

BOARD OF YAKIMA COUNTY COMMISSIONERS

Weekly Agenda Meeting

Tuesday, October 9, 2018 at 1:30 PM

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

- **PRESENT:** Chairman Ron Anderson, Michael D. Leita, J. Rand Elliott, Legal Counsel Don Anderson, Clerk of the Board Rachel Michael.
- **ANNOUNCEMENT:** Brian Griff selected as Facilities Director;
Jacqui Lindsay: Good afternoon Commissioners, this is Jacqui Lindsay from the Human Resources Department here at Yakima County. Thank you for allowing me the opportunity today to make this presentation and announcement for Brian Griff who is being appointed as a Direct Report to the Board of County Commissioners. I'd like to share just a little bit about Brian's educational and work profiles. Brian has two Bachelor's degrees, one is in Business Administration, the other is a Bachelor's of Science in Mechanical Engineer, he got those both from the Washington State University. He also has an MBA, also from Washington State University and a Master's in Engineering and Technology Management. So, he's well educated as you can see. On the work profile side, Brian has prior to working for the County, has worked for Bechtel Construction Company. There he was assigned to Hanford, while there, he did contract management, facilities management, some labor relations. And, he served there from 2006 to 2014. Yakima County was lucky enough to get him in 2014 as our Facilities Services Manager and now as of October 1, as the effective date would be a direct report to Board of County Commissioners as the Director for Facilities Services. So, I want to wish Brian lots of luck in his appointment, I don't know if you'd have a few words also to say to Brian?

Mike Leita: Before I say anything Brian, you've accepted this position, correct? Okay, first of all, congratulations, I think you've served the County well in your position as the Facilities Manager and have been running things quite well with your staff and your team has been quite exemplary for Yakima County. So, I thank you for your past services. I think it is important here, these are my comments and don't necessarily reflect the Boards comments, in my mind you are our future for Yakima. This position that we have reconstituted is by design. The design here is there is understanding by the Board of Commissioners that our current facilities are wanting and very inefficient when it comes to Law & Justice issues and therefore, you are the starting point for the Board of Yakima County Commissioners and Yakima County to address the future issues that confront us with Law & Justice facilities. My observation, my tenure here I started with what I characterize as a jail crisis. That's behind us. Our future though really resides with the understanding on my part that our Law & Justice services, our jail, our courts, assigned counsel, prosecuting attorney facilities are dysfunctional in the way they relate to each other from a facilities standpoint and are coming at a great cost to County tax payers over time. Most notably, the jail that is downtown was designed in the 70's, has been upgraded numerous times and is not conducive to the type of inmates that we are housing currently. So, using that as a starting point, there will be much need of your expertise and guidance and your leadership for Yakima County in the future to deal with the shortcomings that we are currently experiencing. So, welcome to your new position and we expect great things from you.

Ron Anderson: I also want to welcome you to your new position. I am very much looking forward to working with you on the items that were outlined by Commissioner Leita, the new facilities and evaluation of what we have now and what we could have in the future. It's going to take someone with your expertise and your education background to get that accomplished. That's the exciting part for me, you're going to be here long, long term and could see the beginning of a project and see the completion of that too. So, welcome aboard.

Rand Elliott: Let me just add my congratulations, Brian. You certainly deserve this opportunity and look forward to working with you, even it's only for a few months. I've got a high level of confidence in your ability and I know you are going to do just fine for us. Thank you for accepting the job and welcome.

Brian Griff: I just wanted to say thank you very much for this amazing opportunity and it's an honor you considered me for it. So, we have a great department of people here, a couple that showed up. Our team is doing so many things improving customer service around here and we're finding more efficient ways to operate, ways to save tax payer dollars and ways to just do things better. So, I'm really proud of them. They've done a lot to get me here, so thank you for this opportunity.

- **PUBLIC COMMENT:**

Jamie Muffett – CEO MLM Entertainment dba Sticky Budz: We operate at 7560 Yakima Valley Highway, Zillah, WA 98953, in the unincorporated Yakima County. I'm here today to ask for an advisory vote yet again, to ask for an advisory vote in February, whatever that date lands in that direction. We did provide you with a memorandum. What I am here to try to talk to you about is the separation from retail to processing/producing, which are definitely two different sides of the category when it comes to the cannabis side. I think the retail side definitely belongs and needs to reside in the incorporated areas, which would be Yakima, Union Gap, so on and so forth. ON the processing side of it, is more of that farming atmosphere, that farming community side of things. Where we grow and process and dry and cure and manufacture at a safe consumer product that is very much regulated by Liquor Control Board, WSDA, WSUA, L&I and there's a couple of other entities in there that we get visited on a frequent basis. Again, I would like to reach out to you guys and invite you out to our facility and have you see what a processing/producing company does in the cannabis side of things to more educate you in that direction. I am asking for a new advisory vote, we all know where we are at in the court system right now, we are in the appeal process. I think if we can come to an agreement that we can go back to an advisory vote just for processing/producing in the unincorporated Yakima County. Then, at that stage we could talk about definitely dropping the court conceding to what the judge indicated at that point and accepting how the advisory vote turns out. If it goes in our favor, then we can stay. If doesn't go in our favor, then we will vacate the location. Hopefully, at a timeframe that works well with you guys and the Liquor Control Board, so we can get moved on if need be. The downfall to that, trying to move, to be honest with you gentleman, we employ 28 people, we've been there 4 years, we haven't had any legal issues of any kind. Every year we have District 5 Fire Department come out and do their walk through and run through. We try to follow every rule that we can. Again, we have L&*I come out, so I think its, I've talked to you guys independently a lot, and I think it's very clear that we run a good, clean operation and I've heard that even out of some your mouths, that direction. So, we're more talking about does Yakima County unincorporated area will accept cannabis into the community or not at this point. I guess, really what I am asking for, back to this advisory vote is give the community an option, give us the right to go through just on processing/producing. Not retail, not put in the same category, because I think retail scares people more than what processing/producing, so we're not all under that same category, in that same direction. Just let us see what the community comes back, let us definitely help write the policy, indicate how that advisory vote is written and how it states I think is very important, so it's very clear, cut and dry, so we don't have to worry about both sides coming back and forth and thinking there was something wrong and done in that direction and just put this to bed at that point. It will save the tax payers dollars, so we don't have to continue in court, it will definitely save us, it will help us again put this thing to bed. I'm not a great speaker here when it comes to the public. I'm fighting for my family, right? I've got three kids, one wants to go to college at this point and we want to save our business. We've got good employees and a great business. The other 28 processor/producers are producers more than anything here in Yakima County. They put their heart and souls into that. We've got good clean operations. I would love to have study sessions with you gentlemen, if we can come to an agreement with an advisory vote. We'd like to talk about how we can zone this to the point that if you're concerned about an outbreak in the County. I did put out there having a specialty permit fee and maybe I was a little strong on the dollar amount or however that goes, and I appreciate you guys getting back to me, indicating you weren't going to accept it at that point. But, you know, all of those kinds of things can maybe come into play if you do, if you will allow this to go back to the advisory vote. I think there is a benefit to having this industry in the Valley. I know there is a very big benefit when it comes to growing in the Valley of Yakima County. But, zoning it properly, putting some special permits in there if you so need or see it in that direction or legal can. I don't know the legal aspects of that. But, setting it up where it's going to benefit the County and the unincorporated area and definitely benefit the business owners and the employees around could be, is important to us, right? Our company alone, as in the memorandum that we sent to you or gave you, if you add payroll into that, we inject a little over 1.5, 1.6 million dollars in about a 20-mile radius of our location. That's important, right? We spend money at Ideal Lumber, D&M Chemical, and Wilson Irrigation, and Bleyhl's and Waupaca that's right down the road on soil every year. Along with our employees, our employees that we pay very much over the minimum wage aspect of it. A lot of our employees go to move up into nicer homes or even purchase homes at that point. If it does come down to the fact that we have to move our company, it's catastrophic at that point. If you would come out and see our location and definitely read the memorandum on that you can see how impactful that would be. The last thing I want to leave you with is why I think it's very important that we have advisory vote because County Commissioners, you oversee the County right? Even though you reside or control a majority of what happens in the unincorporated Yakima County, your actions still affect what happens in the

incorporated Yakima County at that point. I don't think an operation like this has any business being in the center of Union Gap or Yakima or anything in that direction. It's a farming community, right? You wouldn't want to go put hops right in the center of Union Gap or Yakima. This business doesn't have any, shouldn't be in that direction either. And, that's kind of like some of the problems, right? If we pull the trigger on certain things, our consequences rely on the fact that it pushes us more into the cities or into the towns and that's where we don't want to be. You know, Moxee is always kind of a special area to talk about because it's not so much a city or town, but it doesn't have all of the shopping malls and centers and Costcos, so on, so forth. Moxee, if you take anything from them, they outlawed basically retail and allowed processing/producing and it seems to be working very well for them. I think that's even for us, for us we have a total of half a dozen homes around us, we've got a great relationship with our neighbors. We allow them to come in and tour in that direction, we have a very open line of communication with all the Sheriff Department that is down the road from us along again with the Fire District. We have a good standing, we like to give back to our Community, we love employ people, give them a chance to make a good living. We're good people, we're just asking to be able to stay in our location. With that, I think there is a good plan to be able to zone this in the right way. I think there's a good chance to put this as a positive for the County and not an outbreak if that's what we're concerned about. So, I ask you to definitely allow this to go back to an advisory vote, just for processing/producing, not retail and let's give this a good shot and let us go out in our fashion to get that vote to hopefully to go the right way for us. We help word that in that direction. Hopefully, we can get past all this court and spending money and we can be done. Again, I'd like to state this again, if you allow this to go to advisory vote, our company will drop the court appeals that we've got going on as the outcome, if we pass the outcome, we stay, if we fail the outcome, we leave. Saves both of us time and headache and definitely us, the emotional side of it because it is very emotional, right? This situation affects us dearly, especially after being there for four years. Gentlemen, I really ask you to look at that and think of all the people that entail and if affects them in that direction.

Ron Anderson – Any further comment? Seeing none, we'll move onto consent agenda.

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

FUNDING LEVEL: A=No Impact B=Under \$100,000 C=\$100,000- \$500,000 D=Over \$500,000				
DEPARTMENT	ITEM	DESCRIPTION	FUNDING LEVEL	ACTION
Public Services Matt Pietrusiewicz, County Engineer	Reso 330-2018	Temporarily Reducing the Speed Limit on a Portion of Naches-Tieton Road to Allow for the Repair of Naches-Tieton Road:	A	APPROVED
Matt Pietrusiewicz, County Engineer	Reso 331-2018	Approving Local Agency Project Prospectus for the Replacement of the Existing PM 10 Compliant Street Sweeper:	C	APPROVED
Matt Pietrusiewicz, County Engineer	Agreement BOCC234-2018	Grant Agreement with WSDOT for the Purchase of New PM 10 Compliant Street Sweeper:	C	APPROVED
Matt Pietrusiewicz, County Engineer	Agreement BOCC235-2018	Local Agency A&E Professional Services Negotiated Hourly Rate Agreement with Pertect Inc. for the 2018 ADA Planning:	B	APPROVED
David Haws, Environmental Services Director	Agreement BOCC236-2018	Amendment No. 3 to the Local Agency Standard Consultant Agreement with Gray & Osborne Consulting Engineers for the Buena Wastewater Treatment Facility Plan:	B	APPROVED
Commissioners Ron Anderson, Chairman	Minutes	Approve Agenda Minutes of 10/2/18:	A	APPROVED
Corporate Counsel Don Anderson, Chief Civil Deputy Prosecuting Attorney	Reso 336-2018	Claim No. 32-2018 as Filed by Andrea Hicks:	B	APPROVED
Auditor Charles Ross, Auditor	Reso 332-2018	Changes to Auditing Officers for Specific Funds:	B	APPROVED

FUNDING LEVEL: A=No Impact B=Under \$100,000 C=\$100,000- \$500,000 D=Over \$500,000

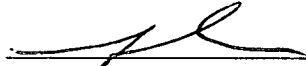
DEPARTMENT	ITEM	DESCRIPTION	FUNDING LEVEL	ACTION
	Reso 333-2018	Cancellation of Unclaimed Warrants that Have Been Drawn and Remained Unclaimed for a Period of Three Years:	B	APPROVED
Human Resources Jacqui Lindsay, Director	Reso 334-2018	Adopting a 2018 Direct Reports Pay Plan for Certain Direct Reports and Department Heads of Yakima County:	B	APPROVED
Purchasing Sue Ownby, Director	Reso 335-2018	Award Bid No. C11806 to Geologic Orion GPS System or Equivalent to Geologic Computer Systems:	C	APPROVED
	Agreement BOCC237-2018	Service Agreement with Pitney Bowes for Postage Machine Supplies, Maintenance and Lease:	B	APPROVED
Sheriff Brian Winter, Sheriff	Agreement BOCC238-2018	Agreement with East Valley School District to Provide a School Resource Officer:	B	TABLED
	Agreement BOCC239-2018	Interagency Grant Agreement with Washington Traffic Safety Commission for Funding Special Purpose Traffic Emphasis Patrols:	B	TABLED

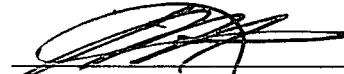
- **REGULAR AGENDA:** Approved as presented.

FUNDING LEVEL: A=No Impact B=Under \$100,000 C= \$100,000- \$500,000 D= Over \$500,000

DEPARTMENT	ITEM	DESCRIPTION	FUNDING LEVEL	ACTION
Corporate Counsel Don Anderson, Chief Civil Deputy Prosecuting Attorney	Agreement BOCC240-2018	Consultant Agreement for Professional Services with Pacific Groundwater Group:	B	APPROVED
	Agreement BOCC241-2018	Consulting Services Agreement for Groundwater and Gas Monitoring at Yakima County Landfills for 2018-2023:	C	APPROVED

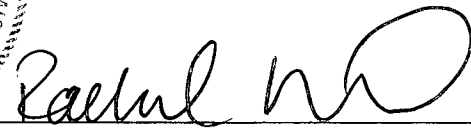
Approved this 16th day of October 2018.


Ron Anderson, Chairman


Michael D. Leita, Commissioner


J. Rand Elliott, Commissioner




Rachel Michael, Clerk of the Board

**BOARD OF YAKIMA COUNTY COMMISSIONERS
PUBLIC HEARING**

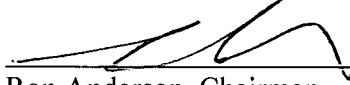
Date: October 9, 2018
Re: **Adopting the Yakima County 2019-2024 Capital Improvement Program**
Time: 2:00 P.M.
Location: City Council Chambers, 129 North Second St, Yakima, Washington
Present: Chairman Ron Anderson
Commissioner Michael D. Leita
Commissioner J. Rand Elliott
Legal Counsel Don Anderson
Clerk of the Board Rachel Michael

Record of Proceedings


David Haws, Environmental Services Director: Good afternoon. I'm David Haws, Yakima County Environmental Services Director and today I'm presenting on adopting the 2019 to 2024 Capital Improvement Program. As background, a capital plan or a capital improvement program is a short-range plan, usually 4-10 years, which identifies capital projects and equipment purchase, provides a planning schedule, identifies options for financing the plan. The proposed 2019-2024 CIP presents Yakima County's proposed investment in capital improvement projects for the coming six years. Projects listed in the CIP are any purchase or construction activity exceeding \$25,000 and having a useful life exceeding five years. The projects include, but are not limited to utilities, surface water, parks, facilities, solid waste, major equipment purchase and community development. This Capital Improvement Plan presents Yakima County's acquisition, new construction, modernization and rehabilitation strategies. So, this document will be used to: 1 - help guide the timing and funding of these projects; 2 - ensure consistency between public investment these projects represent and they adopt policies of the comprehensive plan; and 3 - provide a continuing evolution of the County's capital facilities planning efforts under the Growth Management act; and 4 serve as a six-year financing plan as stipulate in the RCW 36.78.70. The Capital Facilities element in the plan are based on several existing relating master plans. Projects contained in this CIP are consistent with the priorities identified within these plans. These plans include the Horizon 20/40, the advisory team in development of the Horizon 20/40 plan developed long-range Facilities plan, Utilities Systems Plans – Yakima County has been an active utilities service provider over the last 25 years and currently owns and operates 29 water systems with approximately 2,000 hookups and three sewer systems with approximately 200 hookups, Comprehensive Flood Management Plans – county-wide flood control zone district was established in 1998 for planning and implementing flood hazard reduction strategies and the education of the residence of flood protection measures, and Solid Waste Management plans – County Solid Waste Advisory Committee completed the revised Yakima County Solid Waste Management Plan that was adopted in 2017 by the Board of County Commissioners. I am here today to seek any public comment relating to the Yakima County Capital Improvement Program.

Ron Anderson – Is there any comment? Hearing none, please move that to resolution and we will close the hearing. If there is nothing further, we are adjourned.

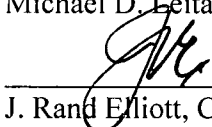
Approved this 16th day of October 2018.



Ron Anderson, Chairman

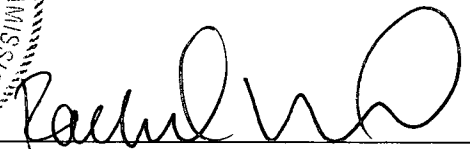


Michael D. Leita, Commissioner



J. Rand Elliott, Commissioner





Rachel Michael, Clerk of the Board

**BOARD OF YAKIMA COUNTY COMMISSIONERS
PUBLIC HEARING**

Date: October 9, 2018
Re: **Downing Rezone of 2.55 Acres from Rural to Remote/Extremely Limited**
Time: 2:00 P.M.
Location: City Council Chambers, 129 North Second St, Yakima, Washington
Present: Chairman Ron Anderson
Commissioner Michael D. Leita
Commissioner J. Rand Elliott
Legal Counsel Don Anderson
Clerk of the Board Rachel Michael

Record of Proceedings

Dinah Reed, Senior Project Planner: Good afternoon. I'm here to present a minor rezone. It's zoned 2018000005 for Shane and Leslie Downing. On May 2nd, 2018, Yakima County Public Services Department Planning Division received a minor rezone application from Shane and Leslie Downing. The application was deemed complete for processing on June 20th, 2018. The application requests an amendment to the official zoning map established by Yakima County United Land Development Code, Title 19 to change the zoning of a 2.55-acre parcel that's currently in the rural 10/5 zoning district to remote/extremely limited development potential. The Yakima County code identifies a proposed rezone as a minor rezone. The Hearing Examiner conducted an open record public hearing on August 16th, 2018 and issued the recommendation of approval on August 30th, 2018. I was just going to do a brief reason justification for this rezone. If approved, the applicant's request will change the Yakima County Zoning Official Zoning Map from rural 10/5 to rural extremely limited development potential. The larger parcels to the West and North of the subject parcel are also with the remote, extremely limited zoning district and other than a house site are vacant grazing lands for elk. Rural 10/5 zoned land is usually suitable for Agriculture, however, in this case, the subject lot has a type 4 stream that is heavily vegetated, which runs North and South, through the middle of the parcel. Type 4 streams have a 25-foot buffer and it would leave less than an acre to West of the stream and only about a half an acre to the East of the stream for either agriculture production or a house site. The parcel does not have access to public water and sewer and is not located in an irrigation district. For these reasons, the parcel is more suited to be within the remote extremely limited protentional zoning district, which limits density to one residential unit per 40 acres. The minor rezone will allow the land owner to apply for a boundary line adjustment with the adjacent parcel where his residence is located, creating a lower density residential parcel for the existing house. There was environmental review that was done on the property. It was issued a threshold determination of non-significance on July 31st, 2018, and we only had one comment during the comment period from the Department of Ecology and it was kind of their basic response about how the property had been historically in agricultural use and has contaminants, possible contaminants in the soils. That's all I have; do you have any questions. The Hearing Examiner recommended approval.

Ron Anderson – Any comment? Thank you, we'll move it to resolution.


Approved this 16th day of October 2018.



Ron Anderson, Chairman

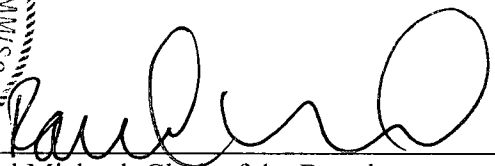


Michael D. Leita, Commissioner



J. Rand Elliott, Commissioner





Rachel Michael, Clerk of the Board