	\$ 228.00
130	072132	\$ 91.46
502	072133-072142	\$ 5,455.84
502	Hand Pay	\$ 6,720.80
001	1541-1545	\$ 319.10
115	1546-1562	\$ 7,637.26
401	1563-1572	\$ 4,710.80
501	1573-1580	\$ 2,888.14
590	1581-1608, 1661	\$ 37,516.61
590	Hand Pay	\$ 22.25
TOTAL		\$113,741.81

Approved Central Services Department request to surplus 42 cell phones to be junked

**Deputy Clerk of the Board**

Commissioner Stevens moved, Plager seconded, to *appoint Nancy Burt as Deputy Clerk of the Board for Monday, May 14 and Monday, May 21, 2007. Motion carried.*

3:40 p.m.

**Permanent Minutes Signed**

April 23, 25, and 26, 2007

**Correspondence Received**

Adams Conservation District re: invitation to field tour featuring District projects in Adams County on May 15, 2007

Mayor Shannon McKay, City of Othello re: appreciation for support of Othello Clean-up Week

Copy of e-mail sent to Engineer Johns from Gary Brueher re: new stop sign at Bench and Billington Road and speed limit on Bench Road

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

**ORDINANCE NO. O-01-07**

**AN ORDINANCE OF ADAMS COUNTY AMENDING EXHIBIT "A" AND EXHIBIT "B" OF ORDINANCE NO. O-01-05. TITLE 17. ZONING.**

**SECTIONS 17.04.160, 17.04.290, 17.04.575, 17.08.040, 17.12.030, 17.16.030, 17.68.110, 17.76.060 AND 17.76.070 OF EXHIBIT 'A' TO SPECIFICALLY DEFINE MANUFACTURED HOME SEPARATE FROM MANUFACTURED HOME DESIGNATED, ESTABLISH A MINIMUM SIZE, ESTABLISH AREAS OF USE FOR MANUFACTURED HOMES, AND ESTABLISH NEW MINIMUM SETBACKS FOR RESIDENTIAL USES WITHIN AGRICULTURAL ZONES FOR BOTH LEGAL AND LEGALLY NONCONFORMING LOTS OF RECORD.**

**EXHIBIT "B" TO REFLECT ZONE CHANGES FOR THE UNINCORPORATED AREAS OF CUNNINGHAM, BENGE AND LIND, WASHINGTON.**

**WHEREAS**, the Adams County Planning Commission during public meetings discussed and recommended changes to the Adams County Zoning Code in order to further the goals and policies of the comprehensive plan for physical development of the county; and,

**WHEREAS**, the objectives of this title are to protect the public health, safety and welfare; encourage the orderly growth of the county; promote compatible uses of land; provide desired levels of population density and intensity of land use; facilitate adequate levels of community services and utilities; and, to provide workable relationships between land uses, the transportation system, and environment; and,

**WHEREAS**, the Adams County Planning Commission held duly advertised public hearings as prescribed by law on March 13 and March 15, 2007, regarding the proposed amendments to Ordinance No. O-01-05 Adams County Zoning Code; and,

**WHEREAS**, an environmental review process on associated documents was conducted on the proposed amendments as prescribed by WAC 197-11;

**NOW THEREFORE BE IT ORDAINED** by the Board of Adams County Commissioners as follows:

**SECTION 1.** Chapter 17.04.160 Caretaker's Residence is amended to read as follows:

**17.04.160 Caretaker's Residence**

"Caretaker's residence" means a residential dwelling unit accessory to an agricultural, commercial or industrial use for occupancy by the owner, caretaker or watchman only as consistent with 17.04.290 Dwelling, Single Family.

**SECTION II.** Chapter 17.04.290 "Dwelling, Single-Family" is amended to read as follows:

**17.04.290 Dwelling, Single-Family**

"Single-family dwelling" means a detached building containing one dwelling unit.

This includes:

- a. "Mobile Home" as defined in 17.04.605 (only as permitted in an approved "Manufactured/mobile home park" as defined in 17.04.585;
- b. "Manufactured home" as defined in 17.04.575;
- c. "Manufactured home, Designated" as defined in 17.04.580;
- d. "Modular home (factory-built home) as defined in 17.04.610;
- e. Site-built or stick-framed homes as reviewed and approved by the Adams County Building Department.

**SECTION III.** Chapter 17.04.575 "Manufactured home" is amended to read as follows:

**17.04.575 Manufactured Home**

"Manufactured home" means a structure constructed after June 15, 1976 in accordance with the US Department of Housing and Urban Development (HUD) requirements for manufactured housing, and bearing the appropriate insignia indicating such compliance, and shall contain a minimum of 840 square feet of living areas as originally constructed/manufactured.

**SECTION IV.** Chapter 17.08.040 "District use chart" is amended to add Manufactured Home to the Residential Uses Table as follows with added note 7 to read as follows:

**17.08.040 District use chart**

	<b>R-1</b>	<b>RR</b>	<b>RS</b>	<b>C</b>	<b>LI</b>	<b>HI</b>	<b>PA</b>	<b>GA</b>
<b>RESIDENTIAL USES</b>								
Accessory Dwelling	ACC	ACC	ACC				ACC	ACC
Caretaker's Residence			ACC	ACC	ACC	ACC	ACC	ACC
Single Family Dwelling	PRM	PRM	PRM				PRM	PRM
Duplex Dwelling	PRM	PRM	PRM					
Multi Family Dwelling	PRM		PRM					
<u>Manufactured Home</u> <sup>7</sup>	<u>CUP</u>	<u>PRM</u>	<u>CUP</u>				<u>PRM</u>	<u>PRM</u>
Designated Manufactured Home	PRM	PRM	PRM				PRM	PRM
Mobile Home (allowed only in MHP)								
Modular Home	PRM	PRM	PRM				PRM	PRM
Accessory Structure, Residential	ACC	ACC	ACC					
Home Day Care Provider	ACC	ACC	ACC				ACC	ACC
Mini Day Care Center	CUP	CUP	CUP	PRM				
Day Care Center	CUP	CUP	CUP	PRM				
Home Occupation, Group A	ACC	ACC	ACC				ACC	ACC
Home Occupation, Group B	CUP	CUP	CUP				CUP	CUP
Bed & Breakfast	CUP	CUP	CUP	PRM*				
Boarding/Lodging House	CUP	CUP	CUP	PRM*				
Planned Residential Development	PRD	PRD	PRD					
Manufactured/Mobile Home Park	PRD	PRD	PRD					
Condominiums	PRD	PRD	PRD					
Adult Family Home	PRM	PRM	PRM					
Assisted Living Facility	CUP	CUP	CUP					
Convalescent Home/Nursing Homes	CUP	CUP	CUP					
Foster Family Home	PRM	PRM	PRM					
Group Care Facility	CUP	CUP	CUP					

**7 Consistent with standards in 17.04.575**

**SECTION V.** Chapter 17.12.030 "Standards" Sub (A) is amended to read as follows:

### **17.12.030 Standards**

In addition to the applicable requirements of this code, including without limitation Chapter 17.76 General Standards, all development authorized in this zoning district shall meet the following minimum standards:

- A. Minimum yard areas and setbacks in this district are as follows:
  - 1. The minimum required front yard for shop building, barns, and/or home storage facilities shall be at least one hundred (100) feet from the property line;
  - 2. The minimum required front, side and rear yards for residential uses shall be at least three hundred (300) feet from any property line;
  - 3. The minimum required side and rear yards for all non-residential structures shall be at least fifty (50) feet from any side and/or rear property lines, except when adjoining a municipal boundary or a residential zoning district, the required side and rear yards shall be at least one hundred (100) feet;
  - 4. The minimum required setbacks for residential uses on a legal or legally nonconforming lot of record as defined under 17.03.635 herein, may be reduced by the Planning Official subject to the following:
    - a. Adequate proof of a hardship is provided to the Planning Official; and,
    - b. A reduction shall be kept to the minimum amount needed and shall in no case be less than the minimum setbacks specified above for shop buildings, barns and/or home storage facilities and non-residential structures.

**SECTION VI.** Chapter 17.16.030 "Standards" Sub (A) is amended to read as follows:

### **17.16.030 Standards**

In addition to the applicable requirements of this code, including without limitation Section 17.76 General Standards, all development authorized in this zoning district shall meet the following minimum standards:

- A. Minimum yard areas and setbacks in this district are as follows:
  - 1. The minimum required front yard for shop buildings, barns, and/or home storage facilities shall be at least sixty (60) feet from the property line;
  - 2. The minimum required front, side and rear yards for residential uses shall be at least sixty (60) feet from any property line;
  - 3. The minimum required side and rear yards for all non-residential structures shall be at least twenty (20) feet from any side and/or rear property lines, except when adjoining a municipal boundary or a residential zoning district, the required side and rear yards shall be at least one hundred (100) feet;
  - 4. The minimum required setbacks for residential use on a legal or legally nonconforming lot of record as defined under 17.04.636 herein, may be reduced by the Planning Official subject to the following:

- a. Adequate proof of a hardship is provided to the Planning Official; and
- b. A reduction shall be kept to the minimum amount needed and shall in no case be less than the minimum setbacks specified above for shop buildings, barns and/or home storage facilities and non-residential structures.

**SECTION VII.** Chapter 17.68.110 “Farm labor camps” sub (L) is amended to read as follows:

**17.68.110 Farm labor camps**

Dwelling units may include trailers, mobile homes, manufactured homes, manufactured homes designated, modular homes, site-built or stick-built homes and single or multiple family housing units, but in each case must meet standards of site setback, site occupancy, and site size for the particular type of dwelling unit as indicated in general standards for that type of unit, as these appear elsewhere in this title.

**SECTION VIII.** Chapter 17.76.060 “Accessory dwellings”, subparagraphs A and C are amended to read as follows:

- A. Accessory dwellings shall be limited to a minimum of eight hundred and forty (840) square feet in floor area and must connect, whenever feasible, to the utilities (water, power and sewer) of the primary single-family dwelling.
- C. Mobile homes as defined in 17.04.605 will not be allowed as accessory dwelling units.

**SECTION IX.** Chapter 17.76.070 “Residential performance standards” is amended to read as follows:

**17.76.070 Residential performance standards**

All residential dwellings shall meet the following provisions as a minimum standard. Manufactured home, designated (“Designated manufactured home”) as defined in 17.04.580 are included in these provisions. Manufactured/mobile home placements in approved manufactured/mobile home parks are excluded from these provisions.

- A. Width. The minimum width of the main body of the home, as assembled on the site, shall not be less than fourteen (14) feet as originally designed and constructed, and as measured across the narrowest portion, except in the R-1 district that distance shall be twenty-four (24) feet as originally designed and constructed.
- B. Siding Materials: Siding materials shall be wood, masonite, masonry, stucco, vinyl, or other comparable materials. The exterior siding material shall extend to the top of the foundation or skirting.
- C. Foundation: Manufactured homes shall have a foundation or skirting that is similar in appearance to the foundations of site built housing.

**SECTION X.** Exhibit "B" of Ordinance O-01-05 "The Adams County Zoning Map" is hereby replaced and updated with a new Adams County Zoning Map as attached hereto.

**SECTION XI.** Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**SECTION XII.** Effective Date. This Ordinance shall take effect and be in full force five (5) days after adoption.

**Adopted** this 7<sup>th</sup> day of May, 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

Approved as to form:  
s/Randy J. Flyckt, Prosecuting Attorney

**RESOLUTION NO. R-42-07**

**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., Tuesday, May 29, 2007** and will be opened and publicly read on May 29, 2007 at 10:00 a.m. for the following construction improvements:

**McManamon Road Project #1 (CRP-149), Group #1, MP 2.12 to MP 3.94, May Road (Grant County H-SE) to Crab Creek Bridge, by the reconstruction of the roadway by grading, draining, replacement of culverts, gravel base, HMA & BST wearing surfacing and other work,**

**McManamon Road (Grant County 12SE road) Project #2 (CRP-154), Group #2, MP 0.00 to MP 2.12, Byers Road to May Road (Grant County H-SE), by the reconstruction of the roadway by grading, draining, replacement of culverts, gravel base, HMA wearing surfacing and other work,**

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.

The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 79 Stat. 252, 42 U.S.C. 2000d to 2000d-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 ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 23 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, national origin, or sex in consideration for an award.

**DATED** this 7<sup>th</sup> day of May, 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