

## COMMISSIONERS' PROCEEDINGS

**Adams County Courthouse, Ritzville  
June 28, 1999**

The regular meeting of the Adams County Board of Commissioners was called to order by Chairman W. L. Schlagel on Monday, June 28, 1999, at 8:30 a.m. in Ritzville. Commissioner Bill Wills and Commissioner Jeffrey W. Stevens were present.

Cindy Doyle, Coordinator/Administrator for the Developmental Disabilities program in Adams County, met with the board along with Kate Brueske, Community Counseling Coordinator, and Nancy Crossler, Auditor. Proposed regulation changes expected on or before contract renewal for the next biennium for Developmental Disabilities were discussed. These changes may require moving DD to a "county department" or separating the responsibilities of administrator and coordinator for the DD program. Options were discussed with decisions to be made following official notification from the State.

Central Services Director Cantrell introduced new department employee Chad Knodel.

Commissioner Wills moved, Stevens seconded, to declare surplus Public Works equipment 1986 Mack SN#1M2P141C66A003898 without the dump box. Motion carried. Adams County Fire District #1 is interested in the truck and will be given the option to purchase prior to listing at the next surplus auction.

It being the time of 11:00 a.m. and the place set for the opening of bids for one (1) 1999 or newer 15,000 GVW sign truck, it was noted that no bids were received.

Commissioner Wills moved, Stevens seconded, to approve **Resolution No. R-61-99 In the Matter of Notice of Call for Bids for One (1) 1999 or Newer Heavy Duty 15,000 GVW Sign Truck**. Motion carried. Bid opening was set for Monday, July 19, 1999, at 11:00 a.m.

The board went into executive session under RCW 42.30.110(g) with Special Counsel Tom Kingen (via telephone) from 11:55 a.m. until 12:03 p.m.. Prosecutor Brueher was present.

The board recessed for lunch at 12:00 noon and reconvened at 1:00 p.m.

Commissioner Wills moved, Stevens seconded, to approve **Resolution No. R-60-99 In the Matter of the Schedule for Project Implementation in the Adams County Unclassified Use Permit Mitigation Agreement Dated February 22, 1994, between Adams County, Washington and Waste Management of Washington**. Motion carried.

Commissioner Stevens moved, Wills seconded, to approve **First Amendment to the Settlement Agreement (dated January 6, 1994) between Adams County and Waste Management of Washington, Inc.** Motion carried.

Commissioner Wills moved, Stevens seconded, to approve **Amendment to the Mitigation Agreement (dated February 22, 1994) between Adams County and Waste Management of Washington, Inc.** Motion carried.

Present for discussion and the above noted action were Scott Cave and press from the Ritzville Journal.

Assessor Crossler, with Dee Caputo and Dave Anderson of the Building and Planning Department joining the session via telephone, discussed a segregation violation and the requirement for handling the property at this time under ACC 16.28.020. The board will discuss the matter with the property owners involved during public session on Tuesday, July 6, at 3:00 p.m. unless there are scheduling conflicts requiring a date change once the parties are contacted.

Treasurer Laura Danekas and Auditor Nancy Crossler held a Finance Committee meeting with the Board.

Commissioner Stevens moved, Wills seconded, to authorize the chairman to sign Amendment No. 5 to Agreement between Adams County and Washington State University concerning Adams County Support for William Schillinger. Motion carried. This amendment allows expenditures up to \$12,500 and extends the period of the agreement through June 30, 2000.

Permanent minutes of June 14, 1999, were signed.

Commissioner Wills moved, Schlagel seconded, to approve the Consent Agenda:

Preliminary minutes of June 21, 1999

RCW 42.23.080, 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: #001 (992912-992962) for \$25,131.84; #102 (992963-992966) for \$2,567.73; #103 (992967-992975) for \$18,857.68; #104 (992976-992979) for \$395.20; #105 (992980) for \$14.02; #106 (992981-992982) for \$288.88; #115 (992983) for \$145,597.13; #130 (992984) for \$6.00; #131 (992985) for \$24.75; #133 (992988) for \$149.00; #401 (992988A) for \$14.00; #101 (991180-991185) for \$865.13; #115 (991186-991197) for \$28,726.14; #401 (991198-991200) for \$38,797.59; #590 (991201-991226) for \$13,395.67; for a total of \$274,830.76

Correspondence was received from:

James A. Munroe, Recreation Lands Manager for Southeast Region Department of Natural Resources re: Milwaukee Road Corridor Proposed Rule Change  
Dennis Reynolds, Attorney re: Olympic Pipe Line

There being no further business to come before the board the meeting adjourned at 4:30 p.m.

BOARD OF COUNTY COMMISSIONERS  
ADAMS COUNTY, WASHINGTON  
s/W. L. Schlagel, Chairman  
s/Bill Wills, Commissioner  
s/Jeffrey W. Stevens, Commissioner

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

**RESOLUTION NO. R-60-99**

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

**IN THE MATTER OF THE SCHEDULE FOR PROJECT IMPLEMENTATION IN THE  
ADAMS COUNTY UNCLASSIFIED USE PERMIT MITIGATION AGREEMENT DATED  
FEBRUARY 22, 1994, BETWEEN ADAMS COUNTY, WASHINGTON AND WASTE  
MANAGEMENT OF WASHINGTON**

**WHEREAS**, on February 22, 1994, the Board of County Commissioners for Adams County approved an unclassified use permit for Waste Management of Washington ("WMW") to construct a regional solid waste landfill on property located in the southeastern part of Adams County (the "Landfill") and executed a Mitigation Agreement with WMW governing the rights and responsibilities of the County and WMW with respect to the Landfill ("Mitigation Agreement"); and,

**WHEREAS**, on May 19, 1997, the Adams County Health District, after public review and consultation with the Washington State Department of Ecology, Adams County, and other agencies, issued a "Full Permit for Municipal Solid Waste Landfilling" ("Full Permit") to WMW authorizing construction of the Landfill, with a ten year term expiring on May 31, 2007; and,

**WHEREAS**, a Draft Environmental Impact Statement for the Landfill was issued by Adams County on March 18, 1992, and a Final Environmental Impact Statement on August 9, 1993, and an Addendum to the County's Final Environmental Impact Statement was also adopted by the Health District, and the Board of Commissioners find that this is simply part of the same proposal and that such environmental documents are adequate to support this Resolution; and,

**WHEREAS**, the Organization to Preserve Agricultural Lands ("OPAL") appealed the Health District's Full Permit for the Landfill to the State Pollution Control Hearing Board (and filed a related appeal in Superior Court), which appeal(s) are still pending (PCHB No. 97-88 and Adams County Superior Court No. 97-2-00107-6); and,

**WHEREAS**, Section II.B.2 and 3 of the Mitigation Agreement require that WMW commence construction of the Landfill within two years of obtaining the Full Permit from

the Health District and commence operation of the Landfill within four years of such date; and,

**WHEREAS**, WMW has requested that the schedule for project implementation be amended so that the deadline for commencing construction of the Landfill coincides with the ten year term allowed under the Full Permit issued by the Health District and the deadline for commencing operation of the Landfill be set for two years thereafter; and,

**WHEREAS**, Section XXII.K of the Mitigation Agreement provides that it may be amended in a writing signed by the County and WMW and that the County may amend the Mitigation Agreement without also requiring an amendment to the Unclassified Use permit unless the Commissioners determine, in their discretion, that the proposed amendment constitutes a substantial change in a material provision of the unclassified use permit that requires public notice and hearing as provided in Adams County municipal Code Chapter 17.72; and,

**WHEREAS**, although no public notice and hearing is required for such amendment, the Commissioners published notice of the proposed amendment to the project implementation schedule and invited public comment at the June 21, 1999, regular meeting because of public interest in the subject of the Landfill;

**NOW THEREFORE** having considered the terms of the Mitigation Agreement as a whole, WMW's request for an amendment of the project implementation schedule, and any public comment received,

**THEREFORE BE IT HEREBY RESOLVED** that the Adams County Commissioners find that the amendment of the project implementation schedule in the Mitigation Agreement to extend the dates for commencing construction and operation of the Regional Landfill does not constitute a substantial change in material provision of the Unclassified Use Permit because a) the amendment does not change the environmental standards and conditions applicable to the Landfill; b) all County and state standards applicable to the Landfill will continue to apply; c) Adams County's Unclassified Use Permit Ordinance (in ACC Chapter 17.72) sets no time limits by which construction and operation of the Landfill must commence; and, d) the current Full Permit issued by the Health District on May 19, 1997, does not expire until May 31, 2007; and,

**BE IT FURTHER RESOLVED** that the Adams County Commissioners do hereby approve the proposed amendment of the Mitigation Agreement and authorizes the same to be executed.

**DATED** this 28<sup>th</sup> day of June, 1999.

BOARD OF COUNTY COMMISSIONERS  
ADAMS COUNTY, WASHINGTON  
s/W. L. Schlagel, Chairman  
s/Bill Wills, Commissioner  
s/Jeffrey W. Stevens, Commissioner

ATTEST:  
s/Linda Reimer, CMC/AEE

Clerk of the Board

**RESOLUTION NO. R-61-99**

**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 11:00 a.m., Monday, July 19, 1999, at which time and place they will be publicly opened and read for purchase of the following:

ONE (1) 1999 OR NEWER HEAVY DUTY 15,000 GVW SIGN TRUCK

Specifications and bid forms are available at the Adams County Public Works Department, 210 W. Alder, Ritzville, Washington 99169. Quotations must be on the forms provided by the Public Works Department office and be attached to the County specifications.

Bidder shall submit bids in separate sealed 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 reject any or all bids, to waive informalities 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 28<sup>th</sup> day of June, 1999.

BOARD OF COUNTY COMMISSIONERS  
ADAMS COUNTY, WASHINGTON  
s/W. L. Schlagel, Chairman  
s/Bill Wills, Commissioner  
s/Jeffrey W. Stevens, Commissioner

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