

BOARD OF YAKIMA COUNTY COMMISSIONERS

Weekly Agenda Meeting

Tuesday, February 17, 2009 at 10:00 AM

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

- **PRESENT:** Chairman J. Rand Elliott, Commissioner Michael D. Leita, Commissioner Kevin J. Bouchey, Legal Counsel Terry Austin, Clerk of the Board Christina S. Steiner.
- **PRESENTATION:** Employee Monthly Wage Increases for January 2009 – Judy Kendall. (See attached)
- **PUBLIC COMMENT:** None.
- **CONSENT ITEMS:** Approved as presented.

DEPARTMENT	ITEM	DESCRIPTION	ACTION
PUBLIC SERVICES Vern Redifer, Director	Reso 69-2009	In the Matter of Setting a Date for Public Hearing for Double R Hop Ranch for a Franchise to Construct, Operate, and Maintain a Waterline In, Along, Over and Under Branch Road in Yakima County; Franchise 6-2009; <i>March 10, 2009 at 10:30 a.m.:</i>	APPROVED
	Reso 70-2009	In the Matter of Setting a Date for Public Hearing for Central Pre-Mix for a Franchise to Construct, Operate, and Maintain a Monitoring Well In, Along, Over and Under Right-of-Way near Mile point 1.0 of Riverside Road in Yakima County; Franchise 4-2009; <i>March 10, 2009 at 10:30 a.m.:</i>	APPROVED
	Reso 71-2009	In the Matter of Setting a Date for Public Hearing for Caribou Ranches, Inc. for a Franchise to Construct, Operate, and Maintain an Irrigation Pipe In, Along, Over and Under Harrah Road in Yakima County; Franchise 5-2009; <i>March 10, 2009 at 10:30 a.m.:</i>	APPROVED
	Reso 72-2009	In the Matter of Negotiating a Contract for Engineering Services for Rehabilitation of Terrace Heights Drive Bridge No. 166; #C2541:	APPROVED
	Reso 73-2009	In the Matter of Negotiating a Contact for Engineering Services for Replacement of North Meyers Road Bridge No. 502; #C3275:	APPROVED
	Reso 74-2009	In the Matter of Awarding Bid for Irrigation and Tree Removal for Chaffee Road, from Maple Grove Road to Williamson Road; #C2701-Phase 1:	APPROVED
	Reso 75-2009	In the Matter of Awarding Bid for North Track Road Irrigation Crossing; #C3297:	APPROVED
	Reso 76-2009	In the Matter of Requesting Submittal of Statements of Qualifications and Performance Data for Architectural, Land Surveyor, Engineering and Appraisal Services:	APPROVED
	Reso 77-2009	In the Matter of Accepting Into the County Road System, the Road Known as "Iron Horse Court (Phase 1)" Lying Within the Binding Site Plan Between Terrace Heights Development LLC and Yakima County:	APPROVED
	Reso 78-2009	In the Matter of Awarding Bid for Hot Mix Asphalt and Gravel Products for the Yakima County Public Services Department:	APPROVED

DEPARTMENT	ITEM	DESCRIPTION	ACTION
PUBLIC SERVICES Vern Redifer, Director	Reso 79-2009	In the Matter of Requesting Applications from Contractors for Listing on the Yakima County Small Works Roster:	APPROVED
	Agreement	Execute Contract with PS Northwest Construction, Inc. for Chaffee Road Irrigation and Tree Removal; #C2701-Phase 1:	APPROVED
	Agreement	Execute Contract with TTC Construction, LLC for North Track Road Irrigation Crossings; #C3297:	APPROVED
	Agreement	Execute Contract Renewal Agreement with Oil Refining Company, Inc. for Transportation, Processing and/or Final Disposal of Used Refrigeration Oil, Used Antifreeze, Waste Gasoline, Oil Filters, and Oil Solids/Grease at the Household Hazardous Waste Facility:	APPROVED
	Agreement	Execute the Renewal for Memorandum of Agreement with North Yakima Conservation District for Growing, Cultivation and Dispersing of Seedlings in the Yakima Subbasin:	APPROVED
	Agreement	Execute the Agreement for Services with Professional Pipe Services for Sewer Collection Line Flushing:	APPROVED
	Agreement	Execute the Contract Renewal Agreement with Oil Refining Company, Inc. for Transportation, Processing and/or Final Disposal of Used Motor Oil at the Household Hazardous Waste Facility:	APPROVED
	Agreement	Execute the Interlocal Agreement with Washington Department of Fish and Wildlife for the Installation and Maintenance of an Underground Water Pipeline Beneath Holaday Road:	APPROVED
	Agreement	Execute Park Reservation Services Agreement with the Yakima Greenway Foundation:	APPROVED
	Agreement	Execute Personal Services Agreement with Mason Foothills Irrigation for Irrigation Relocation Design for Chaffee Road; #C2701:	APPROVED
	Agreement	Execute Personal Services Agreement with American Data Guard for Document Shredding:	APPROVED
	Agreement	Execute the Cooperation Agreement with the United States of America Department of the Army for Initial Levee Repair Assistance:	APPROVED
COMMISSIONERS J. Rand Elliott, Chairman	Reso 80-200	In the Matter of Reappointing Four Members to the Yakima County Alcohol and Substance Abuse Advisory Board:	APPROVED
	Reso 81-2009	In the Matter of Reappointing One Member to the Yakima County Alcohol and Substance Abuse Advisory Board:	APPROVED
	Reso 82-2009	In the Matter of Reappointing One Member to the Washington State Boundary Review Board for Yakima County:	APPROVED
	Voucher/Warrant	Certification of Salary Clearing Warrant No. 408734 through 410516 in the net amount of \$3,131,558.69:	APPROVED
	Agreement	Execute Agreement with Citizens for Safe Yakima Valley Communities:	APPROVED

DEPARTMENT	ITEM	DESCRIPTION	ACTION
HUMAN SERVICES Steve Hill, Director	Agreement	Execute Professional Services Agreement with Tri West Group; #TW SOC 09:	APPROVED
	Agreement	Execute Professional Services Agreement with RiverRock Consulting, Inc.; #RRC 09:	APPROVED
	Agreement	Execute Professional Services Agreement with RiverRock Consulting, Inc.; #RRC SOC 09:	APPROVED
SHERIFF Ken Irwin, Sheriff	Agreement	Execute Animal Control Housing Agreement with Yakima Human Society:	APPROVED
FACILITIES SERVICES Brad Songhurst, Director	Reso 83-2009	In the Matter of Rejecting Bids for the Yakima County Stadium Executive Viewing Deck Project:	APPROVED
	Agreement	Execute Contract Amendment with USKH for Additional Civil Engineering for the Design of the Yakima County Stadium Executive Viewing Deck:	APPROVED
	Agreement	Execute Agreement with Fulcrom Environmental Consulting to Complete Limited Asbestos Sampling at former Search and Rescue Building:	APPROVED
ALTC Lori Brown, Director	Reso 84-2009	In the Matter of Authorizing the Amendment of Petty Cash Funds and Appointing Auditing Officers:	APPROVED
	Reso 85-2009	In the matter of Authorizing the Amendment of Emergency Petty Cash Funds and Appointing Custodians:	APPROVED
	Reso 86-2009*	In the Matter of Approving Agreements and Authorizing the Director of ALTC to Sign the Same with Carla Eignauer, Marcia Deanna Jacobs, City of Yakima (2 agreements) and Walla Walla Senior Center and Yakima Convention Center:	APPROVED
	Agreement *	Execute Personal Services Contract with Carla Eignauer for the Delivery of Limited Oral Health care in Kittitas County:	APPROVED
	Agreement *	Execute Personal Services Agreement with Marcia Deanna Jacobs for the Delivery of Foot Care Services in Asotin County:	APPROVED
	Agreement *	Execute Performance Agreement with the City of Yakima for the Delivery of Adult Day Care and Respite Services:	APPROVED
	Agreement *	Execute Performance Agreement with the City of Yakima for the Delivery of Foot Care Services:	APPROVED
	Agreement *	Execute Performance Agreement with Walla Walla Senior Center for the Delivery of Nutrition Services:	APPROVED
	Agreement *	Execute Facility Usage Agreement with Yakima Convention Center for Lease of Training Space to Conduct ALTC Continuing Education Training on 3/4/09:	APPROVED
	Agreement	Execute Personal Services Agreement with Palouse Counseling for the Delivery of Family Caregiver Support Groups and Counseling:	APPROVED

DEPARTMENT	ITEM	DESCRIPTION	ACTION
	Agreement	Execute Contract Amendment with State/Federal DSHS to Increase Contract Amount; #0869-45431-02:	APPROVED
ALTC Lori Brown, Director	Agreement	Execute Personal Services Agreement with Yakima Valley Memorial Hospital for the Delivery of 6 Family Caregiver Educational Forums:	APPROVED
CORPORATE COUNSEL Terry Austin, Chief Civil Deputy Prosecuting Atty	Agreement	Execute Personal Services Agreement with Ron's Coin & Books:	APPROVED
	Agreement	Execute Personal Services Agreement with Legal Couriers:	APPROVED
	Agreement	Amended Lease Agreement with City-County Narcotics Unit and DBH Partnership II:	APPROVED

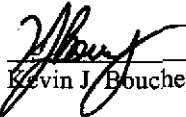
• **REGULAR AGENDA:** Approved as presented.

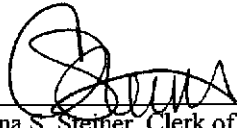
DEPARTMENT	ITEM	DESCRIPTION	ACTION
CORPORATE COUNSEL Terry Austin, Chief Civil Deputy Prosecuting Atty	Reso 87-2009	In the Matter of Settling Claim 28-2008 as filed by Jessica Moranda: <i>Recommend approval of \$25.00 as all of Ms. Moranda's property has been found except for the shoes.</i>	APPROVED
	Reso 88-2009	In the Matter of Settling Claim 57-2008 as filed by Candi Roller: <i>Recommend approval of \$2,820 and \$237.75. Water damage due to county water pipe breaking.</i>	APPROVED
	Reso 89-2009	In the Matter of Settling Claim 58-2008 as filed by Holly Davis: <i>Recommend approval of \$357.06 to remove vehicle. No warning signs or county vehicles present.</i>	APPROVED

Approved this 14th day of April 2009.


J. Rand Elliott, Chairman


Michael D. Leita, Commissioner


Kevin J. Bouchey, Commissioner


Christina S. Steiner, Clerk of the Board

**BOARD OF YAKIMA COUNTY COMMISSIONERS
PUBLIC HEARING**

Date: February 17, 2009
Re: **FRANCHISE 1-2009: Bruce Allen Orchards**
Time: 10:30 A.M.
Location: City Council Chambers, 129 North Second St, Yakima, Washington
Present: Chairman J. Rand Elliott
Commissioner Michael D. Leita
Commissioner Kevin J. Bouchey
Legal Counsel Terry Austin
Clerk of the Board Christina S. Steiner

Record of Proceedings

Alan Adolf, Public Services - On January 5, 2009, Bruce Allen Orchards submitted a franchise application to install an irrigation line to improve their facility. Yakima County has reviewed this application and recommends approval of Franchise 1-2009.

Rand Elliott – This is a public hearing and this is an opportunity for the public to speak to this issue. Seeing none, I will close this public hearing.

All three commissioners in favor of approval of Franchise 1-2009.

Approved this 14th day of April 2009.



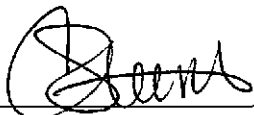
J. Rand Elliott, Chairman



Michael D. Leita, Commissioner



Kevin J. Bouchey, Commissioner



Christina S. Steiner, Clerk of the Board

**BOARD OF YAKIMA COUNTY COMMISSIONERS
PUBLIC HEARING**

Date: February 17, 2009
Re: **FRANCHISE 2-2009: Chiawana Orchards**
Time: 10:30 A.M.
Location: City Council Chambers, 129 North Second St, Yakima, Washington
Present: Chairman J. Rand Elliott
Commissioner Michael D. Leita
Commissioner Kevin J. Bouchey
Legal Counsel Terry Austin
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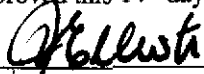
Record of Proceedings

Alan Adolf, Public Services – On January 5, 2009 Chiawana Orchards submitted a franchise application to install an irrigation line across Wilcox Road. Yakima County reviewed this application and recommends approval of the franchise.


Rand Elliott – This is a public hearing and this is an opportunity for the public to speak to this issue. Seeing none, I will close this public hearing.

All three Commissioners in favor of approval of Franchise 2-2009.


Approved this 14th day of April 2009.



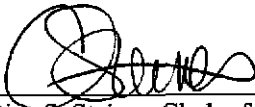
J. Rand Elliott, Chairman



Michael D. Leita, Commissioner



Kevin J. Bouchey, Commissioner



Christina S. Steiner, Clerk of the Board

**BOARD OF YAKIMA COUNTY COMMISSIONERS
PUBLIC HEARING**

Date: February 17, 2009
Re: **FRANCHISE 3-2009: VanHorn Farms, Inc.**
Time: 10:30 A.M.
Location: City Council Chambers, 129 North Second St, Yakima, Washington
Present: Chairman J. Rand Elliott
Commissioner Michael D. Leita
Commissioner Kevin J. Bouchey
Legal Counsel Terry Austin
Clerk of the Board Christina S. Steiner

Record of Proceedings

Alan Adolf, Public Services – On January 20, 2009, VanHorn Farms, Inc. submitted a franchise application for the replacement of an irrigation line across Gamache Road. This is a replacement of a line but a request for a franchise that is either expired or was not originally given back when this original line was put in. Yakima County has reviewed the application and recommends approval of the franchise.

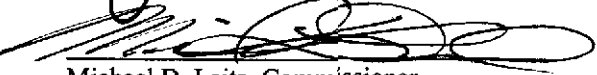
Rand Elliott – This is a public hearing and this is an opportunity for the public to speak to this issue. Seeing none, I will close this public hearing.

All three Commissioners in favor of approval of Franchise 3-2009.

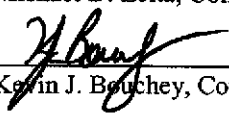
Approved this 14th day of April 2009.



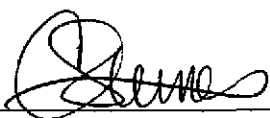
J. Rand Elliott, Chairman



Michael D. Leita, Commissioner



Kevin J. Bouchey, Commissioner



Christina S. Steiner, Clerk of the Board

**BOARD OF YAKIMA COUNTY COMMISSIONERS
PUBLIC HEARING**

Date: February 17, 2009
Re: **PUBLIC SERVICES: SURPLUS REAL PROPERTY**
Time: 10:30 A.M.
Location: City Council Chambers, 129 North Second St, Yakima, Washington
Present: Chairman J. Rand Elliott
Commissioner Michael D. Leita
Commissioner Kevin J. Bouchey
Legal Counsel Terry Austin
Clerk of the Board Christina S. Steiner

Record of Proceedings

Mike Waits, Right-of-Way Manager – This morning we are here to discuss surplus some property that was acquired. I will start with a little history. Resolution 42-1994 and Resolution 53-1999, Board of County Commissioners approved the foundation of road construction project 2504 Selah Loop Road. Through acquisition between June of 2005 and April of 2006 we acquired four parcels. On your first map it shows 41400 at the top of the page. Just immediately south is 41005, 41010 were all acquired across the intersection of Weems Way and then south of that 41011 was also acquired.

On January 20, 2009, the county deeded the necessary right-of-way from these parcels for road purposes and preparing these parcels to be surplus and for sale. On January 27, 2009, Resolution 57-2009 set date for the public hearing and notice for the intention to sell surplus properties and it was set for today. On January 29th and February 5th, notice of the hearing was published in the Yakima Herald-Republic. On February 6, 2009, referring back to the map again, 41004 and 41005 were merged as 41433 on the second map. Also on that date 41010 and 41011 were merged into 41015.

Today we are asking the Board to declare surplus on Parcel 181426-41015 and remove Parcel 181426-41433 from consideration of surplus at this time until further investigation into site distance at the intersection and corrections that would need to be made. Pending the public hearing today a resolution is rough drafted that will be submitted shortly to set this up for surplus and go to auction on April 8, 2009 at the Selah Civic Center. We are asking for the minimum bid on 41015 to be set at \$100,000.

Rand Elliott – Is there still a structure on that?

Mike Waits – There is on the original photograph. The northerly house was removed and a storm water retention pond was built on half of that parcel.

Mike Leita – 41400?

Mike Waits – 41400. The structures on 41005 remain intact. On 41010, that structure is still there. On 41011 the house was removed but behind the house is a shed, it is actually a garage/shop and that remains. Those have been combined into 41015 and what will be remaining there is a home, a two-car garage, and a shop.

Rand Elliott – This is a public hearing, this is an opportunity for public comment. Seeing none I will close the public hearing.

Mike Leita – If I understood you correctly, Parcels 41400 and 41005 were originally declared surplus?

Mike Waits – Yes.

Mike Leita – And they were merged into one parcel 41433.

Mike Waits – Correct. The south half of 41400 with the house removed has been merged with 41005.

Mike Leita – So the two parcels have been merged into one and now you are asking to remove that combined parcel from the surplus declaration?

Mike Waits – Correct.

Mike Leita – And the reason is for corner consideration?

Gary Ekstedt, County Engineer – I think what Mike (Waits) is saying is that in the resolution and notices that set up this hearing and the notices that were put out, those two merged parcels, the one on the north side of Weems Way and the one on the south side as they've been merged. Both of those were set for consideration for surplus. What we want to do, because the one on the north side of Weems Way we have a sight distance issue there, we built a concrete block retaining wall and that wall and the fence on top it creates a sight distance obstruction so we need to reconfigure that a little bit, which may require some additional right-of-way being segregated off of that. We did not want to consider that parcel at this point in time until we get final but it was included in the original resolution so we just wanted to document it.

Mike Leita – So through a process of discovery for intersection safety you want to re-address the issue and perhaps need more use of the property that the county currently holds.

Gary Ekstedt – As Mike said, we segregated off the right-of-way before we merged those and we may need a little bit more right-of-way so we didn't want to sell it and have to go back and acquire more right-of-way after we sold it.

Mike Leita – But the house as I understood from 41400 was removed? (Yes) And you still have the house on 41005?

Gary Ekstedt – Right, on 41005 the house is on the right side closest to Selah Loop Road. The structure there on the left side of the parcel is a garage.

Mike Leita – Is it going to have to be moved if you have to make your intersection wider?

Gary Ekstedt – That is a worst case scenario. I think all we will have to do it lower the wall and relocate the fence.

Mike Leita – I am just curious now, the top house was removed for the retention pond.

Gary Ekstedt – Right, 41400 was removed for the retention pond. It would have been right at, because of the slope down into that pond, that foundation would have been undermined. So that house had to be removed.

Mike Leita – As you know, Gary, we were out there earlier concerning last year, some water issues with a constituent. The retention pond obviously solved that individual's problem through some adaptation of the design to mitigate her concerns and I appreciate that but I think more importantly, everyone appreciates the completion of the Selah Loop Road and the improvement that it has made. With that understanding and these changes I am satisfied with the request before us today.

Kevin Bouchey – I don't travel this area often, have there been improvements made to this section? Or is this map current?

Gary Ekstedt – This map is outdated, it is off of the older area photographs. The project was complete and is our practice, it is kind of a point in references our practice to wait until the project is entirely done before we surplus this stuff and again, the issue with the sight distance is one of those things that happens so we don't want to consider that northerly property until we resolve it to everybody's satisfaction so we don't have to go back and buy right-of-way off something we already owned at one point.

Mike Leita – In essence, you are pulling it off of the table for an interim basis until you get the final determination.

Gary Ekstedt – We will put it back up for the September auction.

All three Commissioners in favor of surplusizing just the one Parcel.

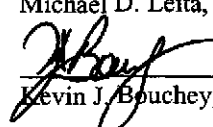
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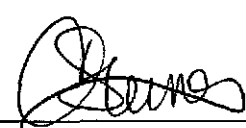
J. Rand Elliott, Chairman



Michael D. Leita, Commissioner



Kevin J. Bouchey, Commissioner



Christina S. Steiner, Clerk of the Board