

## **COMMISSIONERS' PROCEEDINGS**

### **Regular Meeting Adams County Courthouse, Ritzville**

**August 3, 2009**  
(Monday)

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

#### **Present:**

Chairman Rudy Plager  
Vice-Chairman Roger L. Hartwig

#### **Absent:**

Commissioner Jeffrey W. Stevens

10:05 a.m.

#### **Public Works General Session**

Director O'Brien reported the following:

- Seal coat has begun and will continue for approximately the next three weeks
- Noted that with reduced staffing overtime is being incurred by Mechanic staff
- Graffiti on the County Public Services Building is scheduled for removal this week
- Reported that several issues occurring at the Fairgrounds over the weekend were responded to by county staff as well as the Skill Source clients currently at the site;
- Noted that a "Fairgrounds Rental Policy" which details rules and regulations will be prepared and enforced, and shall be binding on all future renters of the grounds/buildings
- The new transfer station employee is in training; solid waste trailers continue to be modified; the concrete for the wall at the Bruce site is scheduled to be poured the week of August 17; and, planting of wind breaks at both the Bruce and Ritzville sites are being considered

#### **Lee Road Overlay Project – Phase #1**

Commissioner Hartwig moved, Plager seconded, to *approve Pay Estimate #1 to Granite Northwest Construction, Inc., Moses Lake, for work*

completed July 1, 2009 through July 27, 2009, in the amount of \$643,854.94. **Motion carried.**

**Hills/Urquhart Road Project/Cow Creek Bridge Project #45-1**

Commissioner Hartwig moved, Plager seconded, to *approve Pay Estimate #3 to North Central Construction, Inc., Moses Lake, for work completed June 21, 2009 through July 20, 2009, in the amount of \$282,308.02.*

**Motion carried.**

10:42 a.m.

**Recess @ 12:00**

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

**Canvassing Board**

Chairman Rudy Plager was designated to serve on the Adams County Canvassing Board for the Primary Election to be held August 18, 2009. The Delegation time frame was set from July 29, 2009 through September 2, 2009.

**Consent Agenda**

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

Preliminary minutes of July 20, July 22, and July 27, 2009

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	093117-093147	\$ 15,676.42
103	093148-093152	\$ 39,760.78
104	093153-093164	\$ 11,383.09
105	093165	\$ 1,666.67
112	093166	\$ 153.90
116	093167-093168	\$ 128.44
117	093169-093173	\$ 538.14
166	093174-093177	\$ 343.60
502	093178-093180	\$ 2,574.16
108	2286-2289	\$ 652.58
115	2290-2298	\$ 2,480.70

122	2299-2300	\$ 666.00
401	2301-2303	\$ 20,614.53
501	2304-2305	\$ 960.15
590	2306-2313	\$ 47,082.62
TOTAL		\$144,681.78

Approved **Resolution No. R-27-09 In the Matter of Reimbursement of the Current Expense Fund #001 by the Emergency Management Fund #106**

Approved **Resolution No. R-28-09 In the Matter of Dispensing with Advertisement and Competitive Bidding for Small Purchases of Materials, Supplies and Equipment by the Martin Hall Juvenile Facility Board (Created Pursuant to the Amended and Restated Interlocal Juvenile Detention Facility Agreement (Martin Hall)); and, Providing for Other Matters Properly Relating Thereto**

Approved **Resolution No. R-29-09 In the Matter of Dispensing with Advertisement and Competitive Bidding for Purchases of Materials, Supplies and Equipment between Five Thousand Dollars and Twenty-Five Thousand Dollars by the Martin Hall Juvenile Facility Board (Created Pursuant to the Amended and Restated Interlocal Juvenile Detention Facility Agreement (Martin Hall)); and, Providing for Other Matters Properly Relating Thereto**

**Permanent Minutes Signed**

July 13 and 15, 2009

**Correspondence Received**

Washington State County Road Administration Board re: Regular Motor Vehicle Fuel Tax Allocation Factors and County Arterial Preservation Program Allocation Factors (CAPP) for Calendar Year 2010

Leonard Bauer, AICP Managing Director Growth Management Services re: changes for CTED including name change to Department of Commerce effective July 26, 2009

Northland Cable Television, Jon Ulrich, General Manger re: notification that Channel KQUP-Pullman has declared bankruptcy and will cease operations on July 31, 2009; KQUP will be replaced on Channel 16 in the Moses Lake area with Great American Country

Copy of Grant County Comprehensive Six Year Transportation Improvement Program for 2010-2015

State of Washington Military Department Emergency Management  
Division re: request for Adams County to create a Hazard Mitigation Plan  
for the jurisdiction

**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/Roger L. Hartwig, Vice-Chairman  
-ABSENT-  
Jeffrey W. Stevens, Commissioner

**RESOLUTION NO. R-27-09**

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

**IN THE MATTER OF REIMBURSEMENT OF THE CURRENT EXPENSE FUND #001  
BY THE EMERGENCY MANAGEMENT FUND #106**

**WHEREAS**, uniform expenses were expended out of the Current Expense Fund #001 in  
the amount of \$1,198.16; and,

**WHEREAS**, a portion of these expenditures would have been more appropriately  
expended from the Emergency Management Fund #106;

**THEREFORE BE IT HEREBY RESOLVED** that the Current Expense Fund #001  
Department 070 BARS 523.60.20.02 be reduced by \$502.42; and, that the Emergency  
Management Fund #106 BARS 525.60.31.02 be increased by \$502.42;

**AND, BE IT FURTHER RESOLVED** that the Adams County Treasurer be authorized to  
transfer the amount of \$502.42 from the Emergency Management Fund #106 to the  
Current Expense Fund #001 BARS 389.90.00.10.

**DATED** this 3<sup>rd</sup> day of August, 2009.

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

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

**RESOLUTION NO. R-28-09**

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

**IN THE MATTER OF DISPENSING WITH ADVERTISEMENT AND COMPETITIVE BIDDING FOR SMALL PURCHASES OF MATERIALS, SUPPLIES AND EQUIPMENT BY THE MARTIN HALL JUVENILE FACILITY BOARD (CREATED PURSUANT TO THE AMENDED AND RESTATED INTERLOCAL JUVENILE DETENTION FACILITY AGREEMENT (MARTIN HALL)); AND, PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO**

**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; and,

**WHEREAS**, the County is required by Chapter 13.16 RCW to acquire, construct, and maintain juvenile detention facilities for dependent, wayward and delinquent children; and,

**WHEREAS**, under Section 802(9) of Chapter 16, Laws of 1995, 2<sup>nd</sup> sp. sess., the Washington State Treasurer is authorized to enter into a financing contract for \$4,000,000 plus issuance expenses and required reserves to assist a consortium of counties in the lease/purchase of leasehold improvements to Martin Hall on the Eastern State Hospital campus, and the renovation of said facility for use as a juvenile rehabilitation center; and,

**WHEREAS**, Chapter 309, Laws of 1995, authorizes cities and counties, or any combination thereof, to participate in agreements, pursuant to chapter 39.34 RCW, to jointly expend funds for criminal justice purposes of mutual benefit, which include, but are not limited to, the construction improvement and expansion of jails, court facilities and juvenile justice facilities; and,

**WHEREAS**, the County and eight other counties entered into an Amended and Restated Interlocal Juvenile Detention Facility Agreement (Martin Hall) ("the Amended and Restated Agreement") executed by each County on the following dates:

Douglas County – August 26, 1996

Stevens County – August 20, 1996

Pend Oreille County – July 22, 1996

Spokane County – August 13, 1996

Adams County – July 22, 1996

Asotin County – August 19, 1996

Lincoln County – July 15, 1996

Whitman County – July 15, 1996

Ferry County – July 15, 1996

under the authority granted by chapter 39.34 RCW, Chapter 309, Laws of 1995, and Chapter 10, Laws of 1995, 2<sup>nd</sup> sp. sess., to provide for the joint operation and maintenance of Martin Hall for use as a “juvenile rehabilitation center” as amended from time to time; and,

**WHEREAS**, RCW 36.32.245 makes provisions to dispense with advertisement and formal sealed bidding on purchases of equipment, materials and supplies of less than five thousand dollars; and,

**WHEREAS**, it would be beneficial and efficient for the County as a Member of the consortium to authorize the Martin Hall Juvenile Facility Board to, in the course of its operation and maintenance of Martin Hall under the Amended and Restated Agreement, dispense with advertisement and formal sealed bidding on purchases of equipment, material and supplies of less than five thousand dollars;

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

*Section 1:* The Board hereby authorizes the Martin Hall Juvenile Facility Board, acting under the Amended and Restated Agreement, in the course of operating and maintaining Martin Hall, to dispense with advertisement and formal sealed bidding on purchases of equipment, material and supplies of less than five thousand dollars, so long as the following terms and conditions are met:

- a. The purchase price, including sales tax and freight, is less than \$5,000;
- b. Purchases of multiple items shall not be segregated or invoiced separately in order to fall within the bidding exception provided by this section;

- c. The purchase price is within Martin Hall Juvenile Facility Board's current budget;
- d. The purchase price, including sales taxes and freight, is believed to be the lowest price reasonably available, after considering product availability, customer service and product support; and,
- e. The Martin Hall Juvenile Facility Board approves and authorizes the purchase.

*Section 2:* All other resolutions of the Board that are inconsistent with the provisions of this Resolution are hereby repealed to the extent of such inconsistency.

*Section 3:* 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 August 3, 2009.

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

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

**RESOLUTION NO. R-29-09**

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

**IN THE MATTER OF DISPENSING WITH ADVERTISEMENT AND COMPETITIVE BIDDING FOR PURCHASES OF MATERIALS, SUPPLIES AND EQUIPMENT BETWEEN FIVE THOUSAND DOLLARS AND TWENTY-FIVE THOUSAND DOLLARS BY THE MARTIN HALL JUVENILE FACILITY BOARD (CREATED PURSUANT TO THE AMENDED AND RESTATED INTERLOCAL JUVENILE DETENTION FACILITY AGREEMENT (MARTIN HALL)); AND, PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO**

**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; and,

**WHEREAS**, the County is required by Chapter 13.16 RCW to acquire, construct and maintain juvenile detention facilities for dependent, wayward and delinquent children; and,

**WHEREAS**, under Section 802(9) of Chapter 16, Laws of 1995, 2<sup>nd</sup> sp. sess., the Washington State Treasurer is authorized to enter into a financing contract for \$4,000,000 plus issuance expenses and required reserves to assist a consortium of counties in the lease/purchase of leasehold improvements to Martin Hall on the Eastern State Hospital campus, and the renovation of said facility for use as a juvenile rehabilitation center; and,

**WHEREAS**, Chapter 309, Laws of 1995, authorizes cities and counties, or any combination thereof, to participate in agreements, pursuant to chapter 39.34 RCW, to jointly expend funds for criminal justice purposes of mutual benefit, which include, but are not limited to, the construction improvement and expansion of jails, court facilities and juvenile justice facilities; and,

**WHEREAS**, the County and eight other counties entered into an Amended and Restated Interlocal Juvenile Detention Facility Agreement (Martin Hall) (“the Amended and Restated Agreement”) executed by each County on the following dates:

Douglas County – August 26, 1996

Stevens County – August 20, 1996

Pend Oreille County – July 22, 1996

Spokane County – August 13, 1996

Adams County – July 22, 1996

Asotin County – August 19, 1996

Lincoln County – July 15, 1996

Whitman County – July 15, 1996

Ferry County – July 15, 1996

under the authority granted by chapter 39.34 RCW, Chapter 309, Laws of 1995, and Chapter 10, Laws of 1995, 2<sup>nd</sup> sp. sess., to provide for the joint operation and maintenance of Martin Hall for use as a “juvenile rehabilitation center” as amended from time to time; and,

**WHEREAS**, RCW 36.32.245 makes provisions to dispense with advertisement and formal sealed bidding on purchases of equipment, materials, supplies and services between five thousand and twenty-five thousand dollars; and,

**WHEREAS**, it would be beneficial and efficient for the County as a Member of the consortium to authorize the Martin Hall Juvenile Facility Board to, in the course of its operation and maintenance of Martin Hall under the Amended and Restated Agreement, dispense with advertisement and formal sealed bidding on purchases of equipment, material, supplies and services between five thousand and twenty-five thousand dollars;

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

*Section 1:* The Board of County Commissioners (“Board”) hereby authorizes the Martin Hall Juvenile Facility Board, acting under the Amended and Restated Agreement, in the course of operating and maintaining Martin Hall, to dispense with advertisement and formal sealed bidding on purchases of equipment, material, supplies and services between five thousand and twenty-five thousand dollars, so long as the following terms and conditions are met:

- f. Lincoln County shall, at least twice per year, publish in a newspaper of general circulation within the County a notice of the existence of vendor list(s) and solicit the names of vendors for such list(s). The Clerk of the Board of Lincoln County Commissioners shall maintain the Vendor List.
- g. The purchase price, including sales taxes and freight, shall not exceed \$25,000;
- h. The purchase is within Martin Hall Juvenile Facility Board’s current budget;
- i. Purchases of multiple items shall not be segregated or invoiced separately in order to fall within the bidding exception provided by this section;
- j. A written description shall be drafted by Lincoln County of the specific materials, supplies, equipment or services to be purchased, including quantity, quality, and type desired, the proposed delivery data and any other significant terms of purchase;
- k. Lincoln County shall post a bid or solicitation notice where it usually posts public notice of bid or proposed solicitations on its website;
- l. Lincoln County shall make a good faith effort to contact at least three (3) of the vendors on the list to obtain telephone solicitation quotations from the vendor(s) or a written bid from the vendor(s) for the required supplies, materials, equipment or services;

- m. Lincoln County shall not share telephone quotations from one vendor with other vendors solicited for the bid on supplies, materials, equipment or services;
- n. A written record shall be made by Lincoln County of each vendor's bid on the supplies, materials, equipment or services, and any conditions imposed on the bid by such vendor and it shall also be noted when a vendor contacted declines to provide a quotation;
- o. Lincoln County shall present to the Martin Hall Juvenile Facility Board all telephone and/or written quotations and a recommendation for award of the contract to the lowest responsible bidder;
- p. The Martin Hall Juvenile Facility Board shall purchase the materials, supplies, equipment or services from the lowest responsible bidder, provided that whenever there is reason to believe that the lowest acceptable bid is not the best price obtainable, all bids may be rejected and the Martin Hall Juvenile Facility Board may call for new bids. The Martin Hall Juvenile Facility Board, in determining the lowest bidder may take the following factors, in addition to price, into account:
  - 1. Any preferences provided by law to Washington products and vendors;
  - 2. The quality of the materials, supplies, equipment, or services;
  - 3. The conformity of the materials, supplies, equipment, or services to the specifications;
  - 4. The purposes for which the material, supplies, equipment, or services are required;
  - 5. The times for delivery of the materials, supplies, equipment, or services;
  - 6. The character, integrity, reputation, judgment, experience, capability, and efficiency of the bidder; and,
  - 7. Such other information as may have a bearing on the decision to purchase the materials, supplies, equipment, or services.
- q. The Martin Hall Juvenile Facility Board shall review quotations and recommendations from Lincoln County and award the

contract to the lowest responsible bidder, with the contract to be executed by the Martin Hall Juvenile Facility Board Chairman.

- r. Immediately after the award is made, the quotations obtained shall be recorded with the Clerk of the Board of County Commissioners of Lincoln County, open to public inspection, and available by telephone inquiry; and,
- s. A list of all contracts awarded under these procedures shall be posted at the Lincoln County Courthouse once after each contract is entered into. The list shall contain the name of the vendor awarded the contract, the amount of the contract, a brief description of the items purchased and the date of award.

*Section 2:* All other resolutions of the Board that are inconsistent with the provisions of this Resolution are hereby repealed to the extent of such inconsistency.

*Section 3:* 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 August 3, 2009.

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

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