

COMMISSIONERS' PROCEEDINGS

Adams County Courthouse
Ritzville, Washington
Regular Meeting

September 23, 2019
(Monday)

Call to Order @ 8:30 a.m.

Present:

Chairman John N. Marshall
Vice-Chairman Roger L. Hartwig
Commissioner Terrance J. Thompson

[9:31:43 AM](#)

Othello Community Fair

Othello Fair Board President Anthony Dailey reviewed 2019 Othello Fair gate numbers, noting attendance was up from 2018, however receipts were down with the discrepancy to be evaluated by the fair board. Final figures will be compiled and brought forward at a later date. Dailey reported on improvements made prior to and during the fair as well as additional improvements the fair board would like to see implemented. Dailey again requested a long term contract between the Fair Board and Adams County for the use of the facilities. Dailey noted the condition of the fairgrounds as fantastic and thanked Public Works for their work prior to the fair.

[10:00:39 AM](#)

[10:07:56 AM](#)

Public Works

Public Works Director O'Brien provided updates on road maintenance in all three districts, noting with the recent moisture, crews are grading, spot graveling and rock raking. Additionally, O'Brien reported on solid waste, noting highlights of the SWAC meeting held last week; and, operations and maintenance, noting winterization of facilities is beginning.

Engineer Yaeger reported on the McKinney/Thacker Road Safety Project noting pavement is being ground with the project scheduled to be completed by the end of October. The County-Wide Crushing project has moved to the Batum crushing site.

[10:37:30 AM](#)

[10:46:12 AM](#)

Adams County Auditor Recognition

Auditor Hunt attended the Washington Finance Officers' Association (WFOA) conference in Olympia at which time she was presented with a "State Auditor's Stewardship Award". The award was presented in recognition of outstanding accomplishment in accountability, transparency and good stewardship of public resources.

Included with the award was a letter addressed to the Board of Commissioners from Pat McCarthy, Washington State Auditor. The letter, read aloud by Auditor Hunt, recognized Adams County's dedication to making government work better. Additionally, Auditor Hunt was recognized as a leader across the state as the President of the Washington State Association of County Auditors and a member of the Local Government Advisory Committee. The letter also stated "It is apparent the County's management and staff want to be accountable to the citizens and good stewards of public funds, and understand the value of our audits. They also have fostered a positive and professional working relationship with the Office of the Washington State Auditor."

[10:48:47 AM](#)

Recess @ 12:00

Reconvene @ 1:00 p.m.

Collective Bargaining

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 began at 1:30 p.m. and ended at 2:30 p.m. Prosecutor Flyckt and Human Resource Manager Perez were present.

[2:58:27 AM](#)

Family Medical Leave Act

Human Resource Manager Perez, along with Prosecutor Flyckt, reviewed the interpretation of the Family Medical Leave Act (FMLA) relating to an employee's right to decline FMLA designation using other accrued leave until that is exhausted and, at that time, placed on FMLA leave. Adams County's current practice is to place an employee on FMLA designation immediately once the County is made aware of a qualifying event necessitating time from work. The Act allows employees twelve (12) weeks leave time from work for a qualifying event.

The Ninth Circuit Court opined that an employee can affirmatively reject FMLA designation utilizing other accrued leave benefits. The employee would then “stack” FMLA with those benefits, deciding themselves when to implement FMLA designation. This opinion does not mirror the Eleventh Circuit Court or the United States Department of Labor.

Recognizing the detriment “stacking” would be to Adams County, Board **consensus authorized Human Resource Manager Perez to continue the current Adams County practice of employees being placed on FMLA designation once the County has been made aware of a qualifying event for a period of up to twelve (12) weeks; and, as outlined by the Department of Labor and Industries. Additionally, Perez is duly directed to not offer the “stacking” of FMLA leave as an option for employees eligible for leave under the FMLA program.**

[3:29:05 PM](#)

[3:46:41 PM](#)

Emergency Ordinance No. O-01-2019

Commissioner Hartwig moved, Thompson seconded, to *approve Ordinance No. O-01-2019 In the Matter of Adopting an Emergency Interim Ordinance Regulating the Siting of Licensed Recreational and Medical Marijuana Sales and Outlet Retailers in Unincorporated Adams County; Providing for a Public Hearing; and, Providing the Emergency Ordinance, Unless Extended, Shall Sunset Within Six Months of the Effective Date of Adoption.* Motion carried.

Regulations relating to the siting of licensed recreational and medical marijuana sales and outlet retailers in unincorporated Adams County was inadvertently omitted from Ordinance No. O-01-2018. A recent request prompted a review of zoning regulations. Further analysis is necessary with a hearing scheduled for public comment.

Resolution No. R-047-2019

Commissioner Thompson moved, Hartwig seconded, to *approve Resolution No. R-047-2019 In the Matter of Lifting the County Wide Burn Ban.* Motion carried.

Consent Agenda

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

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 | 3377 – 3423 | \$203,915.72 |
| 103 | 3424 – 3427 | \$ 621.97 |
| 104 | 3428 – 3437 | \$ 32,868.52 |
| 109 | 3438 – 3439 | \$ 25.84 |
| 113 | 3440 | \$ 160.10 |
| 114 | 3441 | \$ 300.00 |
| 116 | 3442 | \$ 78.86 |
| 117 | 3443 | \$ 1,777.35 |
| 122 | 3444 – 3447 | \$ 9,686.78 |
| 123 | 3448 | \$ 798.00 |
| 130 | 3449 | \$ 300.18 |
| 502 | 3450 – 3452 | \$ 32,818.01 |
| 108 | 001538 – 001541 | \$ 4,785.26 |
| 115 | 001542 – 001552 | \$ 6,133.85 |
| 321 | 001553 | \$ 5,382.09 |
| 401 | 001554 – 001563 | \$ 64,741.78 |
| 501 | 001564 – 001568 | \$ 4,974.08 |
| 590 | 001569 – 001591 | \$ 45,881.89 |
| | TOTAL | \$415,250.28 |

[3:51:17 PM](#)

Permanent Minutes Signed

September 9, 2019

Correspondence Received

Chris Green, Assistant Director, Department of Commerce re:
Associate Development Organization (ADO) designation

Adjournment @ 4:15 p.m.

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

Edited and Approved:

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON
s/John N. Marshall, Chairman
s/Roger L. Hartwig, Vice-Chairman
s/Terrance J. Thompson, Commissioner

RESOLUTION NO. R-047-2019

ORDER OF BOARD OF COUNTY COMMISSIONERS

IN THE MATTER OF LIFTING THE COUNTY WIDE BURN BAN

WHEREAS, the Adams County Board of Commissioners adopted Resolution No. R-034-2019 which declared that hazardous fire conditions existed and established a burn ban on outdoor burning of combustible materials in the county; and,

WHEREAS, moderate temperatures and recent rainfall contributed to higher humidity throughout the county; and

WHEREAS, the Adams County Fire Marshal recommended Adams County lift its burn ban; and,

WHEREAS, the Department of Natural Resources (DNR) have either reduced fire danger from moderate to low and/or already allow recreational fires in approved fire pits and do not object to the county lifting its burn ban.

THEREFORE BE IT RESOLVED the Adams County Board of Commissioners do hereby lift the county wide burn ban established by Resolution No. R-034-2019 in its entirety, effective October 1, 2019.

DATED this 23rd day of September, 2019.

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON
s/John N. Marshall, Chairman
s/Roger L. Hartwig, Vice Chairman
s/Terrance J. Thompson, Commissioner

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