

A G E N D A
WALLA WALLA COUNTY BOARD OF COMMISSIONERS
MONDAY, AUGUST 11, 2014

(PLEASE NOTE SLIGHTLY EARLIER START TIME THIS DATE)

9:15 COUNTY COMMISSIONERS

Chairman Johnson

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) Review warrant list

The county commissioners will take this time (at 9:15 a.m.) to review the list of warrants for approval under the consent agenda. This review time is open to the public. No other business will be transacted until the regular meeting start time of 9:30 a.m.

RECESS.

9:30 COUNTY COMMISSIONERS

- a) Declarations re: conflict of interest
- b) Pledge of Allegiance
- c) Public comment period (time limitations may be imposed)

PLEASE NOTE: *If you wish to address the Commission, please raise your hand to be recognized by the Chair. When you have been recognized, please step up to the microphone and give your name and address before your comments. The Walla Walla County Commissioners are committed to maintaining a meeting atmosphere of mutual respect and speakers are encouraged to honor this principle. (An individual may request to address the board at a later time on the agenda, if time permits, by contacting the Clerk of the Board at least 24 hours prior to the meeting.) Thank you.*

- d) **Action Agenda Items:**
 - 1) Review submitted Employee Payroll Action Forms
- e) **Consent Agenda Items:**
 - 1) Resolution _____ - Minutes of County Commissioners' sessions of August 4 and 5, 2014

COUNTY COMMISSIONERS (continued)

- e) Consent Agenda Items (continued)**
 - 2) County warrants as follows: 4154865 through 4155074 totaling \$762,342.91; 4036382 through 4036402 totaling \$73,898.10 (payroll draws dated July 15, 2014); 4036522 through 4036593 totaling \$868,970.59 (July payroll); and 4154828 through 4154862 totaling \$869,940.69 (benefits and deductions)
 - 3) Payroll action and other forms requiring Board approval

- f) Miscellaneous business to come before the Board**

- g) Review reports and correspondence; hear committee and meeting reports**

- h) Review of constituent concerns/possible updates re: past concerns**

9:45

JOINT COMMUNITY DEVELOPMENT AGENCY

Tom Glover

- a) Agency update and miscellaneous

10:00

COUNTY COMMISSIONERS

- a) Discussion and possible decision re: Walla Walla County taking lead agency status for the Walla Walla Valley Metropolitan Planning Organization, the entity currently providing transportation planning services for a bi-state area to meet federal requirements

10:15

FACILITIES MAINTENANCE

Tom Byers

- a) Department update and miscellaneous

- a) **Public Hearings:**
 - 1) To consider the vacation of a portion of Thompson Road right of way Page 7
 - 2) To consider the vacation of an abandoned portion of Russell Creek Road right of way Page 8

- a) **Action Agenda Items:**
 - 1) Resolution _____ - Vacation of that portion of Thompson Road right of way situated in Section 25, Township 7 North, Range 38 East, W.M. Pages 9-10
 - 2) Resolution _____ - Vacation of an abandoned portion of Russell Creek Road right of way, situated in Sections 26 and 25, Township 7 North, Range 36 East, W.M. Pages 11-12

- b) Department update and miscellaneous Page 13

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

**IN THE MATTER OF THE
VACATION OF THAT PORTION
OF THOMPSON ROAD RIGHT
OF WAY SITUATED IN
SECTION 25, TOWNSHIP 7
NORTH, RANGE 38 EAST, W.M.**

REPORT OF THE COUNTY ENGINEER

TO THE HONORABLE BOARD OF WALLA WALLA COUNTY COMMISSIONERS

Pursuant to Resolution 14 172 setting a hearing date for the vacation of a portion of Thompson Road right of way, I have examined, along with the County Surveyor, the right of way as described below. In accordance with RCW 36.87, I submit the following report.

ALL OF THAT PORTION OF THOMPSON ROAD RIGHT OF WAY SITUATED IN SECTION 25, TOWNSHIP 7 NORTH, RANGE 38 EAST, W. M., WALLA WALLA COUNTY, WASHINGTON.

USE: The portion of Thompson Road right of way which is hereby proposed for vacation extends approximately 600 feet into the property of the petitioner, Steve Stubblefield, and comes to a dead end. According to Steve, trespassers use this short segment of road to access his property to dump trash or to steal wood. Once vacated it is Steve's plan to gate off this access. He has already posted "No Trespassing" signs.

CONDITION: Primitive dirt road that receives grader maintenance once a year.

OPINION: Said Right of Way is not necessary to the existing County road system and should be vacated.

OTHER FACTS, MATTERS, AND THINGS OF IMPORTANCE:

Upon review, County staff confirms that said Road is not needed by the Public for future development in the area.

RECOMMENDATION:

That said right of way be vacated.

DATED this 4th day of August, 2014

Respectfully submitted,

Randy L. Glaeser, P.E.
Director/County Engineer

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

**IN THE MATTER OF THE
VACATION OF AN
ABANDONED PORTION OF
THE RUSSELL CREEK ROAD
RIGHT OF WAY SITUATED IN
SECTIONS 26 & 35, TOWNSHIP
7 NORTH, RANGE 36 EAST,
W.M.**

REPORT OF THE COUNTY ENGINEER

TO THE HONORABLE BOARD OF WALLA WALLA COUNTY COMMISSIONERS

Pursuant to Resolution 14 171 setting a hearing date for the vacation of a portion of Russell Creek Road right of way, I have examined, along with the County Surveyor, the right of way as described below. In accordance with RCW 36.87, I submit the following report.

A PORTION OF ABANDONED ROAD RIGHT OF WAY SITUATED IN SECTIONS 26, AND 35, TOWNSHIP 7 NORTH, RANGE 36 EAST, W. M., WALLA WALLA COUNTY, WASHINGTON, SAID PORTION BEING DESIGNATED FOR VACATION ON SHEET 1 OF 4, OF THE OFFICIAL RIGHT OF WAY PLANS FOR RUSSELL CREEK ROAD PER CRP 11-02, APPROVED MARCH 27, 2013, ON FILE AT THE PUBLIC WORKS OFFICE OF WALLA WALLA COUNTY.

USE: The portion of Russell Creek Road right of way which is hereby proposed for vacation has been reclaimed as farm ground due to the realignment and construction of a new section of road in a newly acquired right of way per CRP 11-02.

CONDITION: Now part of wheat field.

OPINION: Said Right of Way is not necessary to the existing County road system and should be vacated.

OTHER FACTS, MATTERS, AND THINGS OF IMPORTANCE:

Upon review, County staff confirms that said Road is not needed by the Public for future development in the area.

RECOMMENDATION:

That said right of way be vacated.

DATED this 4th day of August, 2014

Respectfully submitted,

Randy L. Glaeser, P.E.
Director/County Engineer

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

**IN THE MATTER OF THE
VACATION OF THAT
PORTION OF THOMPSON
ROAD RIGHT OF WAY
SITUATED IN SECTION 25,
TOWNSHIP 7 NORTH,
RANGE 38 EAST, W.M.**



FINAL ORDER OF VACATION
RESOLUTION NO.

WHEREAS, Resolution 14-172, proposing the vacation of a portion of Thompson Road right of way situated in Section 25, Township 7 North, Range 38 East, Willamette Meridian, was passed on the 21st day of July, 2014; and

WHEREAS, on the 21st day of July, 2014, the County Engineer was duly directed to examine said county road and make a report in writing; and

WHEREAS, on the 21st day of July, 2014, the Board set the 11th day of August, 2014, for hearing the report of the County Engineer, and the consideration thereof, and that notice of the time and place of said hearing was given by publication and posting as prescribed by law; and

WHEREAS, on the 4th day of August, 2014, the County Engineer filed his written report with the Board as required by law; and

WHEREAS, the report of the County Engineer shows:

- That the County considers said right of way(s) is not necessary to the general road system;
- That the public will be benefitted by its vacation;
- That in his opinion, said right of way(s) should be vacated;

and,

WHEREAS, the Engineer's Report, Affidavit of Posting, and Notice of Publication are on file, and the Board having examined the report of the Engineer, and all other papers on file in the proceedings, heard and considered all testimony and documentary evidence adduced for and against the vacation of said County Road right of way(s), the Board being satisfied that County interest in said right of way(s) will not be necessary as part of a general road system, and that the public will be benefitted by its vacation; now therefore

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners that the portion of Thompson Road right of way, as described on Exhibit "A" attached hereto and by this reference are made a part hereof, be vacated.

Passed this 11th day of **August, 2014** by Board members as follows: Present or Participating via other means, and by the following vote: Aye Nay Abstained Absent.

Attest:

Connie R. Vinti, Clerk of the Board

James K. Johnson, Chairman, District 1

Perry L. Dozier, Commissioner, District 2

Gregory A. Tompkins, Commissioner, District 3

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

EXHIBIT "A"

ALL OF THAT PORTION OF THOMPSON ROAD RIGHT OF WAY SITUATED IN SECTION 25, TOWNSHIP 7 NORTH, RANGE 38 EAST, W. M., WALLA WALLA COUNTY, WASHINGTON.

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF THE
VACATION OF AN
ABANDONED PORTION OF
RUSSELL CREEK ROAD
RIGHT OF WAY, SITUATED
IN SECTIONS 26 & 35,
TOWNSHIP 7 NORTH,
RANGE 36 EAST, W.M.



FINAL ORDER OF VACATION

RESOLUTION NO.

WHEREAS, Resolution 14-171, proposing the vacation of an abandoned portion Russell Creek Road right of way, situated in Sections 26 and 35, Township 7 North, Range 36 East, Willamette Meridian, was passed on the 21st day of July, 2014; and

WHEREAS, on the 21st day of July, 2014, the County Engineer was duly directed to examine said county road and make a report in writing; and

WHEREAS, on the 21st day of July, 2014, the Board set the 11th day of August, 2014, for hearing the report of the County Engineer, and the consideration thereof, and that notice of the time and place of said hearing was given by publication and posting as prescribed by law; and

WHEREAS, on the 4th day of August, 2014, the County Engineer filed his written report with the Board as required by law; and

WHEREAS, the report of the County Engineer shows:

- That the County considers said right of way(s) is not necessary to the general road system;
- That the public will be benefitted by its vacation;
- That in his opinion, said right of way(s) should be vacated;

and,

WHEREAS, the Engineer's Report, Affidavit of Posting, and Notice of Publication are on file, and the Board having examined the report of the Engineer, and all other papers on file in the proceedings, heard and considered all testimony and documentary evidence adduced for and against the vacation of said County Road right of way(s), the Board being satisfied that County interest in said right of way(s) will not be necessary as part of a general road system, and that the public will be benefitted by its vacation; now therefore

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners that the abandoned portion of Russell Creek Road right of way, as described on Exhibit "A" attached hereto and by this reference are made a part hereof, be vacated.

Passed this 11th day of **August, 2014** by Board members as follows: Present or Participating via other means, and by the following vote: Aye Nay Abstained Absent.

Attest:

Connie R. Vinti, Clerk of the Board

James K. Johnson, Chairman, District 1

Perry L. Dozier, Commissioner, District 2

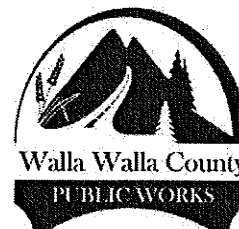
Gregory A. Tompkins, Commissioner, District 3

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

EXHIBIT "A"

A PORTION OF ABANDONED ROAD RIGHT OF WAY SITUATED IN SECTIONS 26, AND 35, TOWNSHIP 7 NORTH, RANGE 36 EAST, W. M., WALLA WALLA COUNTY, WASHINGTON, SAID PORTION BEING DESIGNATED FOR VACATION ON SHEET 1 OF 4, OF THE OFFICIAL RIGHT OF WAY PLANS FOR RUSSELL CREEK ROAD PER CRP 11-02, APPROVED MARCH 27, 2013, ON FILE AT THE PUBLIC WORKS OFFICE OF WALLA WALLA COUNTY.

**Walla Walla County Public Works
PO Box 813
Walla Walla, WA 99362**



To: Board of County Commissioners

From: Randy Glaeser, Public Works Director

Date: 7 August 2014

Re: Director's Report for the Week of 4 August 2014

Board Action: 11 August 2014

Hearings:

In the Matter of a Road Vacation Request by the Public Works Department of Walla Walla County for the Vacation of an Abandoned Portion of Russell Creek Road

In the Matter of a Road Vacation Request by Stephen Stubblefield for the Vacation of that Portion of Thompson Road Right of Way

Resolutions:

In the Matter of Adopting a Road Vacation Request by the Public Works Department of Walla Walla County for the Vacation of an Abandoned Portion of Russell Creek Road

In the Matter of Adopting a Road Vacation Request by Stephen Stubblefield for the Vacation of that Portion of Thompson Road Right of Way

ENGINEERING:

- Mill Creek Forest Highways Project: Continuing design.
- Taumarson Road: 90% plans were sent to Department of Ecology. Awaiting Railroad deed.
- Pettybone Bridge: Low bid of \$954,954.95 submitted by Apollo, Inc. was awarded on 4 August. First working day is 19 August.
- Bussell Road: Alignment finalized. Working on ROW.

MAINTENANCE:

- Area 10 scrubbing essentially complete with exception of haul-route-agreement sites.
- Met with John Nordheim on Biscuit Ridge Road to review road complaint.
- Crews conducting routine maintenance.

ADMINISTRATION:

- Conducted monthly Foremen's meeting.

10:45

PROSECUTING ATTORNEY

Jim Nagle/Jesse Nolte

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

- a) Department update and miscellaneous
- b) **Active Agenda Items:**
 - 1) Possible discussion/decision re: any pending claims against the County
- c) **Action Agenda Items:**
 - 1) Proposal 2014 08-11 PRM Page 16
Acceptance of settlement
agreement claim for damages
(Mercado)
- d) Possible executive session re: personnel
(pursuant to RCW 42.30.110(g)),
collective bargaining negotiations
(pursuant to RCW 42.30.140(4)(b)),
and/or litigation or pending or potential
litigation (pursuant to RCW 42.30.110(i))



MEMO

Date: 8/5/14

Proposal ID#: 2014 08-11 PRM

To: BOCC

From: Lucy Schwallie, Personnel/ Risk Management

Action Item: Darin Mercado, Claim

Summary

This claim results from the arrest of Darin W. Mercado on July 6, 2012.

Background

Walla Walla County's insurance carrier, the Washington Counties Risk Pool, has settled a claim made against the County by Darin W. Mercado for \$50,000. WCRP's decision to settle the claim is based on numerous financial considerations, including the high costs of litigation, and does not reflect any admission of liability or wrongdoing on behalf of Walla Walla County or the Walla Walla County Sheriff's Office for any of the allegations contained in Mr. Mercado's claim.

Cost

The County's financial responsibility for the attorney's fees and claim costs will remain under its \$50,000 WCRP deductible.

Funding: Risk Management Fund

Conclusion/Recommendation: It is recommended that the WCRP settlement be accepted by the County.

Submitted By:

Disposition

Name

Department

Accepted

Lucy Schwallie

Personnel/Risk Mgmt.

Not Accepted

BOCC Chairman: _____

Date: _____

11:15 COUNTY COMMISSIONERS

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

12:00 Recess

1:30 COUNTY COMMISSIONERS

- a) Commissioners will meet informally with representatives of the Washington Counties Risk Pool (WCRP), of which Walla Walla County is a member

- 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.