

## **COMMISSIONERS' PROCEEDINGS**

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

**August 9, 2021**  
(Monday)

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

**Present:**

Chairman Dan C. Blankenship  
Vice-Chairman Terrance J. Thompson  
Commissioner Jay R. Weise

**Quarterly Jail Inspection**

The Board conducted the 2021 third quarter inspection with Jail Administrator Nick Williams.

**Public Works**

Public Works Director O'Brien and Engineer Yaeger provided the weekly update on the following:

- Road maintenance – the seal coat operation will be in the Othello District the first part of the week and, due to expected high temperatures, crews will be maintaining harvest roads.
- Solid Waste – waiting for recyclable metal products to be removed from the transfer stations.
- Fairgrounds – power poles are being installed by the back gate; weeds are being pulled and/or sprayed.
- Operations and maintenance – materials have been received through Apollo for the courthouse plumbing repair and the county is waiting to be put on their schedule.
- Booker Road Overlay project – the project is estimated to start August 30, 2021 with completion expected by September 27, 2021.
- County Wide Crushing project – the contractor is scheduled to move to the Roxboro site today.

Additionally, Engineer Yaeger reported damaged guardrails are being repaired; the engineering department is working on miscellaneous projects

and designs for next year; and, state auditors are currently reviewing federal projects as part of the audit.

### **County Covid Plan**

Human Resource Manager Perez reviewed the *draft* Adams County Covid-19 Operation Plan update. Perez will finalize the Plan and bring before the Board for consideration prior to adoption.

### **Emergency Management**

Sandi Duffey, Soap Lake, Washington, was interviewed and offered the position of Emergency Management Director. Ms. Duffey will begin employment on August 16, 2021, at a compensation level of Range 1, Step 2, on the Adams County Management Salary Schedule.

### **Executive Session**

At 11:25 a.m. Chairman Blankenship announced the Board would recess into Executive Session for thirty (30) minutes under RCW 42.30.110(1)(a)(ii) – “To consider,...with legal counsel available, information regarding the infrastructure and security of computer and telecommunications networks,...”. No action anticipated. Prosecutor Flyckt was present.

At 11:50 a.m. the Board reconvened from Executive Session. No action taken.

**Recess @ 11:50 a.m.**

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

### **Superior Court**

Superior Court Judge Dixon reported there have been no applicants for the position of Superior Court Administrator, expressing his desire to have the salary of the position commensurable with the desired skill set. Temporary employee agencies as well as contracted employees were discussed with Judge Dixon requesting the Board raise the salary of the position to attract qualified applicants.

### **Emergency Management**

Commissioner Weise moved, Thompson seconded, to *authorize the Chairman to sign Agreement E22-001, in the amount of \$30,763, between Washington State Military Department, Energy Site Evaluation Council (EFSEC) and Adams County for the period July 1, 2021 through June 30,*

2022; plus additional related documents – Debarment Form; and, Signature Authorization Form (full Board). **Motion carried.** (Annual contract to provide radiological preparedness related to the Columbia Generating Station – funds salary, goods and services, and travel.)

**Resolution No. R-038-2021**

Commissioner Weise moved, Thompson seconded, to approve ***Resolution No. R-038-2021 In the Matter of Addressing Executive Authority in New Section of Title 10 RCW Created by ESHB 1054, Effective July 25, 2021 Regarding Use of Tear Gas.*** **Motion carried.**

**SkillSource**

Commissioner Weise moved, Thompson seconded, to approve *Addendum No. 3 to the Lease Agreement between Adams County and SkillSource.* **Motion carried.** The Addendum extends the terms of the lease for an additional five (5) years commencing on September 1, 2021 through August 31, 2026. Tenant retains the right to extend the term of this lease for two (2) additional successive periods of five years. Rent is set at one dollar (\$1.00) per year.

**Consent Agenda**

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

Preliminary minutes of August 2 and 4, 2021

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	21-2236 – 21-2271	\$ 30,183.93
001	Hand Pays	\$ 2,767.64
103	21-2272 – 21-2275	\$ 2,849.84
112	21-2276 – 21-2278	\$ 2,701.06
115	Hand Pays	\$289,237.52
122	21-2279 – 21-2281	\$ 75,138.88
130	21-2282	\$ 97.00
131	21-2283	\$ 523.49
135	21-2284 – 21-2295	\$ 12,677.48
502	21-2296 – 21-2303	\$ 44,732.48

108	1171 – 1174	\$ 1,318.74
115	1175 – 1187	\$427,259.73
321	1235	\$ 12,870.25
401	1188 – 1198	\$ 18,636.02
501	1199 – 1203	\$ 13,005.46
590	1204 – 1234	\$ 29,215.61
	TOTAL	\$963,215.13

**Permanent Minutes Signed**

July 26 and 28, 2021

**Correspondence Received**

Washington State Liquor and Cannabis Board re: Special Occasion License (Ritzville Rodeo Association)

**Adjournment @ 1:51 p.m.**

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

Edited and Approved:

BOARD OF COUNTY COMMISSIONERS  
ADAMS COUNTY, WASHINGTON  
s/Dan C. Blankenship, Chairman  
s/Terrance J. Thompson, Vice-Chairman  
s/Jay R. Weise, Commissioner

**RESOLUTION NO. R-038-2021**

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

**IN THE MATTER OF ADDRESSING EXECUTIVE AUTHORITY IN NEW SECTION OF TITLE 10 RCW CREATED BY ESHB 1054, EFFECTIVE JULY 25, 2021 REGARDING USE OF TEAR GAS**

**WHEREAS**, on April 23, 2021, the Washington State Legislature passed Engrossed Substitute House Bill 1054, entitled “An Act relating to establishing requirements for tactics and equipment used by peace officers; amending RCW 10.31.040; adding a new chapter to Title 10 RCW; repealing RCW 43.101.226. and providing an expiration date;” and,

**WHEREAS**, on May 18, 2021, the Governor signed the above referenced Act with an effective date of July 25 2021; and,

**WHEREAS**, Section 4 of ESHB 1054 establishes prerequisites the legislature believes to be necessary for a law enforcement agency to satisfy before it may use or authorize its peace officers or other employees to use tear gas to ensure its use is necessary to alleviate a present risk of serious harm posed by a riot, barricaded subject, or hostage situation; and,

**WHEREAS**, said prerequisites include exhaustion of alternatives to the use of tear gas that are available and appropriate under the circumstances, and obtaining authorization to use tear gas from a supervising officer, who must determine whether the present circumstances warrant the use of tear gas and whether available and appropriate alternatives have been exhausted; and,

**WHEREAS**, ESHB 1054 also establishes protocols for use of tear gas such as announcing to the subject or subjects the intent to use tear gas and allow sufficient time and space for the subject or subjects to comply with the officer's or employee's directives; and,

**WHEREAS**, in the case of a riot outside of a correctional, jail, or detention facility, the legislation directs that the officer or employee may use tear gas only after receiving authorization from the highest elected official of the jurisdiction in which the tear gas is to be used; and,

**WHEREAS**, according to the provisions of the above referenced Act, "highest elected official" means the Chair of the Board of County Commissioners in a non-charter county such as Adams County; and,

**WHEREAS**, Adams County owns, and the Adams County Sheriff operates a jail; and,

**WHEREAS**, the Adams County Board of County Commissioners, pursuant to RCW 36.32.120(7), has the authority to make and enforce, by appropriate resolutions and ordinances, all such policy and sanitary regulations as are not in conflict with state law; and,

**WHEREAS**, the Adams County Board of County Commissioners has the inherent authority to delegate its executive duties as it determines is in the best interests of the county; and,

**WHEREAS**, to avoid unnecessary duplication, confusion, or conflicts, among laws, consistent with the separation of powers and in the interest of good governance, the Adams County Board of County Commissioners clarifies that the duties of the highest elected official in Adams County related to law enforcement are assigned to the sheriff; and,

**WHEREAS**, nothing herein is intended to be contrary to ESHB 1054; and,

**WHEREAS**, the adoption of this resolution is in the best interest of good governance; and,

**WHEREAS**, the Adams County Board of County Commissioners further deems it appropriate this this resolution be effective immediately.

**THEREFORE, BE IT HEREBY RESOLVED** as follows:

1. The foregoing recitals are incorporated herein as findings and conclusions of the Board.
2. Adams County hereby assigns the duties of the highest elected official pursuant to ESHB 1054 to the Adams County Sheriff.
3. This resolution shall be effective immediately upon adoption by the Adams County Board of County Commissioners.

**DATED** this 9th day of August, 2021.

BOARD OF COUNTY COMMISSIONERS  
ADAMS COUNTY, WASHINGTON  
s/Dan C. Blankenship, Chairman  
s/Terrance J. Thompson, Vice Chairman  
s/Jay R. Weise, Commissioner

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

APPROVED AS TO FORM:  
s/Randy J. Flyckt, Prosecuting Attorney  
WSBA # 29302