

## **MINUTES**

### **GRANT COUNTY BOARD OF COMMISSIONERS**

#### **MONDAY, SEPTEMBER 29, 2008:**

8:30 a.m. – 8:50 a.m.	Elected Official Roundtable Discussion
9:00 a.m. – 9:20 a.m.	Budget and Finance Update
10:00 a.m. – 12:00 p.m.	R Stevens, Out
12:00 p.m. – 1:00 p.m.	Road District Supervisor Luncheon
2:00 p.m. – 4:00 p.m.	Commissioners at Land Use Liability Training (Wenatchee Community Center)

The Grant County Commissioners session was called to order at 9:00 a.m. with all the Commissioners in attendance with the Clerk of the Board.

#### **MISCELLANEOUS ITEMS**

As of this date, the Board, by a majority vote, does approve for payment those vouchers certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified by the auditing officer as required by RCW 42.24.090, in the amount of \$499,062.33 as recorded on a listing and made available to the Board.

As there was no further business to come before the Board the session was continued until September 30, 2008.

#### **TUESDAY, SEPTEMBER 30, 2008:**

9:00 a.m. – 9:50 a.m.	J Strickler, ASC Update/Misc. BOCC Action
9:10 a.m. – 9:30 a.m.	J Moberg, Executive Session Conference Call re: Best Litigation
10:00 a.m. – 10:10 a.m.	Open Record Public Hearing, Sheriff's Office Budget Extension
10:20 a.m. – 10:50 a.m.	Commissioners Work Session

1. Recommendation from the Facilities and Maintenance Director to award the bid for insulation in the new records retention warehouse to Insulation Master, Inc. in the amount of \$8,895.00. This was the only bid received.
2. Request from the Sheriff's Office to increase their Investigative Revolving Petty Cash Fund by \$4,000.00.
3. Request from District Court for an exception to Administrative Policy 02-02 regarding meal reimbursement. They are requesting reimbursement of lunch expenses after attending a 4 hour training for their employees.

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4. Budget Transfer request from the Auditor in the amount of \$90,000.00 to purchase land adjacent to the parking area of the courthouse complex for more parking (REET 1<sup>st</sup> quarter percent Fund 126.168).
5. Budget Transfer request from the Auditor in the amount of \$42,500.00 to fund programming services for the GIS system in the Assessor's Office (Economic Enhancement Rural County Fund 133.184)
6. Budget Extension request from the Auditor in the amount of \$52,665.00 to purchase a software upgrade for the GIS System in the Assessor's Office.

11:00 a.m. – 11:20 a.m.	Open Record Public Hearing, Planning Fiscal Review Ordinance
11:30 a.m. – 11:50 a.m.	D Nelson, Morgan Appeal Discussion
1:30 p.m. – 3:00 p.m.	D Pohle, Public Works Update
3:00 p.m. – 3:20 p.m.	T Hechler, Human Resources Update
3:30 p.m. – 3:45 p.m.	Consent Agenda
4:00 p.m. – 4:30 p.m.	C Carter at GTA Pier Review (GTA Ephrata Office)

The session was continued at 9:00 a.m. all Commissioners in attendance with the Clerk of the Board.

**J MOBERG, EXECUTIVE SESSION CONFERENCE ALL REGARDING THE BEST LITIGATION**

Pursuant to RCW 42.30.110 (1)(i) Chairman Richard Stevens called Executive Session at 9:10 am to go until 9:45 am to discuss the Best litigation. Commissioner Stevens closed the session at 9:45 am.

**OPEN RECORD PUBLIC HEARING, SHERIFF'S OFFICE BUDGET EXTENSION**

The Commissioners held an Open Record Public Hearing regarding 2 budget extensions requested by the Grant County Sheriff's Office for Fund #001, Department #114 as follows:

- Purchase 2 flashCAM-880 Digital Vandalism Deterrent System cameras and associated equipment using a Gang Graffiti and Tagging Abatement Grant from the Washington Association of Sheriff's and Police Chiefs (WASPC) in the amount of \$16,236.00
- To cover the cost of wages, benefits and startup costs to fund a full time employee for the Registered Sex Offender address and residence verification program grant from the Washington Association of Sheriff's and Police Chiefs (WASPC) in the amount of \$37,940.00

Commissioner Allison moved to close the public comment portion of the hearing, Commissioner Carter seconded and the motion passed unanimously. Commissioner Allison moved to adopt the budget extension as presented, Commissioner Carter seconded and the motion passed unanimously. The hearing adjourned. **(Resolution No. 08-083-CC)**

**COMMISSIONERS WORK SESSION**

The Commissioners approved and signed items 1 through 6 as listed above. A public hearing was set for October 21, 2008 at 10:30 am for item 6.

**OPEN RECORD PUBLIC HEARING, PLANNING FISCAL REVIEW ORDINANCE**

The Commissioners held an Open Record Public Hearing to consider an Ordinance to create Chapter 1.30 of the Grant county Code relating to private property takings, economic impact analysis, and coordination of state and federal agencies to coordinate and consult with Grant County in actions affecting land and natural resource use on public property, and other matters properly relating thereto.

Dave Nelson, Director, Dept. of Community Development, read into the record his staff report:

**Purpose and Intent of this Ordinance:**

The purpose of the Private Property Takings, Economic Impact Analysis, and Coordination of Governments ordinance is to establish as County law, the basis and process for determining how proposed changes to resource management and land use policy, rules, regulation, and/or management affect customs, culture, economic stability, and private property rights in Grant County. Additionally, this ordinance will establish a framework for how State and Federal agencies are to coordinate and consult with Grant County in actions affecting land and natural resource use on public property in Grant County.

**Authority for County to adopt this Ordinance:**

This Ordinance is written to implement RCW 36.70A.103 titled "State agencies required to comply with comprehensive plans", and Title RCW 43.21H, the State Economic Policy.

**Effect of this Ordinance:**

- Requires that Grant County will consider and complete a private property takings impact analysis before adopting or implementing any regulation which is likely to result in the taking of private property rights.
- Establishes the necessary requirements of the private properties takings impact analysis to be completed by the County.
- Requires that Grant County will consider and complete an economic impact analysis of a proposed regulation to assess the economic impact of the regulation.
- Establishes the framework for the required contents of the Economic Impact Analysis.

**Effect on state and federal agencies:**

This ordinance would require the same private property takings impact analysis and economic impact analysis from any state or federal agency proposing changes to regulations that may impact property and the citizens in Grant County.

**Environmental Review:**

The proposed addition of Chapter 1.30 to the Grant County Code is exempt from the requirements of the State Environmental Policy Act (SEPA) pursuant to WAC 197-11-800(19) "Procedural Actions". This ordinance will create new procedure within the County that does not contain substantive standards relating to the use or modification of the environment.

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Action required by the Board of County Commissioners:

The Board should approve, modify, or deny the proposed Private Property Takings ordinance.

David Taylor is speaking today on behalf of the Washington Farm Bureau (WFB) as chairman of the state land use committee. This organization supports this Ordinance. The WFB recommends the following insertions:

- On page one, the third WHEREAS, insert the following text after the words *in cooperation with county governments*, "under 43USC 1701 (a)"
- Page two, last paragraph on page 2 as a new sentence to read "Lastly, implements 43 USC 1701 (a).

This is to make clear to all Federal Agency's that this is in fact in response to the Federal Land Policy and Management Act (FLPMA) requirements they are required to operate under. This should be mailed to Dept of Interior, all agencies within that department, National Oceanic and Atmospheric Administration (NOA), US Dept of Agriculture, US Dept of Energy, WA State Governor, and all land agencies, Community, Trade and Economic Development (CTED), Department of Natural Resources (DNR), Dept of Ecology, and Fish and Wildlife. Commissioner Stevens asked Mr. Nelson if he agreed with the changes as proposed, he stated yes. Commissioner Carter moved to close the public comment portion of the hearing, Commissioner Allison seconded and the motion passed unanimously. Commissioner Allison moved to adopt the Ordinance with the 2 above changes as proposed by the WA Farm Bureau, Commissioner Carter seconded and the motion passed unanimously. Commissioner Allison wanted to thank and commend Planning Staff and the Legal for their job well done. The hearing adjourned.

**D NELSON, MORGAN APPEAL DISCUSSION – EXECUTIVE SESSION**

Pursuant to RCW 42.30.110 (1)(i) Chairman Richard Stevens opened Executive Session at 11:35 am to go until 12:00 p.m. The session was closed by Commissioner Stevens at 12:00 pm.

At 12:03 pm, Commissioner Allison moved to follow the Planning Department recommendation, uphold their previous decision and to deny Mr. Morgans appeal. Commissioner Carter seconded and the motion passed unanimously.

**CONSENT AGENDA**

Commissioner Allison moved to approve the Consent Agenda, Commissioner Stevens seconded and the motion passed with two Commissioners in attendance as presented below:

**COMMISSIONERS' OFFICE:**

Commissioners Office Vouchers

Special Occasion License application for Mattawa/Desert Aire Lions Club, 601 Roslyn Ct, Mattawa, WA 99349, from the Washington State Liquor Control Board.

**Resolution No. 08-084-CC** relating to Comprehensive Planning in Grant County in accordance with the Washington State Growth Management Act (RCW 36.70) and amending the 2006 Comprehensive Plan.

**DEVELOPMENTAL DISABILITIES**

Request for out of state travel for a Community Living staff member to drive a county car to Post Falls Idaho on October 6, 2008 to assist a Community Living program member with dealing with news that his brother has been a fatal accident.

**SHERIFF'S OFFICE**

Request to surplus a white 1999 Chevrolet Blazer

**JUVENILE DEPARTMENT**

Request for out of state travel for Warren Swanson to attend the Annual Juvenile Probation and Justice Management Conference held on October 5-8, 2008 in Reno, Nevada.

**MISCELLANEOUS ITEMS**

The Commissioners signed the Public Works Claims Fund Voucher Approval No. 09-1 through No. 09-65 in the total amount of \$218,480.51, as recorded on a listing and made available to the Board.

The Commissioners approved and signed the Public Works payroll journal for September, 2008.

The Chair of the Board was authorized to sign a Notice of Completion of Public Works Contract between Grant County and Halme Construction for the infrastructure Improvements at the Fairgrounds.

As there was no further business before the Board the session was continued until October 1, 2008.

**WEDNESDAY, OCTOBER 1, 2008:**

9:00 a.m. – 9:50 a.m.	B West, Fairgrounds Update
9:00 a.m. – 12:00 p.m.	C Carter at Wahluke High School Resource Officer Meeting
10:00 a.m. – 10:20 a.m.	J Jasman, Coroner Computer Related Issues
4:30 p.m. – 6:00 p.m.	Moses Lake Public Workshop (Huck Fuller Building, Fairgrounds)
7:00 p.m. – 8:30 p.m.	PLANNING COMMISSION

The Commissioners session was continued with all Commissioners in attendance with the Clerk of the Board.

**MISCELLANEOUS ITEMS**

The Commissioners signed **Resolution No. 08-085-CC** to declare surplus Grant County Sheriff's Office 1999 Chevrolet Blazer with the intent to transfer ownership to the Lincoln County Sheriff's Office without compensation.

As there was no further business before the Board the session was continued until October 6, 2008.

