

A G E N D A
WALLA WALLA COUNTY BOARD OF COMMISSIONERS
MONDAY, JUNE 7, 2021

Pursuant to the Governor's proclamation dated March 23, 2020 the Commissioner Meeting will be held via phone and internet. Following is the website to attend and listen to the meeting and the phone number to call to take part in the meeting. Any questions please email us wwcocommissioners@co.walla-walla.wa.us

Call in 1-408-418-9388 access code: 146 784 0290

Meeting link: <https://wwco.webex.com/wwco/j.php?MTID=m6ef6c0710e4eb57be4e10ce0cc827a38>

The agenda will include only necessary action items until further notice.

PLEASE NOTE: All times are tentative and at the discretion of the Chairman with the exception of advertised bid openings and public hearings.

10:00 A.M. COUNTY COMMISSIONERS

Chairman Tompkins

All matters listed within the Consent Agenda have been distributed to each County Commissioner for review and are considered routine. The Consent Agenda will be approved by one motion of the Board of County Commissioners with no separate discussion. If separate discussion is desired on a certain item, that item may be removed from the Consent Agenda at the request of a Commissioner, for action later.

- a) Roll call and establish a quorum
- b) Declarations re: conflict of interest
- c) Pledge of Allegiance
- d) Public comment period (time limitations may be imposed)
- e) Introduction of new county employees (this is scheduled for the first meeting of each month)
- f) **Action Agenda Items:**
 - 1) Review submitted Employee Payroll Action Forms
 - 2) Review vouchers/warrants/electronic payments
- g) **Public Hearing:**
 - 1) To consider amendments to the 2021 Walla Walla County Budget
- h) **Action Agenda Items:**
 - 1) Resolution – Amendments to the 2021 Walla Walla County Budget
- i) **Public Hearing:**
 - 1) To consider declaring certain county property as surplus
- j) **Action Agenda Items:**
 - 1) Resolution – Declaring certain county property as surplus and disposing of same
- k) **Consent Agenda Items:**
 - 1) Resolution - Minutes of County Commissioners' proceedings for May 31 and June 1, 2021
 - 2) Resolution – Cancelling County Commissioners' sessions
 - 3) Resolution – Salary of the County Prosecuting Attorney after July 1, 2021
 - 4) Payroll action and other forms requiring Board approval

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER CANCELLING
COUNTY COMMISSIONERS'
SESSIONS



RESOLUTION NO. **21**

WHEREAS, due to the lack of a quorum on the regularly scheduled, Board meeting days, of July 19 and 20, 2021; and

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners that the regularly scheduled Board meetings on July 19 and 20, 2021 be cancelled.

BE IT FURTHER RESOLVED that the next regular meeting of the Board will be held on July 26, 2021.

Passed this 7th day of **June, 2021** by Board members as follows: Present or Participating via other means, and by the following vote: Aye Nay Abstained Absent.

Attest:

Diane L. Harris, Clerk of the Board

Gregory A. Tompkins, Chairman, District 3

Todd L. Kimball, Commissioner, District 2

Jennifer R. Mayberry, Commissioner, District 1

*Constituting the Board of County Commissioners
of Walla Walla County, Washington*

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

**IN THE MATTER OF THE SALARY
OF THE COUNTY PROSECUTING
ATTORNEY EFFECTIVE JULY 1,
2021 AND JULY 1, 2022**



RESOLUTION NO. 21

WHEREAS, Walla Walla County Resolution 08 153 provided for the salary of the prosecuting attorney to be set pursuant to RCW 36.17.020 as amended by Substitute Senate Bill (SSB) 6297 (Chapter 309, Laws of 2008), changing the amount of the State's contribution to the elected prosecuting attorney salaries and establishing that contribution to be equal to fifty percent of the salary set for a superior court judge; and

WHEREAS, under RCW 36.17.020 (as amended by Chapter 309, Laws of 2008) the State of Washington increased the amount of the State's contribution to the salary of the elected county prosecuting attorney to one-half the annual amount of a Superior Court Judge's salary, and requires the County to continue to contribute to the salary of the elected prosecuting attorney at least the amount contributed in 2008; and

WHEREAS, the Walla Walla County Board of County Commissioners sets the salary of the Walla Walla County Prosecuting Attorney by resolution and establishes the amount the county shall contribute to the prosecuting attorney's salary; and

WHEREAS, pursuant to RCW 2.08.092 the salary set for superior court judges is established by the Washington Citizens' Commission on Salaries for Elected Officials; and is being increased by said Commission as follows:

Effective from July 1, 2021 until June 30, 2022	\$199,675
Effective from July 1, 2022 until updated	\$203,169

hereby making the State's share of the prosecuting attorney's 2021 salary \$99,837.50 (or \$8,319.79 per month) and 2022 salary \$101,584.40 (or \$8,465.37 per month); and

WHEREAS, Walla Walla County established the county's share of the prosecuting attorney's salary to be set at \$60,555 for 2021 (or \$5,046.25 per month) and \$62,311 (or \$5,192.59 per month); now therefore

BE IT RESOLVED by this Board of County Commissioners that effective July 1, 2021, the Prosecuting Attorney's salary shall be \$160,392.50 (or \$13,366.04 per month) and effective July 1, 2022, the Prosecuting Attorney's salary shall be \$163,895.40 (or \$13,657.95 per month).

Passed this 7th day of June, 2021 by Board members as follows: ___ Present or ___ Participating via other means, and by the following vote: ___ Aye ___ Nay ___ Abstained ___ Absent.

Attest:

Diane L. Harris, Clerk of the Board

Gregory A. Tompkins, Chairman, District 3

Todd L. Kimball, Commissioner, District 2

Jennifer R. Mayberry, Commissioner, District 1

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COUNTY COMMISSIONERS (Continued)

l) Action Items:

- 1) County vouchers/warrants/electronic payments as follows: _____ through _____ totaling \$ _____; _____ through _____, totaling \$ _____ (travel)
- 2) Resolution – Authorizing increase to Prosecuting Attorney checking account
- 3) Resolution – Appointment to Walla Walla County Board of Equalization

m) Miscellaneous business to come before the Board

n) Review reports and correspondence; hear committee and meeting reports

o) Review of constituent concerns/possible updates re: past concerns

**10:15 COUNTY COMMISSIONERS acting as the MILL CREEK FLOOD CONTROL ZONE
DISTRICT SUPERVISORS**

- a) Executing a Landowners Agreement with Tri-State Steel Headers for the Salmon Habitat Improvement Activities in the Mill Creek Channel between Otis Street and Division Street

10:20 PUBLIC WORKS DEPARTMENT

Tony Garcia

a) **Action Agenda Items:**

- 1) Resolution – Small works bid award for Seven Mile Road Bank Protection
- 2) Resolution – Small works bid award for Detour Road Project
- 3) Resolution – Adopting the request by Greg and Susan Fazzari for the road vacation of the right of way for Ernst Street

b) **Consent Agenda Items:**

- 1) Resolution – Signing a project prospectus for Middle Waitsburg Road M.P. 6.10 to M.P. 7.92
- 2) Resolution – Signing a project prospectus for the Arch Bridge Project

c) Department update and miscellaneous

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF SIGNING A
PROJECT PROSPECTUS FOR
MIDDLE WAITSBURG ROAD M.P.
6.10 TO M.P. 7.92 PROJECT



RESOLUTION NO. **21**

WHEREAS, Construction Funds are available for the Middle Waitsburg Road M.P. 6.10 to M.P. 7.92 Project; and

WHEREAS, Middle Waitsburg Road M.P. 6.10 to M.P. 7.92 Project qualifies for said funds; and

WHEREAS, a Project Prospectus has been prepared as part of an application for said construction funds to improve Middle Waitsburg Road M.P. 6.10 to M.P. 7.92 Project; and

WHEREAS, Walla Walla County agrees to comply with the regulations, policies and procedures set forth in the Project Prospectus; now therefore

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners that they do hereby enter into said Project Prospectus and the Chair of the Board shall sign same in the name of the Board.

*Passed this 7th day of **June 2021** by Board members as follows: Present or Participating via other means, and by the following vote: Aye Nay Abstained Absent.*

Attest:

Diane L. Harris, Clerk of the Board

Gregory A. Tompkins, Chairman, District 3

Todd L. Kimball, Commissioner, District 2

Jennifer R. Mayberry, Commissioner, District 1

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BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF SIGNING A
PROJECT PROSPECTUS FOR ARCH
BRIDGE PROJECT

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RESOLUTION NO. **21**

WHEREAS, Construction Funds are available for the Arch Bridge Project; and

WHEREAS, Arch Bridge Project qualifies for said funds; and

WHEREAS, a Project Prospectus has been prepared as part of an application for said construction funds to improve Arch Bridge Project; and

WHEREAS, Walla Walla County agrees to comply with the regulations, policies and procedures set forth in the Project Prospectus; now therefore

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners that they do hereby enter into said Project Prospectus and the Chair of the Board shall sign same in the name of the Board.

Passed this 7th day of June 2021 by Board members as follows: ___ Present or ___ Participating via other means, and by the following vote: ___ Aye ___ Nay ___ Abstained ___ Absent.

Attest:

Diane L. Harris, Clerk of the Board

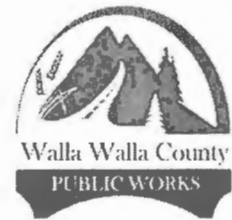
Gregory A. Tompkins, Chairman, District 3

Todd L. Kimball, Commissioner, District 2

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of Walla Walla County, Washington*

**Walla Walla County Public Works
990 Navion Lane
Walla Walla, WA 99362**



To: Board of County Commissioners

From: Tony Garcia Morales, P.E. – Public Works Director/County Engineer

Date: 1 June 2021

Re: Director's Report for the Week of 31 May 2021

Board Action: 7 June 2021

Resolutions:

In the Matter of Signing a Project Prospectus for Middle Waitsburg Road M.P. 6.10 to M.P. 7.92 Project

In the Matter of Signing a Project Prospectus for the Ach Bridge Project

In the Matter of a Small Works Bid Award, Seven Mile Road Bank Protection

In the Matter of a Limited Small Works Bid Award, Detour Road Project

In the Matter of Adopting the Request by Greg and Susan Fazzari for the Road Vacation of the Right of Way for Ernst Street

Miscellaneous:

In the Matter of Executing a Landowner Agreement with Tri-State Steel Headers for the Salmon Habitat Improvement Activities in the Mill Creek Channel between Otis Street and Division Street

ENGINEERING:

- Mill Creek Road MP 1.1 to MP 3.96: Working on right of way.
- Wallula/Gose: Working on plan sheets.
- Lower Waitsburg Road: Working on project design.
- Drumbheller Bridge: Bridge deck will be poured this week. Contractor has begun working on bridge railing.
- Seven Mile Bridge: Working on hydraulics and bridge layout.
- Countywide Guideposts: Preconstruction meeting is scheduled for Monday June 14th.

MAINTENANCE/FLEET MANAGEMENT:

- Chip sealing going smoothly, 19 miles completed as of June 1st.
- Signs and Vegetation performing sign maintenance.
- Garage working on routine maintenance.

ADMINISTRATION:

- Conducted our weekly Staff, Engineering and Road Operations meetings.
- Met with the City of Walla Walla to start the planning and coordination effort to complete joint projects in the Urban Growth Area.
- Attended our monthly Benton Franklin Council of Governments (BFCG) web-based Technical Advisory Committee (TAC) Meeting.
- Had a coordination meeting with the Corps of Engineers to get an update on our Mill Creek GI Study.
- Attended a web-based meeting with the Washington State Association of County Engineers (WSACE) related to COVID-19.

a) Action Agenda Items:

1) Proposal 2021 06-07 CDD Approval from Board for upgrade of permit and case tracking software (TRAKiT)

b) Department update and miscellaneous



Walla Walla County Community Development Department

310 W. Poplar Street, Suite 200, Walla Walla, WA 99362 / 509-524-2610 Main

To: Board of County Commissioners
From: Lauren Prentice, Director
Agenda Date: June 7, 2021
RE: Department Update

Building and Fire Permits

Approximately 60 building permit applications are currently open: this includes those actively under review as well as those on hold pending re-submittals by the applicant, and those under second review.

We have received and approved 9 permits for Fireworks Standards for July 4th.

Miscellaneous and Planning

1. The County Hearing Examiner held a virtual hearing on Tuesday, May 25 for the Villa Del Rio Plat Amendment application (SUB20-011). Awaiting decisions by the Hearing Examiner for this proposal and the Figgins Winery conditional use permit application.
2. Approximately 50 new Code Enforcement complaints were received in May, many for issues in Burbank and Wallula. We continue to get many complaints regarding illegal businesses. We also have received several noise complaints related to open code enforcement cases or businesses with zoning approval, which are redirected to the Sheriff's Office.
3. Completed transition/training during the last two weeks of May to facilitate exit of Administrative Assistant. A few responsibilities transferred to Permit Coordinator and Planning Technician for interim period, majority being picked up by Director.
4. We are in the process of updating TRAKiT planning template documents to streamline decision process for administrative land use permit decisions.
5. We are trying to streamline online permit application process to reduce staff time needed to process online building and fire permit applications through eTRAKiT configuration. We are limited by the older TRAKiT system, but we were able to identify some configuration changes we can make.
6. I am working with our Permit Coordinator to change how we're tracking open building permit applications to reduce workload for Permit Tech staff, automate processes, and ensure that permits do not fall through the cracks.
7. Application period for Department of Ecology Local Solid Waste Financial Assistance (LSWFA) grants has opened; applications due on June 22. This funds some of the County's code enforcement work. There is a MOU in place through 2025 between the County (DCH and CDD) and Walla Walla and College Place for this program.
8. Shoreline Master Program (SMP) Periodic Update is expected to be due in June of 2023. It was originally scheduled to be due in 2022 but due to grant funding period, it is expected that the deadline will be 2023. There should be grant funds available. This will be a project that we need a planning consultant to assist with. The last SMP Periodic Update took more than three years and it was regional effort (the County and all four cities). The process began in 2013 and the County adopted the updated SMP in June of 2016. The SMP was approved by the Department of Ecology in 2018 and went into effect at that time. However, this was the first update that the

County did since original adoption in the 1970's, so the next update will likely be a smaller project.

9. We are in the process of completing final actions required for Burbank zoning amendments. The ordinance is posted on the CDD website and was distributed by regular mail to 130 parties of record. This week we are filing with the Department of Commerce and updating zoning maps and other internal systems.
10. Due to the work in May on the Burbank amendment project, and ongoing permit activity, we did not have a Planning Commission meeting on June 2. I anticipate that we will schedule a Special Meeting for later in June.

a) **Public Hearing:**

- 1) To consider continuation of a one-tenth of one percent sales and use tax for the purposes of providing chemical dependency and mental health treatment and therapeutic court services

b) **Action Agenda Items:**

- 1) Ordinance No. 489 – An ordinance authorizing, fixing, and imposing a continued one-tenth of one percent sales and use tax for the purposes of providing chemical dependency and mental health treatment and therapeutic court services as allowed pursuant to RCW 82.14.460
- 2) Proposal 2021 06-07 DCH Approval to assist Garfield County with mandatory food establishment and safety inspections

c) COVID-19 update and miscellaneous

DRAFT

**BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON**

ORDINANCE NO. 489

AN ORDINANCE AUTHORIZING, FIXING, AND IMPOSING A CONTINUED ONE-TENTH OF ONE PERCENT SALES AND USE TAX FOR THE PURPOSES OF PROVIDING CHEMICAL DEPENDENCY AND MENTAL HEALTH TREATMENT AND THERAPEUTIC COURT SERVICES AS ALLOWED PURSUANT TO RCW 82.14.460.

WHEREAS, pursuant to RCW 82.14.460, a county legislative authority may authorize, fix, and impose a one-tenth of one percent sales and use tax for the purpose of providing for the operation or delivery of chemical dependency or mental health treatment programs and services and for the operation or delivery of therapeutic court programs and services; and

WHEREAS, there is a need for chemical dependency and mental health treatment that exceeds the programs and services that can be provided with other county resources; and

WHEREAS, chemical dependency and mental health treatment programs and services have been shown to be effective in reducing costs to society and increasing the productivity of individuals as members of the community; and

WHEREAS, the public mental health system, funded with state and federal dollars, does not have adequate resources to provide outpatient treatment to non-Medicaid eligible individuals; and

WHEREAS, additionally, the public mental health system does not provide adequate flexibility to provide chemical dependency and mental health treatment and services to meet the unique needs of the citizens of Walla Walla County; and

WHEREAS, in 2011, Walla Walla County enacted Ordinance 398, which, pursuant to RCW 82.14.460, imposed a one-tenth of one percent sales and use tax for the purposes of providing mental health and/or chemical dependency treatment services, as well as therapeutic Court services; and

WHEREAS, Ordinance 398 expired on January 1, 2017; and

WHEREAS, Ordinance 453 continued the imposition of the sales tax, and continued the sales tax to January 1, 2022; and

WHEREAS, the following findings of fact and conclusions of law are hereby made:

DRAFT

Findings of Fact:

1. On May 27, 2021, a Notice of Public Hearing was published in the Walla Walla Union-Bulletin.
2. On June 7, 2021, the Board of County Commissioners held a public hearing regarding extending the tax imposed by Ordinances 398 and 453 and voted to extend the provisions of Ordinances 398 and 453 for an additional five years.

Conclusions of Law:

1. The proposed amendments to Walla Walla County Code Title 3 are necessary to provide effective mental health services in Walla Walla County.
2. The County intends to notify and contract with the Department of Revenue for the collection of the sales and use tax.

WHEREAS, the Board of Walla Walla County Commissioners finds that the imposition of said sales and use tax, said tax rate to equal one-tenth of one percent of the selling price in the case of a sales tax, or value of the article used, in the case of a use tax, for the purposes of providing mental health and/or chemical dependency treatment services and for use by therapeutic courts to be a public benefit; Now Therefore,

BE IT ORDAINED, by the Walla Walla County Board of County Commissioners that Chapter 3.24 is amended as follows:

3.24.120 Expiration date.

This chapter shall expire January 1, ~~2022~~ 2027.

Section 2. Effective Date. This ordinance is effective on January 1, 2022, with the exception that the County shall immediately proceed with contracting with the Department of Revenue.

Section 3. Savings and Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 4. Publication. This ordinance will be published by an approved summary consisting of the title.

Section 5. Expiration. This ordinance and the imposition of its tax shall expire on January 1, 2027.

DRAFT

PASSED by the Walla Walla County Board of County Commissioners in regular session at Walla Walla, Washington, then signed by its membership and attested by its Clerk in authorization of such passage this 7th day of June, 2021.

Attest:

Diane L. Harris, Clerk of the Board

Gregory A. Tompkins Chairman, District 3

Todd L. Kimball, Commissioner, District 2

Jennifer R. Mayberry, Commissioner, District 1

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Approved as to form:

Jesse D. Nolte, Chief Civil Deputy Prosecuting Attorney

11:00 COUNTY SHERIFF

Mark Crider

- a) Department update and miscellaneous

11:15 COUNTY COMMISSIONERS

- a) Miscellaneous or unfinished business to come before the Board

11:30 RECESS

- a) Department update and miscellaneous
- b) **Active Agenda Items:**
 - 1) Possible discussion/decision re: any pending claims against the County
- c) Possible executive session re: qualifications of an applicant for employment and/or review performance of a public employee (pursuant to RCW 42.30.110(g)), collective bargaining negotiations (pursuant to RCW 42.30.140(4)(a)(b)), and/or litigation or pending litigation (pursuant to RCW 42.30.110(i))

1:45 PROSECUTING ATTORNEY

Jim Nagle/Jesse Nolte

- a) Miscellaneous business for the Board
- b) Possible executive session re: litigation or potential litigation (pursuant to RCW 42.30.110(i))

- A D J O U R N -

Walla Walla County is ADA compliant. Please contact TTY: (800) 833-6384 or 7-1-1 or the Commissioners' Office at 509/524-2505 three (3) days in advance if you need any language, hearing, or physical accommodation.

Please note that the agenda is tentative only. The Board may add, delete, or postpone items and may take action on an item not on the agenda.