



**BOARD OF YAKIMA COUNTY COMMISSIONERS**

Regular Meeting

Work Session

Friday, August 4, 2023, at 9:00 am

BOCC Conference Room, Room 232, 128 N 2nd Street, Yakima, WA 98901 or Zoom

8/4/2023 - Minutes

**1. CALL TO ORDER**

Meeting Called to Order at 9:01 a.m.

PRESENT: Chair LaDon Linde, Commissioner Amanda McKinney, Commissioner Kyle Curtis, Legal Counsel Don Anderson, Clerk of the Board Julie Lawrence, Deputy Clerk of the Board Erin Franklin, Human Resources Senior Manager Mayling Chin, Human Services Director Esther Magasis, Joe Poire (Broadband Consultant), Long Range Project Planner Olivia Story, Environmental Services Director David Haws, Water Resources Strategic Manager Joel Freudenthal, Financial Services Director Craig Warner, and guests.

**2. PUBLIC COMMENT**

No Public Comment Received.

**3. EXECUTIVE SESSION (20 Minutes)**

The Board met in executive session for 20 minutes at 9:02 a.m. to discuss ongoing/current litigation as allowed by RCW 42.30.110(1)(i). Commissioner Linde returned at 9:22 a.m., 9:32 a.m., and 9:42 a.m. to extend the session by 10 minutes each time. The Board returned at 9:52 a.m., and no further action was taken.

**4. EXECUTIVE SESSION (20 Minutes)**

The Board met in executive session for 25 minutes at 9:55 a.m. performance of a public employee as allowed by RCW 42.30.110(1)(g). The Board returned at 10:20 a.m., as agreed upon, and no further action was taken.

**5. HUMAN RESOURCES UPDATE (15 Minutes)**

Mayling Chin presented several action memos to the Board for consideration. The first was from the Auditor's Office, for a Financial Specialist 4 to be paid out of class as an Accountant 1 due to an unexpected vacancy, for which position they are currently recruiting. The Commissioners approved this request.

The second request was from District Court, to extend a temporary Program Coordinator 2 position for an additional year (June 30, 2024). Funding is available to cover this extension, and the department has discussed making it permanent in the future. Craig Warner explained that sometimes the County can only get a grant one year at a time, but this grant has been available regularly on an annual basis and looks to continue into the future, so making the position permanent might be more feasible. The Commissioners approved this request.

The third request was from the Assessor's Office and GIS, to review a job family change for a position from the Technology Services pay plan to the Appraisal pay plan. It isn't a technical position like other GIS positions, and this change would bring the position back to its original function. The position would be changed to CAD Technician (B23). Commissioner Linde noted that the Personnel Committee was in favor of this change. The Commissioners approved this request.



The fourth and fifth requests were from Human Services, to reclassify a Program Analyst 2 to a Manager 1 (C44), and a Manager 2 (C45) to a Senior Manager (D62), as these two positions were under-classified, and Human Resources was not reviewing manager positions at the same time as the rest of the reclassifications. The first position was given additional programmatic duties, with funding, and the second position has also evolved and expanded to essentially being Director Esther Magasis' second in command. The fiscal impact for the first position would be about \$2,249 for the rest of the year, and the second would be about \$2,546.

Craig was also present to continue the out-of-class pay Human Resources Director Jacqui Lindsay had requested for Senior Manager Judy Kendall while Jacqui is on extended leave. Jacqui has asked that this pay be retroactive to August 1, 2023. In response to Commissioner McKinney's question, Craig explained that once Jacqui exhausts her paid leave, she would go on leave without pay, and that would help offset the extra pay for Judy.

Commissioner Linde updated the Board that he was able to get in touch with Jacqui, and she doesn't know for sure how long she'll be out. The Board agreed to approve 15% out-of-class for Judy for 3 months, retroactively to August 1st. After 3 months, they can assess the situation and revisit the conversation. Mayling was directed to prepare this item for resolution at a future Agenda instead of following up with a formal action memo. The Board wished Jacqui all the best during her time away.

## 6. BROADBAND DISCUSSION (30 Minutes)

Esther Magasis and Joe Poire explained that the County was given a very short turnaround time (3 weeks) to apply for a Digital Navigator grant. They have been able to gather a group of 6 or 7 providers in the community to partner with the County on this grant, as it is designed for a consortium; Esther will finish getting pertinent details from these providers and add it to the application. She noted that she is in communication with one other community entity from the Lower Valley that may apply for the same grant, which will provide even more resources to the residents of Yakima Valley.

The Digital Navigator grant is to provide digital trainings, promote digital literacy, and make materials available to those who need them. It doesn't involve full infrastructure projects like other broadband grants; rather, it is intended to help make smaller connections in order to get people online, whether they are in need of education or in-home access. The Board expressed concerns about using taxpayer dollars for laptops or other equipment that could be turned around and sold. Joe noted that the percentage of funding in the grant set aside for devices is 10% - the rest is allocated toward professional services to help people access health and mental health resources, workforce development, etc. Esther pointed out that the Veteran's Program also distributes laptops with grant funding. She suggested that since community partners will be responsible for providing Digital Navigator services, the Board's concerns could be discussed with these partners in order to develop some guidelines. Since the grant application is due August 13th, the Board agreed to move forward with the process and discuss options afterward, including the possibility of not providing devices. In addition, Joe noted that he and Esther are moving forward on the procurement process for the infrastructure grant, and will be getting under contract soon.

## 7. PUBLIC SERVICES (30 Minutes)

ADU Discussion: Olivia Story was present to clarify how the Board would like ordinance verbiage updated after the public hearing on accessory dwelling units at last Tuesday's Agenda. Regarding the 100-foot distance requirement, the Commissioners agreed that they would like this entire section removed. Olivia noted that setback requirements, on the other hand, would still be in force, and residents looking to build an ADU would thus need to consider any future plans for subdivision and boundary line adjustments. Commissioner McKinney observed that removing the 100-foot requirement will likely ensure that ADU's are sited better overall.

Regarding ADU size, Commissioner Curtis suggested that the Board also revisit the size requirement, which staff suggested be increased from 1,000 square feet to 1,200 square feet. Commissioners Linde and McKinney noted that this increase had a lot of community support, due to situations such as caring for elderly relatives needing wheelchair access. The Commissioners agreed to update this verbiage to "the ADU shall be smaller than the primary residence" instead of specifying a maximum square-footage. They also agreed to move these verbiage updates to resolution at a future Agenda.

Forterra Discussion: Joel Freudenthal explained that Forterra will be applying (in partnership with the Yakama Nation) for the Washington Wildlife Recreation Program's Riparian Habitat Protection category sometime around May 2024. That means that their purpose will be to conserve land along the water; public access is also required as part of this funding category. They will have to confer with local government both for this application and for the Waiver of Retroactivity for which they are also applying; the BOCC will thus need to state in their letter of support that they would like to confer on both applications. Forterra will also be required to submit a comprehensive habitat conservation plan with their application, which will need to be approved by the Recreation and Conservation Office (RCO). Ultimately, Forterra will want to turn the property in question over to the Yakama Nation, at which time the County would lose that taxus status, although it will still be open to public access. Joel

encouraged the Board to advocate to see the plans for conservation, public access, and maintenance for that land, to ensure that any concerns are alleviated (e.g. noxious weeds, etc.). This entire process will probably occur over the next decade. The Board agreed to draft a letter of support (due August 10th), and also reach out to Forterra and the Yakama Nation to set up a meeting. David Haws confirmed that he would prepare a draft letter, and Julie Lawrence was directed to try to set up a brief discussion with Forterra at Monday's Work Session.

8. AGENDA ITEM REVIEW (10 Minutes)

Julie Lawrence reviewed for the Board all Agenda items submitted for Tuesday's Regular Agenda Meeting. The Commissioners had no changes for the August 8, 2023, Agenda.

9. COMMISSIONER UPDATES/ GENERAL DISCUSSION

Commissioner Curtis referenced a conference in November that all the Commissioners would likely be attending, and asked if Tuesday's Regular Agenda Meeting for that week would need to be cancelled. Commissioner Linde concurred that depending on the conference schedule, this would likely be the case. Commissioner McKinney noted that this quasi-government conference would be open to the public and recorded.

Commissioner McKinney shared with the Board that the National Association of Counties recently posted dates for their legislative annual conference (February 10th – 13th) in Washington, D.C. She encouraged the other Commissioners to attend along with her.

Commissioner Linde stated that he had attended the ribbon cutting for the local crime lab yesterday. He shared that it was well-attended, and significant in that this crime lab is the first of its kind in the nation. With state labs currently overwhelmed, the local crime lab will serve to reduce turnaround times and help law enforcement address cases more quickly. He expressed excitement over the hiring of experienced staff who will provide credibility with the state labs and other agencies.

10. NEW BUSINESS

No New Business.

11. ADJOURN

Commissioner McKinney MOTION: To Adjourn

Commissioner Curtis SECOND

Motion Passes to Adjourn. Meeting Adjourned at 11:38 a.m.

All work sessions are recorded and will be available to view on the BOCC website at <https://www.yakimacounty.us/AgendaCenter/Board-of-Commissioners-2>.

APPROVED DATE

DATE/Minutes

AUG 22 2023

BOARD OF YAKIMA COUNTY COMMISSIONERS

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LaDon Linde, Chair

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Amanda McKinney, Commissioner

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Kyle Curtis, Commissioner

*Constituting the Board of County Commissioners  
for Yakima County, Washington*

