

BOARD OF YAKIMA COUNTY COMMISSIONERS

Weekly Agenda Meeting

Tuesday, March 17, 2009 at 10:00 AM

City Council Chambers, 129 North 2nd Street, Yakima, Washington

- **PRESENT:** Vice-Chairman Michael D. Leita, Commissioner Kevin J. Bouchey, Legal Counsel Terry Austin, Deputy Clerk of the Board Tiera L. Girard.
- **PRESENTATION: Human Resources** (Judy Kendall Presenting): Presentation of Employee Monthly Wage Increase for February 2009. (See Attached)
Public Services (Terry Keenhan Presenting): Flood Safety Awareness Week March 16-20, 2009
Public Services (Don Gatchalian Presenting): Recognition of Yakima County Recycling Heroes

- **PUBLIC COMMENT: Larry Gott, Slavin Heights Road** – I have contacted the Public Services in early January in person concerning some issues that have been an ongoing issue for about three years and after talking to Dave Saunders and Vern Redifer, they indicated to me to contact them in approximately three weeks and they would have an answer to me in regards to our discussion. After several calls to these individuals, no response back to me so I emailed them three individual times. They indicated to me that they never got the emails even though Yahoo never indicated that the mail was undeliverable. I guess I'm trying to say that if it did not come back undeliverable they must have got copies of the things there but they said they'd never got them. We can take that for whatever that's worth. I guess someone from Public Services department contacted the corporate legal office, I got a letter from Stormy indicating that I must be requesting some information even though I never contacted her but obviously someone must have passed this information onto her and her response is that all the information that I have received is the most current. Which I disagree with her on that. Yesterday I contacted Public Services yesterday in regards to a house that has been abandoned where there must be close to fill a 16 foot truck with garbage is just laying there and it is blowing across Slavin Road. Individual by Susie in that department said that said even though she was aware of it because she drives by that road everyday. I said you are trying to tell me that you drive by that road and you haven't mentioned to anybody in your Public Services about this trash blowing across the road. She said no, I can't do that. She said if it is a problem with you on that you need to contact the Sheriff's Department.

I thought well this is strange, so we are going to send the Sheriff's Department to spend an hour of their time and write up documentations for something that an employee at Public Service is aware of it and neglected to do anything about it or talk to her supervisors about it. And I would like to know what, if the County Commissioners are aware that that is the policy of the Public Service department on an issue of that nature? Is that what you want the County Sheriff's to spend an hour of their time to go out there writing documentations on that?

Mike Leita – Actually Mr. Gott, the Commissioners don't direct the Sheriff in what he will and will not do and what I would suggest is that I am going to give you my card and I would like you to call me and we can discuss this and I certainly want the address of this location that is obviously, according to your information, non-code compliant so that we can take action in that regard. Also, regarding your other issues as far as promptness, we value that highly and would be interested in hearing your further comments. If I could I will give you my card and would appreciate a call from you.

Larry Gott – Ok, I have one more comment, thank you for that. I still like to try to remedy an issue that has been going on for 3 years and I think you are very aware of it. The Legal Counsel is very aware of it. It seems to me that everybody wants to point the finger at everybody else in regards to taking responsibility for it. Legal Counsel says they have no jurisdiction over it. You go to Public Services and they say they have no jurisdictions over it. So I guess it is the County Commissioners that have jurisdiction over it.

Mike Leita – You can point the finger at me and that is fine. I will take accountability for it and that is why I am asking you to call me so we can discuss this further and vent out the issues here at hand that you want to bring to

our attention. I think you have done that and I am asking you personally to talk further about this so I can be clear on all the issues.

Larry Gott – That is fair enough. That is all I have to say.

Dennis Hawkins, 1st Street – First of all, I would like to distribute this report to you. Each of these as addressed to you individually. It is a big program in Yakima County to bring prosperity and peace. Now, I wanted to tell you about a little bit of the history of Yakima that is very viable that I became a part of. Over 30 years ago, two missionaries from Seattle went to Russia to talk to Russian farmers across the breadth of Russia. They were quite surprised what happened. Each stop they made, even though they had the interpreter and these Russians spoke in the Russian language, at every stop they heard the name Yakima. They were so excited about that they came to Yakima over 30 years ago and talked to churches and other people about it. I personally heard it at Yakima Businessman Association dinner at that time and some things have changed me. I have been studying for 30 years under this and again, I have heard again from Russia that Yakima has been selected for this that you have before you. The next thing I want to say is that there is 30 years of work in this and every detail is prepared. So I ask you, because it is a 12-point program that you have before you, and I only ask each of you to look at four points on that program and then maybe within one week discuss it a little bit and then give me a call and I can bring anything you need and answer any question. Just give me a call, my number is in there. I appreciate it because prosperity is coming and everything is detailed out. I would appreciate you looking at this and your time but I would appreciate maybe a call by the end of the week and I am going to also give the City Council the same thing you have and I would appreciate it very much. I want to serve this County with all of you, not that I am above anybody else, but I like to serve this community. It is also going to help America and the world but everything starts right here.

• **CONSENT ITEMS:** Approved as presented.

DEPARTMENT	ITEM	DESCRIPTION	ACTION
PUBLIC SERVICES Vern Redifer, Director	Reso 130-2009	In the Matter of Granting Non-Exclusive Franchise to Central Pre-Mix to Construct, Operate, and Maintain a Monitoring Well In, Along, Over and Under County Right-of-Way Near Milepoint 1.0 of Riverside Road in Yakima County, Washington; Franchise 4-2009:	APPROVED
	Reso 131-2009	In the Matter of Granting Non-Exclusive Franchise to Caribou Ranches, Inc. to Construct, Operate, and Maintain an Irrigation Line In, Along, Over and Under Harrah Road in Yakima County, Washington; Franchise 5-2009:	APPROVED
	Reso 132-2009	In the Matter of Granting Non-Exclusive Franchise to Double R Hop Ranch to Construct, Operate and Maintain a Water Line In, Along, Over and Under Branch Road in Yakima County, Washington; Franchise 6-2009:	APPROVED
	Reso 133-2009	In the Matter of Designating an Official Representative and Alternate to be Point of Contact with Washington Military Department for the January 2009 Severe Winter Storm:	APPROVED
	Reso 134-2009	In the Matter of Accepting as Complete, Contract No. 1562 for Fort Road Bridge No. 1354 Replacement Project; #C3000:	APPROVED
	Agreement	Execute Supplemental Agreement No. 4 to the Consultant Agreement for Preliminary Engineering Services with Earth Tech for the Cowiche Canyon Road Improvement Project; #C3051:	APPROVED

DEPARTMENT	ITEM	DESCRIPTION	ACTION
PUBLIC SERVICES Vern Redifer, Director	Agreement	Execute Amendment No. 1 to the Agreement for Professional Services with Muffett & Sons Construction, LLC, to Install Four Manholes on the Existing Sewer Collection System for the Buena Sewer System:	APPROVED
	Agreement	Execute Amendment of Professional Services Agreement with Landau Associates for Yakima Airport Cleanup:	APPROVED
COMMISSIONERS J. Rand Elliott, Chairman	Reso 135-2009	In the Matter of Appointing Yakima County's Representative Director and Alternate Director on Washington Counties Risk Pool Board:	APPROVED
	Reso 136-2009	In the Matter of Approving Current Certification of Custodians of Yakima County Petty Cash/Revolving Funds for 2009:	APPROVED
	Voucher/Warrant	Certification of Salary Clearing Warrant No. 411312 through 413078 in the net amount of \$2,995,276.87:	APPROVED
HUMAN RESOURCES Linda Dixon, Director	Reso 137-2009	In the Matter of Additions/Changes to Budgeted Positions in Fund 159, Department of Food Services:	APPROVED
	Reso 138-2009	In the Matter of Adopting a Revised 2009-2010 Pay Plan For Certain Non-Represented Employees of Yakima County:	APPROVED
	Reso 139-2009*	In the Matter of Approving Agreement and Authorizing Director of Human Resources to Sign the Same with Yakima Family YMCA:	APPROVED
	Agreement*	Execute Agreement with Yakima Family YMCA for a Corporate Membership Agreement:	APPROVED
PROSECUTING ATTY James Hagarty, Prosecutor	Reso 140-2009	In the Matter of Changing the Custodian for the Narcotics Investigation Petty Cash for the General Fund (001):	APPROVED
	Reso 141-2009	In the Matter of Changing the Custodian for the Petty Cash Funds for Narcotics Investigation Fund (104):	APPROVED
PURCHASING Rhonda Counts, Agent	Agreement	Execute Agreement Renewal with Safety & Security International for Clerical Uniforms for Sheriff:	APPROVED
	Agreement	Execute Agreement Renewal with Commercial Janitor Service for Janitorial Services for ALTC Zillah Building:	APPROVED
	Agreement	Execute Agreement with Quick Lube & Auto Repair for Express Vehicle Lube & Oil Changes for ER&R Fleet:	APPROVED
HUMAN SERVICES Steve Hill, Director	Agreement	Execute Amendment to Contract with Washington State Department of Health to Add Funds:	APPROVED
	Agreement	Execute Agreement with DSHS for Apple Health for Kids Outreach; #0963-59471:	APPROVED
ASSESSMENT/REFERRAL Brian Hunt, Manager	Agreement	Execute Agreement Amendment with DSHS to add funds; #0763-20366-05:	APPROVED
ALTC Lori Brown, Director	Reso 142-2009**	In the Matter of Approving Agreement and Authorizing Director of ALTC to Sign the Same with Walla Walla Senior Citizens Center:	APPROVED
	Agreement**	Execute Performance Agreement with Walla Walla Senior Citizens Center for the Delivery of Nutrition Services:	APPROVED
SHERIFF Ken Irwin, Sheriff	Agreement	Execute Annual Law Enforcement Agreement with Town of Naches:	APPROVED

DEPARTMENT	ITEM	DESCRIPTION	ACTION
TECHNOLOGY George Helton, Director	Reso 143-2009	In the Matter of Amending the Petty Cash Funds Custodian for Technology Services:	APPROVED
FACILITIES SERVICES Brad Songhurst, Director	Reso 144-2009	In the Matter of Authorizing the Callings for Bids for the Security Glass Replacement at the Department Detention Corrections:	APPROVED
CORPORATE COUNSEL Terry Austin, Chief Civil Deputy Prosecuting Atty	Agreement	Execute Personal Services Agreement with AM-PM Services for Delivery of Legal Papers:	APPROVED

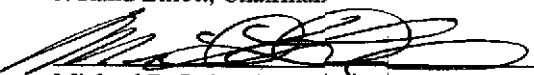
• **REGULAR AGENDA:** Approved as presented.

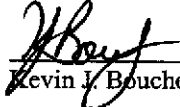
DEPARTMENT	ITEM	DESCRIPTION	ACTION
PUBLIC SERVICES Vern Redifer, Director	Agreement	Execute Consultant Agreement for Professional Services with HDR Engineering, Inc. to Complete a Study of How Water Services Should be Provided Along the SR 24 Corridor: <i>Not to exceed \$25,000 and is funded by a grant from SIED funds.</i>	APPROVED
COMMISSIONERS J. Rand Elliott, Chair	Reso 145-2009	In the Matter of Adopting a Reserve Policy for the Technology Services Department: <i>Craig Warner Presenting. Three type of fund reserves. Restricted, Designated, and Emergency.</i>	APPROVED
	Reso 110-2009	In the Matter of Adopting Projects Currently Listed on Yakima County's CEDS List: <i>Dave McFadden Presenting. Developed to be eligible for assistance from the Federal Economic Development Administration.</i>	APPROVED
CORPORATE COUNSEL Terry Austin, Chief Civil Deputy Prosecuting Atty	Reso 146-2009	In the Matter of Settlement of Claim 32-2008 as Filed by Isidoro Vasquez: <i>Recommend approval in the amount of \$19,500. Collision was due to Yakima County Sheriff's Deputy failure to yield the right-of-way.</i>	APPROVED
	Reso 147-2009	In the Matter of Settlement of Claim 46-2008 as Filed by Richard Jimerson: <i>Recommend denial of claim for \$10,000.</i>	APPROVED

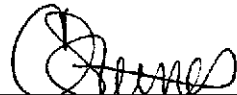
Approved this 21st day of April 2009.

EXCUSED

J. Rand Elliott, Chairman


Michael D. Leita, Commissioner


Kevin J. Bouchey, Commissioner


Christina S. Steiner, Clerk of the Board



**BOARD OF YAKIMA COUNTY COMMISSIONERS
DECISION**

Date: March 17, 2009
Re: **COLUMBIA READY-MIX REQUEST FOR RECONSIDERATION OF HEARING
DECISION FROM FEBRUARY 3, 2009**
Time: 10:30 A.M.
Location: City Council Chambers, 129 North Second St, Yakima, Washington
Present: Vice-Chairman Michael D. Leita
Commissioner Kevin J. Bouchey
Legal Counsel Paul McIlrath
Clerk of the Board Tiera L. Girard

Record of Proceedings

Mike Leita – In deference to that request, we held that decision open and subsequently had a process where the commissioners independently interacted with staff review and self-analysis. There was a study session with staff on March 13, 2009. A summary of that study session was that it was my observation that there was no new discoveries from that study session and predominantly, I heard from Commissioner Bouchey some good concerns regarding the fact that this site is within a Mineral Overlay area of about 1,200 acres, which would allow for further future expansions. Certainly this application was established to be a long-term mining operation and that there had been concerns of significance raised by individuals through our hearing concerning aggregate noise levels and seasons of operation.

Upon the conclusion of that study session, the commissioners were handed a letter from the law firm of Flower & Andreotti regarding the Columbia application and we have that on record. Subsequently to all of this, a letter was written by Mentor Law Group on March 13, 2009 and the commissioners received it officially on the 15th of March, whereby Mentor Law Group has withdrawn their request for reconsideration on behalf of Columbia Ready-Mix. We accept that request and we will move forward accordingly with our original decision. It will be brought forward to the Commissioners forthwith at our next agenda for formal adoption.

That concludes our meeting.

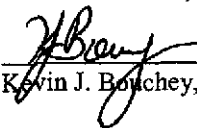
Approved this 21st day of April 2009.

EXCUSED

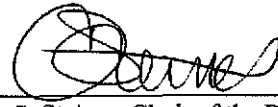
J. Rand Elliott, Chairman



Michael D. Leita, Commissioner



Kevin J. Bouchey, Commissioner



Christina S. Steiner, Clerk of the Board

