

## **COMMISSIONERS' PROCEEDINGS**

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

**February 12, 2018**  
(Monday)

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

**Present:**

Chairman Jeffrey W. Stevens  
Vice-Chairman John N. Marshall  
Commissioner Roger L. Hartwig

**Union Negotiations**

The Board held a session closed to the public pursuant to RCW 42.30.140(4)(b) "that portion of a meeting during which the governing body is planning or adopting the strategy or position to be taken by the governing body during the course of any collective bargaining,..." Session was held from 9:00 a.m. to 10:00 a.m. Gary and Valerie Hunt, Human Resources, were present. Additionally present was Prosecutor Flyckt.

[10:07:37 AM](#)

**Public Works**

Public Works Director O'Brien provided updates on road maintenance; fairgrounds; solid waste; and facilities.

**Chemical Bids**

Results of the chemical bids received from Crop Production Services; Helena Chemical Company; and Wilbur-Ellis Company were shared.

**Solid Waste Comprehensive Plan**

It is necessary to cancel the Solid Waste Advisory Committee (SWAC) meeting scheduled for February 21 with alternate dates in March discussed. Public Works Director O'Brien will re-schedule the meeting and advise the Board of the date. O'Brien reviewed the timeline for adoption of the Adams County Solid Waste Management Plan.

[10:41:11 AM](#)

[11:00:12 AM](#)

**Initiative 502 Moratorium Renewal**

It being the time and place set for the public hearing to consider a renewal of the moratorium imposed by Resolution No. R-040-2017, Chairman Stevens called the hearing to order at 11:00 a.m.

Press from the Ritzville Journal was present.

Prosecutor Flyckt presented the procedural background for the public hearing and renewal of said moratorium for a period of six months or until such time a permanent ordinance is adopted.

Public comment was received from:

Bob Carlson  
Mark Fancher

Public hearings have been set for Monday, March 12, 2018 at 11:00 a.m. in Room 202 of the Adams County Courthouse, Ritzville; and, Wednesday, March 14, 2018, at 11:00 a.m. in the Othello District Courtroom, Othello, to consider and receive comments on the proposed Ordinance Adopting Regulations for Marijuana Producers; Processors; and Retailers in Unincorporated Adams County.

There being no further comments, Chairman Stevens closed the public hearing at 11:09 a.m.

[11:09:01 AM](#)

**Recess @ 12:05 p.m.**

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

[1:26:26 AM](#)

**E-911**

E911 Coordinator Fode reported on issues with the Washtucna and Marengo repeaters and reviewed proposals received from Day Wireless Systems, Moses Lake, Washington. Repair or replacement options were discussed with **Board consensus authorizing Fode to move forward with the purchase of Option 1: Quantar and Quantar Components Repair Quote (Advanced Replacement Option) in the amount of \$8,632.00.**

[1:34:20 PM](#)

[2:05:30 PM](#)

### **Finance Committee**

Treasurer Danekas convened the Finance Committee meeting at 2:05 p.m.

Assessor Brewer requested Fund #323A (Real Estate Excise Admin. Assistant Account) be used for the purpose of purchasing a laptop to be used at meetings and in the field as part of the assessment process. Board **consensus authorized Brewer to move forward with the purchase of a laptop computer in an amount not exceeding \$2,000.**

Commissioner Hartwig discussed creating a fund for the purpose of future growth. Treasurer Danekas will conduct research on the matter.

Auditor Hunt shared information regarding agreements between neighboring counties and fair associations.

The Finance Committee adjourned at 2:59 p.m.

[2:59:49 PM](#)

[4:23:45 PM](#)

### **Resolution No. R-009-2018**

Commissioner Hartwig moved, Marshall seconded, to *approve Resolution No. R-009-2018 In the Matter of Renewing a Moratorium Relating to the Siting, Establishment, Location, and Permitting of any Structures or Uses Relating to the Cultivation, Production, Processing, and Retailing of Marijuana in the Unincorporated County of Adams, Providing for a Public Hearing, Adopting Findings of Fact in Support of the Moratorium, and Confirming a Six Month Duration for the Moratorium to Address Regulating Such Matters in Adams County.* Motion carried.

### **Consent Agenda**

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

Preliminary minutes of January 5 and 7, 2018

January 16 – 31, 2018 Payroll in the amount of \$396,772.59; and, Benefits in the amount of \$215,552.98 (Warrant # Series 529051-529125; Direct Deposit # Series 52884-53071; Benefit/Deduction # Series 1135714-1135726)

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	18319 – 18371	\$44,082.14
103	18372 – 18377	\$ 632.76
104	18378 – 18384	\$ 4,719.37
106	18385	\$ 1,627.98
116	18386	\$ 14.69
117	18387 – 18388	\$ 304.00
123	18389	\$ 72.00
130	18390	\$ 71.07
166	18391 – 18394	\$ 1,438.74
502	18395 – 18400	\$ 3,918.87
108	0129 – 0131	\$ 601.99
115	0132 – 0143	\$ 3,903.32
401	0144 – 0146	\$ 201.35
501	0147 – 0150	\$ 3,310.75
590	0151 – 0160	\$ 4,354.94
	TOTAL	\$69,253.97

[4:25:12 PM](#)

**Permanent Minutes Signed**

January 22, 24 and 29, 2018

**Correspondence Received**

President Janel Rieve, H.E. Gritman Senior Center re: report of activities and goals and request for 2018 County budget allocation

Executive Director Kim Herman, Washington State Housing Finance Commission re: notice of public hearing for the purpose of accepting public comment on proposed amendments to the Commission's housing finance plan for 2018-2019

Notice of Marijuana License Application re: Wander Farms LLC, 1199 W. Cunningham Road, Suite M-1, Othello, WA

Community Development Director Anne Henning, City of Othello re: Proposed Changes to Interlocal Agreement – Building Inspection Services

Notice of Marijuana License Application re: Marprod, 362 Michel Lane, Othello, WA (*change of corporate officers/stockholders application*)

Donald Gadberry, Cunningham re: Cunningham Road Widening Project

**Adjournment @ 4:30 p.m.**

Submitted:  
s/Patricia J. Phillips  
Clerk of the Board

Edited and Approved:

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

**RESOLUTION NO. R-009-2018**

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

**IN THE MATTER OF RENEWING A MORATORIUM RELATING TO THE SITING, ESTABLISHMENT, LOCATION, AND PERMITTING OF ANY STRUCTURES OR USES RELATING TO THE CULTIVATION, PRODUCTION, PROCESSING, AND RETAILING OF MARIJUANA IN THE UNINCORPORATED COUNTY OF ADAMS, PROVIDING FOR A PUBLIC HEARING, ADOPTING FINDINGS OF FACT IN SUPPORT OF THE MORATORIUM, AND CONFIRMING A SIX MONTH DURATION FOR THE MORATORIUM TO ADDRESS REGULATING SUCH MATTERS IN ADAMS COUNTY.**

**WHEREAS**, the state law allows for regulation of marijuana producers, marijuana processors, marijuana retailers, and marijuana retail outlets in a manner which ensures protection of County businesses and neighborhoods from the impacts of such businesses; and

**WHEREAS**, pursuant to the provisions of RCW 36.70.795 and RCW 36.70A.390, the Adams County Board of Commissioners did adopt Resolution No. R-025-2016, placing a six month moratorium on the siting, establishment, location, and permitting of marijuana cultivation, production, processing and retailing in the unincorporated County of Adams to study the impacts of such businesses;

**WHEREAS**, the County Board of Commissioners did adopt Resolution No. R-008-2017 to renew said moratorium for an additional six months to provide additional time for the research and analysis needed to develop appropriate land use regulations; and

**WHEREAS**, the County Board of Commissioners did adopt Resolution No. R-040-2017 to renew said moratorium for an additional six months to provide additional time for the research and analysis needed to develop appropriate land use regulations; and

**WHEREAS**, said moratorium shall expire February 14, 2018 unless renewed or otherwise extended as provided in RCW 36.70.795 and RCW 36.70A.390; and

**WHEREAS**, the Adams County Planning Commission has been working to identify appropriate measures and to prepare draft legislation to address regulating the siting, establishment, location, and permitting of any structures or uses relating to the cultivation, production, processing and retailing of marijuana in unincorporated Adams County; and

**WHEREAS**, the County Board of Commissioners determines it is necessary to renew said moratorium to limit the location of licensed recreational and medical marijuana retail sales, production, processing, and implementation of SB 5052 and HB 2136 in the interest of the protection of public safety and health, and in the interest of providing additional time to evaluate the best alternative for the community;

**THEREFORE BE IT HEREBY RESOLVED** as follows by the Adams County Board of Commissioners:

1. The above recitals are hereby adopted as findings of fact.
2. Pursuant to the provisions of RCW 36.70.795 and RCW 36.70A.390, Adams County does hereby adopt a six (6) month moratorium extension prohibiting the establishment or siting of state licensed recreational and medical marijuana retail outlets, production, processing, and implementation of SB 5052 and HB 2136, which shall expire unless renewed or otherwise extended as provided in RCW 36.70.795 and RCW 36.70A.390.
3. Marijuana producers, marijuana processors, marijuana retailers, and retail outlets are hereby designated as prohibited uses within residentially zoned areas, areas within one (1) mile of a residentially zoned area, and areas within two (2) miles of an incorporated community boundary within the unincorporated areas of Adams County. A map illustrating such boundaries is attached hereto and incorporated herein as Exhibit A.
4. Marijuana production and processing activities allowed in the agricultural zones shall be required to be located 800 feet from existing residential dwellings, and shall maintain a 300 foot setback from on-owned or non-similar use of property lines.
5. Marijuana extraction processes are hereby prohibited in unincorporated Adams County except in areas zoned industrial, which are not otherwise prohibited.
6. Pursuant to the provisions of RCW 36.70.795 and RCW 36.70A.390, a duly advertised public hearing was conducted on February 12 at 11 a.m. in Room 202 of the Adams County Courthouse, 210 W. Broadway, Ritzville, Washington.
7. Unless amended, or renewed pursuant to RCW 36.70.795 and RCW 36.70A.390, this extended moratorium shall sunset in 6 months from the date of adoption or at such earlier time as rescinded by resolution of the Board.

8. Should any portion hereof be found unlawful, unconstitutional or in any way nullified or overturned, the remainder hereof shall remain in full force and effect.

**DATED** this 12<sup>th</sup> day of February, 2018.

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

ATTEST:  
s/Patricia J. Phillips  
Clerk of the Board