

BOARD OF YAKIMA COUNTY COMMISSIONERS

Weekly Agenda Meeting

Tuesday, May 26, 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.

COMMISSIONERS J. Rand Elliott, Chairman	Reso 251-2009	In the Matter of Appointment of Jack Hawkins as Coroner for Yakima County:	APPROVED
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- **SWEARING IN:** Newly appointed Coroner Jack Hawkins Swearing in Ceremony.
- **PUBLIC COMMENT: Paulette Brown, Yakima** – We were wondering why Prelude Addition has been tabled and what this means with regards to the resolution you have in the paper in the matter of disapproving the plat for Prelude Addition. What do you mean by tabling this and why is it tabled. I thought it was a done deal.

Terry Austin, Legal Counsel – I am working on putting the decision into writing. I didn't get it finished. I had high hopes of getting it done.

Rand Elliott – It will be up for approval next week.

Mike Leita – There has been no change of the decision.

Paulette Brown – There has not been an appeal? (not yet) All of us in the neighborhood, and of course I happen to be the spokesman for this, have been inquiring me of the 21 day period that they had to appeal and we hadn't seen anything or heard anything so when we read this in the paper, we are here to say...

Terry Austin – The 21 day period starts when the written decision is entered.

Paulette Brown – So you haven't even done the written decision yet. So he has another 21 days.

Terry Austin – When the written decision is entered he will have 21 days to appeal.

Mike Leita – He actually does not have an opportunity to appeal until a written decision is made and approved by formal process. What we went through was the hearing, as you know, and made a recommendation of a decision for legal counsel to put into writing, which will then be formalized as a decision and then at that time the 21 days begins. It is just a matter, with everything else, of getting it done as timely as we can. So that will be tabled until Legal Counsel has been able to draft the document.

Rand Elliott – It is our intention to deal with that next week.

Paulette Brown – Have you had any input from Mr. Tibbett or not as to whether you think he is appealing or not or do you know?

Mike Leita – We have not. It would really not be deemed acceptable because the decision has already been made and will not be changed. But again, having said that, once that decision is formalized, tentatively next week, there is a 21 day period that will commence.

Rand Elliott – They will not be talking to us if they did want to appeal because they will appeal to Superior Court.

Paulette Brown – The other thing is Terrace Park Estates and the people on Terrace Park Drive want to thank you for your due diligence in taking care of this matter that we had before you and reading all of those 60-some pages and we do appreciate that and we want to let you know that. Thank you.

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

DEPARTMENT	ITEM	DESCRIPTION	STATUS
PUBLIC SERVICES Vern Redifer, Director	Reso 243-2009	In the Matter of Approval of Preliminary Plat No. SUB08-72/PRJ08-1020 Known as "Thoroughbred Acres":	APPROVED
	Reso 244-2009	In the Matter of Approval of Preliminary Plat No. SUB08-35/SEP08-22/PRJ08-319 Known as "Gromore Estates":	APPROVED
	Reso 245-2009	In the Matter of Setting Date for Public Hearing on Franchise Submitted by Jesse Oliver to Construct, Operate and Maintain a Sewer Line In, Along, Over and Under Keys Road in Yakima County; Franchise 15-2009:	APPROVED
	Reso 246-2009	In the Matter of Accepting as Complete Contract No. 1571 for North Track Road Irrigation Crossings; #C3297:	APPROVED
	Reso 247-2009	In the Matter of Authorizing Advertisement of Bids for Improving a Portion of McAuley Road an Knox Road; #C2935 and C2936:	APPROVED
	Reso 248-2009	In the Matter of Granting Franchise 13-2009 Requested by Yakama Power to Construct, Operate and Maintain an Electrical Power Transmission and Distribution System In, Along, Over and Under Various County Rights of Way Within Yakima County:	APPROVED
	Reso 249-2009	In the Matter of Establishing Monthly Services Charges to the Cities of Yakima, Sunnyside, and Union Gap for Regional Stormwater Permit Compliance:	APPROVED
	Reso 250-2009	In the Matter of Commitment to an Interlocal Agreement with the Cities of Yakima, Sunnyside, and Union Gap for Regional Stormwater Permit Compliance:	APPROVED
	Agreement	Execute the Personal Services Agreement with PPC Solutions, Inc. for Patrolling Eschbach Park:	APPROVED
	Agreement	Execute the Interlocal Agreement with City of Yakima for Sanitary Sewer Improvements and Construction of a Pedestrian Bridge for Cowiche Canyon Road Improvements; #C3051:	APPROVED
COMMISSIONERS J. Rand Elliott, Chairman	Minutes	Approve Regular Agenda Minutes of May 19, 2009:	APPROVED
	Voucher/Warrant	Certification of Salary Clearing Warrant No. 418219 through 419032 in the Net Amount of \$710,847.06:	APPROVED
FINANCIAL SERVICES Craig Warner, Budget Director	Reso 252-2009	In the Matter of Amending the Current Authorized Investing Officers for Facilities Services and Public Works Capital Projects:	APPROVED

DEPARTMENT	ITEM	DESCRIPTION	ACTION
HUMAN RESOURCES Linda Dixon, Director	Reso 253-2009	In the Matter of Additions/Changes to Budgeted Positions in Dept. 010, Department of Property Assessment; Dept. 020, Auditor; Fund 108, Department of Corrections; Fund 151, Department of Human Services; Dept. 440, District Court; Dept. 460, Juvenile Services; Dept. 640, Public Services-Planning; and Dept. 660, Geographic Information Services:	APPROVED
CORPORATE COUNSEL Terry Austin, Chief Civil Deputy Prosecuting Attorney	Reso 254-2009	In the Matter of Disapproving the Preliminary Plat SUB06-16 Known as "Prelude Addition":	TABEED
	Agreement	Execute Addendum with City of Yakima to Probation Consolidation Agreement:	APPROVED
SUPERIOR COURT Marty Lentsch	Agreement	Execute Memorandum of Understanding with Washington State Department of Corrections:	APPROVED
AUDITOR/ELECTIONS Corky Mattingly, Auditor	Reso 256-2009	In the Matter Adopting Amendments to the Yakima County Local Voters' Pamphlet Administrative Rules:	APPROVED
FACILITIES SERVICES Brad Songhurst, Director	Reso 257-2009	In the Matter of Accepting as Complete Contract for the Demolition of the Buildings Commonly Known as the "A" Street Buildings:	APPROVED
	Agreement	Execute Agreement with Lyonsden, Inc. for Work at Yakima County Juvenile Justice Center for Landscaping:	APPROVED
	Agreement	Execute Agreement with Bullock Trane Service Agency, Inc. for Yakima Valley Juvenile Justice Center Chiller Repair:	APPROVED
	Agreement	Execute Agreement with Total Control Electric to Install 200AMP Electrical Panel in Welding/Carpentry Shop at Facilities Services Department:	APPROVED
ALTC Lori Brown, Director	Reso 258-2009*	In the Matter of Approving Agreements and Authorizing Director of ALTC to Sign Agreements with Rita Bush, Phil Bullard, Larisa Mironov, Shamrock Constructors, Inc., Mohammad Allawi and Gabriela Oribio:	APPROVED
	Agreement*	Execute Personal Service Agreement with Rita Bush for "Powerful Tools for Caregivers" Class Leader Services:	APPROVED
	Agreement*	Execute Personal Services Agreement with Phil Bullard for Interpreter/Translation Services:	APPROVED
	Agreement*	Execute Personal Services Agreement with Larisa Mironov for Interpreter/Translation Services:	APPROVED
	Agreement*	Execute Personal services Agreement with Shamrock Constructors, Inc. for the Delivery of Minor Physical Adaptations to ALTC Client Homes:	APPROVED
	Agreement*	Execute Personal Services Agreement with Mohammad Allawi for the Delivery of Interpreter/Translation Services:	APPROVED
	Agreement*	Execute Personal Services Agreement with Gabriela Oribio for the Delivery of Interpreter/Translation Services:	APPROVED

DEPARTMENT	ITEM	DESCRIPTION	ACTION
ALTC Lori Brown, Director	Agreement	Execute Agreement Amendment with DSHS for Area Agency On Aging-Older Americans Act:	APPROVED
PURCHASING Rhonda Counts, Agent	Reso 259-2009	In the Matter of Making Finds and Determination to Declare Surplus and Sell Certain County Property:	APPROVED
	Reso 260-2009	In the Matter of Requesting Negotiations for a Video Visiting System for Yakima County Department of Corrections:	APPROVED
	Agreement	Execute Agreement Renewal with OfficeMax for Yakima County Supplies and Equipment:	APPROVED

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

DEPARTMENT	ITEM	DESCRIPTION	ACTION
CORPORATE COUNSEL Terry Austin, Chief Civil Deputy Prosecuting Attorney	Reso 255-2009	In the Matter of Authorizing the Corporate Counsel Division to Sign a Settlement Agreement between Yakima County and Petitioners in EWGMHB Cause No. 08-2-008c: <i>This is not an approval of the changes itself but will initiate the review process.</i>	APPROVED
PUBLIC SERVICES Vern Redifer, Director	Agreement	Execute Local Agency Standard Consultant Agreement with Berger ABAM for East West Corridor Phase 2A: <i>Gary Ekstedt presented.</i>	APPROVED

Approved this 2nd day of June 2009.



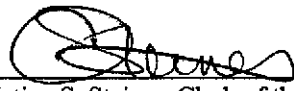
 J. Rand Elliott, Chairman



 Michael D. Leita, Commissioner

Excused

 Kevin J. Bouchey, Commissioner



 Christina S. Steiner, Clerk of the Board

**BOARD OF YAKIMA COUNTY COMMISSIONERS
PUBLIC HEARING**

Date: May 26, 2009
Re: **FRANCHISE 14-2009: Liberty Dairy, LLC**
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, Senior Transportation Planner – On April 23, 2009 Liberty Dairy LLC submitted a franchise application. The dairy will be transferring liquid waste in the form of irrigation waters between properties on both sides of the roadway. Yakima County has reviewed the application for Liberty Dairy and has recommended approval of the franchise.

Rand Elliott – This is a public hearing and as such this is an opportunity for the public to make comment on this issue. Hearing and seeing none I will close the public hearing.

All three commissioners in favor of approval of Franchise 14-2009 for Liberty Dairy.

Approved this 2nd day of June 2009.



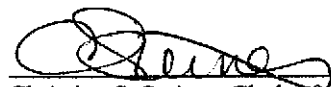
J. Rand Elliott, Chairman



Michael D. Leita, Commissioner

Excused

Kevin J. Bouchey, Commissioner



Christina S. Steiner, Clerk of the Board