

ASOTIN COUNTY BOARD OF COMMISSIONERS

February 22, 2016

Regular Meeting

The Board of Commissioners in and for the County of Asotin, State of Washington, met this date. Present was Brian Shinn, Chairman; Jim Fuller, Vice Chair and Jim Jeffords Member.

Regular meeting called to order at 9:00 a.m.

(1)

Fuller moved to approve the minutes of February 8, 2016 and February 16, 2016 as written. Jeffords seconded, motion carried.

Open to the public:

(2)

Stan Bailey, 20288 Snake River Road said he thought the Town Hall meeting went well. Bailey informed the Board, some landowners up the river had a question regarding section 11.02 of the proposed ordinance for beaches. They were questioning the Prosecuting Attorney's comment about requiring any vehicles on the beaches to have a permit from government agency. Bailey questioned the need for the permit if it is an emergency and a landowner needs to take their 4-wheeler to the beach area. Fuller said it needs to be worked out with the Sheriff's Office. John Hilderbrand, County Sheriff said if there is an emergency, the landowner would just need to call into the Sheriff's Office so they are aware the landowner is the vehicle on the beach.

(3)

Lynn Jarvis, City of Asotin resident and Snake River Task Force member asked what the next step is for adoption of the ordinance, is it the public hearing. Shinn said the next step is to have the comments go back to the Task Force Committee, then back to the Prosecuting Attorney to finalize and then a public hearing will be scheduled.

(4)

Public hearing held at 9:15 a.m. regarding County Right-of-Way Vacate Request, 2909 Grandview Drive, with thirteen members of the public present.

Dustin Johnson, Public Works Director gave an overview and presentation of area photos along with the Engineer's report. Johnson explained in early December, 2015 it was brought to the attention of the County Building & Planning Department of a structure being constructed at 2909 Grandview Drive. There were no building permits applied for and after further review it was found that the structure was built within the required front yard setback and public right-of-way. Riggers, Building Official placed a stop work order on the structure. A variance application was received from property owner Richard Rogers, which could not be granted because of the right-of-way encroachment.

Johnson explained the structure was constructed on top of an existing slab that was located within the right-of-way for many years. Johnson explained the right-of-way for Grandview Drive is 60 feet and the County road standards call for 50-66 feet of right-of-way. Johnson informed the Board, if this vacation were to be granted, it would bring the right-of-way to 49 feet of centerline which Public Works does not recommend.

February 22, 2016 - Asotin County Commissioner's Regular Proceedings Continued

Johnson informed the Board, Public Works recommends the Board to deny the request for right-of-way vacation. At 11 feet on one side is non-conforming.

Johnson said, there is an encroachment permit that the County adopted in the '80's or '90's but it is for the most part for utility encroachment. Sometimes used for short term construction dumpster, street fair, large equipment for building. Also for landscaping rocks, retaining walls, something in that order.

Johnson said, basically a right-of-way vacate has to benefit the County and this does not. Public Works feels there could be a use for this right-of-way at some point.

Shinn said the Board has received four letters from neighbors, not supporting the vacate. Also a call was received from the PUD, they said they have two water meters in that right-of-way and if it were vacated they would have to relocate them.

Richard (Rick) Rogers, property owner said he appreciated the work Johnson has done on this and his viewpoint. Rogers said he should had applied for a building permit prior but they would be in this same position we are now. Rogers said he was not aware of any neighbors objecting.

Rogers said he does not see any value to the County and if the Board would approve it still has to go through Planning & Zoning for setback and right-of-way encroachment. Rogers said the County will gain property taxes on this building if allowed and he doesn't see any reason why he would need to tear it down and hoped the Board would approve.

Jeffords asked Rogers, what - he didn't think about needing a building permit. Rogers said he did not, the slab had been there for fifteen years. Rogers said he looked up and down the street and felt there would be no need for the County to improve the road and felt it wasn't an issue. Rogers said he has been working on this since early December when Karst Riggers put a stop work order on it. Rogers said he fails to see any reason the County has a setback policy.

Rogers said the County approved a right-of-way for a retaining wall on Valleyview Drive.

Jeffords asked Johnson his view of the retaining wall and if there were any differences. Johnson said he hasn't looked at that paperwork however, he believes the previous Engineer did not recommend the retaining wall but the Board approved. Johnson said this would have been a better use of an encroachment permit, because a vacate you don't get back like you do on an encroachment permit. Johnson said the retaining wall might had been a mistake but the County does get something out of it with regard to safety. Fuller said that was a dead-drop and without the retaining wall it was a safety issue.

Rogers said he would sign something that says he will take down the structure if the County needs to use that right-of-way, it would all be at his expense. Arlene Thomas, 1613 10th Avenue, said Rogers did explain to her what he was doing. However, after further discussions she and Mr. Thomas decided they were not in favor of supporting Rogers.

Rod Thomas, 1613 10th Avenue said this building is blocking his view. As an old contractor, they always checked on codes and he feels Rogers violated the regulations and he would like to see the building removed.

February 22, 2016 - Asotin County Commissioner's Regular Proceedings Continued

Dick White, 2600 Block of Grandview informed the Board, in the past he was a Planning & Zoning member and also was on the drainage committee. White said if Rogers had gotten a permit we wouldn't be here today. If the Board approves then they will see people building all over without permits and then coming in and asking for forgiveness. White said everyone in the County is aware of building requirements, this is not some small Ziggy's building. White said there are deed restrictions saying where residents can build and there is a 25 foot setback. White said he was on the drainage committee and this individual makes statements in the newspaper that he won't pay his bill which shows what type of person he is. White said Rogers has put roofing and siding on the building since there was a stop work order place on it.

Jeffords asked White if he meant the Stormwater Committee when he says drainage committee. White said he did.

Shinn read aloud the four letter opposing the vacate, received from John Urban, Jeff Marshall, Paul Stewart and Elena Price Mars.

Rogers responded to White, he tar papered the roof because of the rain and tarps on the sides to protect the OSB wood, which both were approved by Karst Riggers. Rogers said no one has complained about his vehicles that have been parked on the slab.

Fuller said the issue is the property line goes from a spruce tree and the building and parked cars are all in the right-of-way.

Shinn said by RCW 36.87.060, the County Engineer must make a recommendation regarding the vacate and the County Engineer has, which is to deny. Shinn said the Board will take under advisement. Jeffords said, typically the meeting following a public hearing is when the Board makes a decision. Shinn said, this will give people time to still send in comments.

Hearing no further comments, hearing closed at 9:50 a.m.

John Hilderbrand, County Sheriff:

(5)

Hilderbrand presented for the Chairman's signature a five year extension to the Puffer Butte Communication Site, Agreement #C110151GSC (3) with Washington State Patrol. Hilderbrand explained it will extend the termination date from June 30, 2016 to June 30, 2021.

Jeffords moved to authorize the Chairman to sign the extension agreement. Fuller seconded, motion carried.

Darla McKay, County Auditor:

(6)

McKay informed the Board, since the Department of Licensing no longer requires license plates to be replaced she feels the Auditor's petty cash could be reduced from the current \$1,000.00 to \$850.00 and presented a resolution to reduce the Auditor's petty cash.

February 22, 2016 - Asotin County Commissioner's Regular Proceedings Continued

Fuller moved to correct the resolution number from 14 to 16 for the year and to adopt Resolution No. 16-04 "A Resolution Amending Resolution #95-41 a Second Time to Decrease Auditor's Office Petty Cash from \$1000 to \$850". Jeffords seconded motion carried.

(7)

McKay reminded the Board, a couple weeks ago she had requested authorization to close her office from 2:00 p.m. on June 14 through June 16th to allow her full staff to go to election training. McKay said, currently she is the only certified election officer and will be working to get her new staff certified also, however this is a presidential election year and it would be good for everyone to be crossed trained.

Fuller said the Board is very concerned with office not being open and adhering to the building hours but with this much notice to the public and a secondary location for people to go to for licensing he would be in support of the closure.

Jeffords said his concern is having the office closed and asked if there was some issue with having someone stay and have the trained come back and train. McKay said she would like more eyes officially trained to when it comes time to review ballots everyone has had first hand training, again this being a presidential election.

Shinn said he was opposed originally, but has rethought the issue and agrees if she needs to close the office it would be okay.

Fuller moved to allow the Auditor to close from June 14th at 2:00 p.m. through June 16th to allow for all office staff to go to election training. Shinn seconded, vote approved 2 to 1 with Fuller and Shinn voting yes and Jeffords voting no.

Holly Schiffer, County Treasurer:

(8)

Schiffer presented a resolution accepting the Treasurer's list of property tax refunds in the amount of \$50,940.94.

Jeffords moved to adopt Resolution No. 16-05 "A Resolution Accepting the Treasurer's List of Property Tax Refunds". Fuller seconded, discussion: Fuller asked what these refunds were for as there are a lot of refunds for the Game Dept of WA. Schiffer said those are for a judgement and direction from the Assessor's Office. Fuller said he doesn't like to see those because of the little amount the Department of Fish & Wildlife pays into PILT. Hearing no further comments, motion carried.

(9)

Schiffer presented the Treasurer's list of outstanding warrants to be cancelled for a total amount of \$2,390.09. Schiffer explained these are for warrants (checks) that have not been redeemed within one year of being issued. Schiffer said, her office does contact the person(s) the warrants were issued to .

Jeffords moved to sign the list of outstanding warrants. Fuller seconded, motion carried.

February 22, 2016 - Asotin County Commissioner's Regular Proceedings Continued

(10)

Schiffer presented for the Board's information, the 2015 property tax collection report with an uncollected balance of \$348,338.87. Schiffer explained this is for period of 2012 through 2015.

(11)

Schiffer presented for the Board's information, the 2015 foreclosure collection report for the period of 2011 2nd half through 2015 taxes. Schiffer informed the Board, there were no foreclosures for the first quarter.

Dustin Johnson, Public Works Director:

(12)

Johnson presented for the Chairman's signature the contract with Degerstrom, Inc for the 13th Street Overpass Repair project in the amount of \$26,950.00, as previously approved by the Board.

Fuller moved to authorize the Chairman to sign the contract with Degerstrom, Inc. Jeffords seconded, motion carried.

(13)

Johnson presented for the Chairman's signature the contract with Specialty Environmental for the Riverview Grocery Asbestos Abatement project in the amount of \$18,847.50 as previously approved by the Board. Fuller asked if this contact is for the old market, house and other buildings on the property. Johnson said it is.

Jeffords moved to authorize the Chairman to sign the contract with Specialty Environmental for the grocery store and all associated structures. Fuller seconded, motion carried.

(14)

Board gave committee reports.

Open to the Public (continued):

(15)

Tracy Wormell asked the Board to explain how the Veteran's Advisory Board payment program works. Jeffords informed her of the Advisory Board meeting at 4:00 p.m. today and suggested she attend and ask her question direct to them.

(16)

Darla McKay, County Auditor informed the Board, the petition by Alice White regarding the marijuana issue did not get enough signatures, only had 123 and needed 500. McKay said she checked with the County Prosecuting Attorney and he told her she did not need to confirm signatures since there wasn't enough to proceed with anyway.

(17)

Media - None

February 22, 2016 - Asotin County Commissioner's Regular Proceedings Continued

Claims approved and ordered paid:

#001	Current Expense	\$ 52,352.10
#101	County Road	\$ 1,771.86
#104	County Fair	\$ 1,372.67
#109	Emergency Mgmt	\$ 400.00
#118	Drug Seizure	\$ 43.99
#119	Crime Victim Witness	\$ 1,924.80
#122	Ins In Lieu	\$ 15,378.80
#127	E911	\$ 96.00
#129	Community Services	\$ 1,280.98
#410	Regional Landfill	\$ 25.06
#501	ER&R	\$ 1,118.41
#502	Central Services	\$ 3,229.74

The following voucher (warrant) numbers are approved for payment:
256504 through 256578 for \$78,994.41

The following voucher (warrant) numbers and direct deposit are approved for No Interest Loans:
256462 through 256473 for \$9,177.00 and \$70,800.00

Executive session held at 10:55 a.m. for approximately six minutes regarding personnel issues pursuant to RCW 42.30.110(1)

Board reconvened to regular session at 11:01 a.m. after deciding the subject matter(s) did not meet the requirements of executive session.

(18)

McKenzie Campbell, Chief Deputy for the Clerk's Office informed the Board Marie Eggart, County Clerk was called out of town for a family emergency so she would be discussing the issues with the Board for Eggart.

Campbell presented information regarding the new Odyssey program and training schedules and informed the Board of the staffing impacts for the office the training would cause. Campbell suggested the possibility of hiring someone part time under a professional services contract or to hire a part time Office Assistant 3 (OA3) or suggested to hire another full time Office Assistant 3 (OA3).

Campbell informed the Board, the anticipated outlook for the office would be to train a part time OA3 and then when Eggart retires mid-year, she, Campbell would be appointed by the Board as County Clerk, the current OA3 would reclassify to the Chief Deputy position and the part time OA3 would reclassify to full time and already have some training.

Shinn said when Eggart retires the democratic party has to send the Board names of three prospective replacements. Campbell said Eggart is non-partisan. Shinn said, then the Board would have to select a replacement from letters of interest they receive from the public.

February 22, 2016 - Asotin County Commissioner's Regular Proceedings Continued

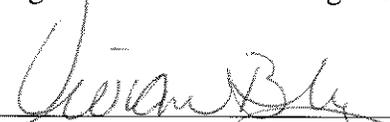
Shinn informed Campbell that the Board is intending for the County Clerk's Office to supply staff for the District Courtroom if it is in use by Superior Court.

Board told Campbell that they understand she can not answer for the County Clerk and suggest to due a workshop with Eggart next week. No action taken.

Board adjourned at 11:50 a.m. until their next regular scheduled meeting at 9:00 a.m. February 29, 2016.



Brian Shinn, Chairman



Vivian Bly, Clerk of the Board
February 29, 2016