

**A G E N D A**  
**WALLA WALLA COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, JANUARY 25, 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](mailto: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 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) **Action Agenda Items:**
  - 1) Review submitted Employee Payroll Action Forms
  - 2) Review vouchers/warrants/electronic payments
- f) **Consent Agenda Items:**
  - 1) Resolution - Minutes of County Commissioners' proceedings for January 19 and 20, 2021
  - 2) Resolution – Awarding contracts for Indigent Legal Services for 2021
  - 3) Payroll action and other forms requiring Board approval
- g) **Action Items:**
  - 1) County vouchers/warrants/electronic payments as follows: 4226440 through 4226574 totaling \$355,827.42; 4226575 through 4226576 totaling \$147,558.71 (ER&R)
- h) Miscellaneous business to come before the Board
- i) Review reports and correspondence; hear committee and meeting reports
- j) Review of constituent concerns/possible updates re: past concerns

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

**IN THE MATTER OF AWARDING  
CONTRACTS FOR INDIGENT  
LEGAL SERVICES FOR 2021**

**RESOLUTION NO. 21**

**WHEREAS**, Walla Walla County is required to provide legal representation for indigent citizens when so determined by the Courts of Jurisdiction on all matters related to District Court criminal matters and Superior Court criminal matters, dependency hearings, mental health hearings, and other such matters before the Courts; and

**WHEREAS**, it is the opinion of this Board of Walla Walla County Commissioners that said legal services can best be provided for indigent persons by entering into individual contracts with certain attorneys who will accept a percentage of the appointments for felony and other cases pursuant to the conditions set forth in the contract; now therefore

**BE IT HEREBY RESOLVED** by this Board of Walla Walla County Commissioners that they do hereby approve and shall sign the contracts between Walla Walla County and the following named attorneys to provide legal services as outlined in the contracts: Cortez Law Office, John Hartzell, Holce Law Office, Bridie Monahan Hood, Lewellyn Law Office (Jamie Harper), Robin L. Olson, Bryan Ponti and Julie Carlson Straube.

**BE IT FURTHER RESOLVED** that the contract period shall be for year 2021.

Passed this 25<sup>th</sup> day of January, 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

a) **Consent Agenda Items:**

- 1) Resolution – Signing the Annual Road Levy Certification to the County Road Administration Board

b) Department update and miscellaneous

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

IN THE MATTER OF ANNUAL  
ROAD LEVY CERTIFICATION  
TO COUNTY ROAD  
ADMINISTRATION BOARD

}

RESOLUTION NO. **21**

**WHEREAS**, certain reporting forms are required to be submitted to the County Road Administration Board in order to maintain Walla Walla County's Certificate of Good Practice and eligibility for grants and state revenue; now therefore

**BE IT HEREBY RESOLVED** by this Board of Walla Walla County Commissioners that the Chair be authorized to sign the County Road Administration Board's Road Levy Certification for Calendar Year 2021.

Passed this 25<sup>th</sup> day of January, 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

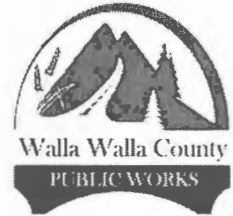
\_\_\_\_\_  
Gregory A. Tompkins, Chairman, District 3

\_\_\_\_\_  
Todd L. Kimball, Commissioner, District 2

\_\_\_\_\_  
Jennifer R. Mayberry, Commissioner, District 1

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

**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: 19 January 2021

Re: Director's Report for the Week of 18 January 2021

**Board Action: 25 January 2021**

**Resolutions:**

**In the Matter of Signing the Annual Road Levy Certification for County Road Administration Board.**

**ENGINEERING:**

- Wallula Ave./Gose Street Roundabout: Working on project design.
- Mill Creek Road MP 1.1 to MP 3.96: Working on right of way acquisition.
- Middle Waitsburg Road MP 6.1 to MP 7.92: Working on right of way acquisition.
- Arch Bridge: Consultant is working on hydraulics for the bridge.
- Drumheller Bridge: Working on project specifications.

**MAINTENANCE/FLEET MANAGEMENT:**

- Crews working on routine maintenance.
- Ready to respond to inclement weather as needed.
- Garage working on routine maintenance.
- Preparing bid documents for chip rock and emulsified asphalt.
- Finalizing the specifications for all 2021 equipment and vehicle purchases.

**ADMINISTRATION:**

- Conducting reference checks on candidates for our Mechanic and Maintenance Tech I open positions.
- Conducted our end of the year Finance and Budget reviews.
- Attended our monthly Metropolitan Planning Organization (MPO) Technical Advisory Committee (TAC) meeting.
- Attended a Leadership/Management webinar.
- Attended a Stakeholder Briefing by the State House Transportation Committee with the Washington State Association of County Engineers (WSACE).
- Met with Tech Services Director to continue to discuss the merger of our IT.
- Met with Commissioner Mayberry to discuss Public Works in general.
- Two staff members continue to assist the Community Health Department with Contact Tracing/Case Tracking.

a) **Action Agenda Items:**

- 1) Proposal 2021 01-25 TSD-1 OnBase Document Manager Software for District Court
- 2) Proposal 2021 01-25 TSD-2 Requesting authority to dispose of certain outdated, non-function, unsupported or surplus IT equipment
- 3) Resolution – Setting date of public hearing to consider declaring certain county property as surplus

b) Department update and miscellaneous



**WALLA WALLA COUNTY**  
**Technology Services Department**

Chad R Goodhue | Technology Services Director |

315 W. Main Street, Rm 101 - Walla Walla, Washington 99362  
(509) 524-2590  
cgoodhue@co.walla-walla.wa.us

File: GS50-06F-03

Retain: Until Obsolete or Superseded – PAV

January 25<sup>th</sup>, 2021

To: **Walla Walla County Board of Commissioners**

Re: Technology Services Update

**Issues/Information for the Board.**

- List of current projects:

o EMC/DELL SAN – Scheduled for the week of the 25 <sup>th</sup> of January
o Palo Alto Firewall – We are currently migrating our current firewall – Complete
o Anyconnect VPN will stay active until we can get Palo Alto's Global Protect installed on County laptops
o Internet upgrade – Courthouse is scheduled to go from 100 to 500 meg - Complete
o Edge Switch Rollout – 90% complete
o Cisco Room Kits – District Court, Com Dev, EMD, Elections, PW – Works orders with facilities have been placed
o ESRI Server – Complete
o Caroline is now working on integrating our current disparate data sets into our new GIS, she has also begun deploying new tools for GIS to County offices
o Card Access – Card access is ongoing and a joint venture between facilities, WWE and Tech Services –
o OnBase for DC – Proposal TSD 01-25-21
o County Copier Replacement – TOC has been in contact with many of the County Departments discovering exactly how many prints per month, what type of machine and if any accessories are necessary. When complete we will compare pricing of lease vs. purchase
o PW Move – We have established the 1gb connection between PW and the Courthouse
o After the firewall and SAN upgrades we will begin migrating PW phones back into the courthouse phone system
o We are also working on a user migration plan which will include their Office 365 email accounts, Servers and file services
o Sysaid uplift for facilities – Provide online ticketing access for facilities

- Since the beginning of 2021 Tech Services a massive increase in work orders, several revolve around remote connectivity while working from home however an equal number are simply more need for technical services ranging from printing issues, software issues to new or changing configurations.

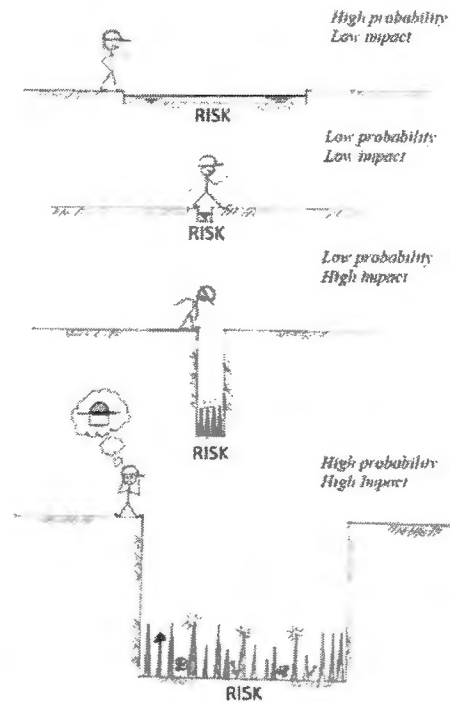
### **Components (Main infrastructure)**

#### **Security – Continues to be our #1 Security Concern**

- Phishing and County awareness
  - Still working with Knowbe4 to get a copy of the NASPO contract for Jesse to review
  - The latest round of phishing (1-20-21) caught 20 users which is roughly 6% of the total staff

#### **Hardware**

- Roughly 90% of the laptops have been deployed
- We still have all new laptops to deploy to PW
- We need a public hearing on the 8<sup>th</sup> for surplus equipment.



### **Other Projects**

- **OnBase**
  - Scopes of Work and Contracts are under review for District Court
  - Proposal 2021 01-25 TSD-1 has been submitted to move forward with Onbase for District Court
- **Contracts**
  - OnBase – District Court
  - Knowbe4
  - Copier Quotes
- **Inventory**
  - With the record number of devices coming into the County we are very busy making sure everything is tagged before deployment as well as ensuring that disposed of items are sent to surplus
- **Public Record Requests Last 2 Weeks**
  - 3 = Requests received
  - 2 = Forwarded to departments
  - 8 = Completed
  - 1 = Pending review
  - 0 = Pending Closure
  - 1 = Litigation hold
  - 0 = Pending 3<sup>rd</sup> party notice
  - 15 = Open
  - YTD = 15
  - LYTD = 7

Some of these are waiting for legal review or guidance, or response by other departments
- **Service Desk Issues Last 2 Weeks**
  - 249 = Requests received since January 4th
  - 108 = Open
  - 141 = Closed



-----  
**Definitions**

**DMS – Document Management System (OnBase)**

**OCIO = Office of the Chief Information Officer**

**DAN - Disposition Authority Numbers (Secretary of State retention schedule)**

**JLARC=Joint Legislative Audit and Review Committee**

**ACCIS =Association of County, City Information Systems (managers)**

**API = Application Program Interface**

**CJIS = Criminal Justice System Information Systems**

**PRO=Public Records Officer**

**NDA=Non-disclosure agreement**

**EOL=End of Life**

**WiFi=Wireless network connectivity (Wireless Fidelity)**

**FTP = File Transfer Protocol (file transfer server)**

**ADA=Americans with Disabilities Act**

**DOMAIN = A group of computers administered or managed with the same rules and policies and with a common IP range.**

**IP address = Internet protocol address. A unique string of numbers assigned to each computer to allow communications over network or domain.**

a) **Action Agenda Items:**

- 1) Resolution – Approving service agreement #21-05 between Walla Walla County and Children's Home Society of Washington
- 2) Resolution – Approving Amendment No. 5 to the State of Washington Department of Corrections Contract No. K9417

b) Department update and miscellaneous

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

IN THE MATTER OF APPROVING  
SERVICE AGREEMENT #21-05  
BETWEEN WALLA WALLA  
COUNTY AND CHILDREN'S  
HOME SOCIETY OF  
WASHINGTON

**RESOLUTION NO. 21**

**WHEREAS**, RCW Chapter 30.34 authorizes local governmental units to enter into agreements; and

**WHEREAS**, the Walla Walla County Juvenile Justice Center wishes to enter into an agreement with Children's Home Society of Washington to provide behavioral health treatment services for at-risk youth; and

**WHEREAS**, the County Prosecuting Attorney and Risk Manager have reviewed said agreement; now therefore

**BE IT HEREBY RESOLVED** by this Board of Walla Walla County Commissioners that they do hereby approve said agreement, and authorize County Director of Corrections, Norrie Gregoire, to sign the same.

*Passed this 25th day of January, 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*

**Service Agreement #21-05**  
between  
**WALLA WALLA COUNTY**  
and

**CHILDREN'S HOME SOCIETY OF WASHINGTON**

The Agreement is entered into by and between Walla Walla County hereinafter "County," and Children's Home Society of Washington, hereinafter "Contractor," for services relative to Behavioral Health Services as outlined in the attached Statement of Work. The rights and obligations of both parties are governed by the General Terms and Conditions, and the following Exhibits, copies of which are attached hereto and incorporated herein by this reference as fully as if set forth herein:

Exhibit A – Statement of Work  
Exhibit B – Budget  
Exhibit C – Contractor Certification Form

**Performance Period:** The terms of this Agreement shall commence on January 1, 2021 and shall, unless terminated or renewed as provided elsewhere in the Agreement, terminate on December 31, 2021.

**Compensation:** Payment to Contractor for services rendered under this Agreement shall be as set forth in Exhibit B – Budget. The amount of payment for the performance period of this Agreement shall not exceed \$84,050.

By their signatures below, the parties agree to the terms and conditions of this Agreement and all documents incorporated by reference. The parties signing below certify that they are authorized to sign this Agreement.

**IN WITNESS WHEREOF, the parties hereto have signed this Agreement.**

**COUNTY:**

**CONTRACTOR:**

\_\_\_\_\_  
Norris Gregoire  
Director of Corrections  
Walla Walla County

\_\_\_\_\_  
Date

P.O. Box 1754  
Walla Walla, WA 99362  
Phone: (509) 524-2822 Fax: (509) 524-2836

\_\_\_\_\_  
Telephone Number / Email Address: (509) 529-2130/meagana@chs-wa.org

\_\_\_\_\_  
Mailing Address (Street address required in addition to PO Box.):

\_\_\_\_\_  
Authorized By \_\_\_\_\_ Date

David Newell, President/CEO

\_\_\_\_\_  
Print Name & Title of Person Signing

\_\_\_\_\_  
Seattle, WA 98115

Social Security or Business Tax ID#: 91-0575955

CFDA# (if applicable): \_\_\_\_\_

\_\_\_\_\_  
UBI#: 600 112 054

\_\_\_\_\_  
State Industrial Account ID # (if applicable):

**Exhibit B  
BUDGET**

---

Agency Name:	Children's Home Society		
Agreement Number:	21-05	Contract Period:	01/01/2021-12/31/2021

---

Line Item/Description	2021 Award
Salary and Benefits	\$ 72,147.70
Administrative Costs	\$ 11,902.30
TOTAL:	\$ 84,050.00

Funded By: 0.1% Treatment Tax Funds

Allowable Expenditures:

- Salary and Benefits: Mental Health Counselor providing direct behavioral health therapy or services at Juvenile Justice Center.
- Administrative Costs: Established administrative rate of 16.5% of the Mental Health Counselor direct services.

**Exhibit A**  
**STATEMENT OF WORK**

---

Agency Name: Children's Home Society

Agreement Number: 21-05 Contract Period: 01/01/2021-12/31/2021

---

**1. Program**

- 1.1. Agency will provide behavioral health treatment services for at-risk youth and their families and care givers referred by the Walla Walla County Department of Court Services.
- 1.2. The Clinical Specialist will provide mental health assessments, individual, group, and family counseling for youth detained at JJC using the Trauma Focused Cognitive Behavioral Therapy Model. The Clinical Specialist will offer up to six (6) months of follow up once youth is released from JJC.
- 1.3. Youth in treatment should show improved clinical and functional status and improved peer relationships measured by one of the following: Child and Adolescent Trauma Screen (CATS) and Screen for the Child Anxiety Related Disorders (SCARED) Moods and Feelings Questionnaire (MFQ).
- 1.4. The overall target outcome for youth served in JJC will be defined as: One year following discharge from treatment, youth have not been referred for subsequent juvenile offenses.

**2. Evaluation**

- 2.1. Agency will provide a Monthly Service Report (Exhibit F) to County Health Advisory Board by the 10<sup>th</sup> working day of the month following the provision of services.
- 2.2. Agency will comply with monitoring and reporting requirements, which may include, at minimum, on-site visits, monthly budget and progress reports, file and data review.

**3. Performance Outcome**

- 3.1. Agency will demonstrate the capacity for full implementation of services in a timely manner.
- 3.2. Evaluation of contract and financial performance will be conducted in July 2021.
  - 3.2.1. Expenditures through June 31, 2021 will be reviewed by the County
  - 3.2.2. If expenditures have been less than forty percent (40%) of the contract allocation
    - 3.2.2.1. The Community Health Advisory Board will review under expenditure and determine reallocation of funds
    - 3.2.2.2. Contract amendments will be issued to reduce funding for the second year of the service agreement at the recommendation of the Community Health Advisory Board

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

IN THE MATTER OF APPROVING  
AMENDMENT NO. 5 TO THE  
STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS  
CONTRACT NO. K9417

}

**RESOLUTION NO. 21**

**WHEREAS**, the State of Washington, Department of Corrections, has offered Amendment No. 5 to Walla Walla County Corrections to extend the period of performance and amend the base rate for adult Department of Corrections offenders; and

**WHEREAS**, the Amendment is for the period January 1, 2021, through June 30, 2022; and

**WHEREAS**, the Walla Walla County Director of Corrections has reviewed said Amendment and recommends approval; and

**WHEREAS**, said Amendment was submitted to the County Prosecuting Attorney's office and Risk Manager for review; now therefore

**BE IT HEREBY RESOLVED** by this Board of Walla Walla County Commissioners that they do hereby approve and shall sign said Amendment No.5 to Contract No. K9417.

*Passed this 25th day of January, 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*



State of Washington  
Department of Corrections

Contract No. K9417  
Amendment No. 5

This Amendment is made by the Washington State Department of Corrections, hereinafter referred to as "Department," and the Walla Walla County, hereinafter referred to as "County" or "Contractor," for the purpose of amending the above-referenced Contract, heretofore entered into between the Department and Contractor.

WHEREAS the purpose of this Amendment is to extend the term of the Agreement, increase the per diem rate of compensation, and update other terms and conditions;

NOW THEREFORE, in consideration of the terms and conditions contained herein, or attached and incorporated and made a part hereof, the Department and Contractor agree as follows:

ARTICLE I, DEFINITIONS is hereby replaced in its entirety with the following:

**Section 1.1** Contractor – means Walla Walla County and its employees, licensed practitioners, contractors, vendors, and volunteers.

**Section 1.2** Contractor inmate – means any resident of the Facility who is not a Department offender.

**Section 1.3** Department or DOC – means the Department of Corrections of the state of Washington, any division, section, office, unit or other entity of the Department, or any of the officers or other officials lawfully representing the Department.

**Section 1.4** Department offender – means any offender under the Department's jurisdiction.

**Section 1.5** DOC Utilization Management Office – means the Department's medical contact that receives, reviews, and approves Contractor's non-Formulary and extraordinary medical care requests to provide necessary medical care to Department offenders. The Nurse Desk is available telephonically 24 hours a day, 7 days a week at 360-725-8733 and during normal business hours via email at [NurseDesk@DOC1.wa.gov](mailto:NurseDesk@DOC1.wa.gov).

**Section 1.6** Extraordinary medical care – means medically necessary medical, psychiatric or dental care that is not commonly available through the Facility's health services and incurs additional cost. This may include, but not limited to, extraordinary medications such as immunosuppressive drugs, and hepatitis C treatment and antiretroviral medications.

**Section 1.7** Facility – means the Contractor's non-Department operated correctional facility used for the total confinement of Department offenders and Contractor inmates.



**Section 1.8** Formulary – Medications in this category may be prescribed when medically necessary according to the Offender Health Plan (OPH) and require no further approval for use. The DOC Pharmaceutical Management and Formulary Manual can be viewed at: <http://doc.wa.gov/business/healthcareproviders/default.asp>

**Section 1.9** In-Facility care – means medical, mental health and dental care provided as part of the per diem to include all over-the-counter medication, which is any medication that does not require a prescription, and routine medical supplies, routine medical/psychiatric/dental care, regular health screenings, and emergent medical treatment provided on-site at the Facility that is undistinguishable from services provided to Contractor inmates.

**Section 1.10** Licensed practitioner - means any licensed health care practitioner performing services within the person's authorized scope of practice following [RCW Title 18](#).

**Section 1.11** Medicaid – means [Title XIX of the Social Security Act](#) enacted by the social security amendments of 1965 (42 U.S.C. Sec. 1396; 79 Stat. 343), as amended.

**Section 1.12** Medically necessary care – means medical care that meets one or more of the following criteria for a given patient at a given time:

**Section 1.12.1** Is essential to life or preservation of limb, OR

**Section 1.12.2** Reduces intractable pain, OR

**Section 1.12.3** Prevents significant deterioration of activities of daily living (ADLs), OR

**Section 1.12.4** Is of proven value to significantly reduce the risk of one of the three outcomes above (e.g. certain immunizations), OR

**Section 1.12.5** Immediate intervention is not medically necessary, but delay of care would make future care or intervention for intractable pain or preservation of ADLs significantly more dangerous, complicated, or significantly less likely to succeed, OR

**Section 1.12.6** Reduces severe psychiatric symptoms to a degree that permits engagement in programming that advances correctional interests, OR

**Section 1.12.7** Is described as part of a Departmental policy or health care protocol or guideline and delivered according to such policy, protocol, or guideline, OR

**Section 1.12.8** From a public health perspective, is necessary for the health and safety of a community of individuals and is medically appropriate, but may not be medically necessary for the individual (for example, treatment for head lice);

**Section 1.12.9** Not considered experimental or to be lacking in medically recognized professional documentation of efficacy; and,

**Section 1.12.10** Not administered solely for the convenience of the offender or the health care provider.

**Section 1.13** **Offender day** – means any day a Department offender is in the custody of the Contractor including the first day the offender is sanctioned or held by the Department to a term of confinement to be served in the Facility.

**Section 1.13.1** An offender day ends at midnight of the day immediately preceding the day of the offender's release from the Department's sanction, transferred to a Department institution, transferred to another Facility, released to the custody of the Department, or released to the community.

**Section 1.13.2** An offender day shall not include any day that is by state law the financial responsibility of the Contractor or any other jurisdiction.

**Section 1.14** **Offender Health Plan** – means the Department's Offender Health Plan (OHP) that describes the medically necessary medical, mental health, and dental services available to Department offenders, as well as the services that are limited or not available. The OHP is not a contract or a guarantee of services to Department offenders.

**Section 1.15** **Per diem rate** – means the amount per day per Department offender that the Contractor will be reimbursed by the Department for all in-Facility care, including but not limited to all medical, mental health, dental, food, clothing and housing which are the same or similar that is provided to Contractor inmates.

**Section 1.16** **Secretary** – means the Secretary of the Department and delegates authorized in writing to act on the Secretary's behalf.

**ARTICLE II, SECTION 2.1 TERM** is hereby amended, in part, as follows:

**Section 2.1** **Term.** This Agreement supersedes all previous oral and written contracts and agreements between the parties relating to the confinement, care, and treatment of Department offenders. This Contract commences on January 1, 2016 and continues through ~~((December 31, 2020))~~ June 30, 2022, unless terminated by either party pursuant to this Contract.

**ARTICLE II, SECTION 2.4 PER DIEM BILLING** is hereby amended, in part, as follows:

**Section 2.4** **Per Diem Billing.** The per diem rate is \$71.07 per Department offender through December 31, 2016; effective January 1, 2017, the per diem rate will be \$73.20 through December 31, 2017 and effective January 1, 2018 the per diem rate will be \$75.40 through December 31, 2018. Beginning January 1, 2019 the per diem rate will be \$77.66 through December 31, 2019; beginning January 1, 2020, the per diem rate will be \$79.99 through December 31, 2020. Beginning January 1, 2021 through June 30, 2022, the per diem rate is \$83.99 per Department offender. The Contractor agrees to only bill the Department

monthly for the actual bed days used by Department offenders in the preceding month. The Contractor also agrees that it will not bill the Department for any bed day that is the financial responsibility of any other jurisdiction, and that it will submit monthly itemized bills to the Department in an electronic spreadsheet format that includes the offender's name, DOC number, date of birth, and dates the offender was held by the Contractor under the Department's authority. If applicable, the Contractor agrees to identify in the monthly bill, any beds that are being counted toward the day-for-day exchange for any Contractor boarder being held by the Department in a Department institution.

**ARTICLE III, SECTION 3.5 RETURN OF DEPARTMENT OFFENDER TO THE COMMUNITY** is hereby replaced in its entirety with the following:

**Section 3.5     Return of Department Offender to the Community.** The Contractor agrees to complete a national "Wants and Warrants" check and to notify the Department and any interested jurisdiction of the Department offender's pending release. The notification shall occur at least seven business days and not later than 24 hours prior to a Department offender's release to the community due to the Department offender's completion of a sanction or sentence. The Department offender may be released directly from the Facility when the Department takes custody of the offender, when the Department's sanction has been served, or when the Department's hold or detainer is no longer valid, whichever is earliest.

**ARTICLE III, SECTION 3.6 JURISDICTION** is hereby replaced in its entirety with the following:

**Section 3.6     Jurisdiction.** Department offenders placed in the Contractor's custody are under the Department's jurisdiction, however upon the Department offender's placement at the Facility, the Department authorizes the Contractor to assume custody. The Department agrees to provide the Contractor with documentation of the Contractor's authority to detain the offender. **The Contractor agrees to immediately notify the Department of all non-Department holds if and when non-Department holds are placed on Department offenders or when non-Department holds are closed or removed from Department offenders as detailed in Attachment A.**

**Section 3.6.1**     The Contractor agrees to not transfer or transport any Department offender held by the Department or serving a Department sanction for a term of confinement until the Department takes custody of the offender, the Department's sanction has been served, or the Department's hold or detainer is no longer valid, whichever is earliest.

**Section 3.6.2**     Department offenders detained in the Facility shall only be transferred to another confinement facility or Department institution after authorization is obtained from the Violator Desk, the after-business Duty Officer, or the Contract Coordinator as detailed in Attachment A.

ARTICLE III, SECTION 3.8 MEDICAL CARE is hereby replaced in its entirety with the following:

**Section 3.8     Medical Care.** It is the intent of the parties that Department offenders in the Contractor's custody receive safe, appropriate and cost-effective medical care consistent with the Department's [Offender Health Plan](#) and **Attachment B**.

**Section 3.8.1     Contractor Responsibilities.**

**3.8.1.1** The Contractor agrees to provide Department offenders in the Facility care identical to the care provided to Contractor inmates. The Contractor agrees to provide Department offenders twenty-four (24) hour access to emergency medical care. The Contractor agrees to provide the most cost-effective, medically appropriate method of transportation and security for all Department offenders taken out of the Facility, to in-county emergent and non-emergent medical appointments. The Contractor may require Department Offenders to pay co-pay fees for medications.

**3.8.1.2** The Contractor agrees to follow the Department's pre-authorization procedure through the Department's Utilization Management Office for all extraordinary medically necessary care provided to Department offenders beyond what is normally provided to Contractor's inmates.

**3.8.1.3** **ONLY the Department's Nurse Desk can authorize the transfer of a Department offender from the Facility for medical reasons.**

**3.8.1.4** In an emergency, when pre-authorization is not feasible, the Contractor agrees to notify the Department, as soon as possible, but not later than four hours after transporting a Department offender to the nearest emergency room or other medical facility and before any hospital admission.

**3.8.1.5** Following the OHP and consistent with RCW 70.48.130(2), the Department does not consider experimental or elective procedures to be medically necessary. The Department will not reimburse for elective or experimental medical procedures. The Department will not be responsible for the payment of or for medical care required as a result of any tort committed by the Contractor, or its employees, or by its agents, contractors, vendors, or volunteers in the course of their providing services to Department offenders, or for care which could have foreseeably been prevented.

**3.8.1.6** The Contractor agrees to be financially responsible for all unauthorized health care provided to Department offenders.

**3.8.1.7** The Contractor agrees to be financially responsible for any medical costs incurred due to the negligent action or inaction of Contractor's employees.

### **Section 3.8.2 Department Responsibilities.**

**3.8.2.1** The Department agrees to be financially responsible for pre-authorized extraordinary medical care provided by the Contractor to Department offenders that is consistent with this Contract, the OHP and the Department's prescription formulary.

**3.8.2.2** If the Department offender is under the exclusive jurisdiction of the Department, then the Department may authorize medically necessary care. However, if it is later determined that another jurisdiction(s) or entity is financially responsible; then the Department may not pay for part or all of the costs associated with the medically necessary care.

**3.8.2.3** The Department agrees to reimburse the Contractor for emergency medical costs incurred by a Department offender under the conditions of this Contract. Emergency medical care costs may include a facility fee, physician services, labs and x-rays. The Department is not obligated to reimburse the Contractor for medical care or treatment provided to a Department offender without the Department's pre-authorization in non-emergency situations, or without the required notification as specified by paragraph 3.8.1.4 in emergency situations.

**3.8.2.4** The Department may, at its option, request the return of a Department offender for medical reasons. The Department's medical financial responsibilities under this Contract terminate when the Department takes custody of the offender, when the Department's sanction has been served, or when the Department's hold or detainer is no longer valid, whichever is earliest.

**3.8.2.5** The Department at its sole discretion may provide Department offenders prescription medications or, reimburse the Contractor for prescription medications it provides as long as the Contractor provided prescription medications are consistent with the [Offender Health Plan](#) and the [Formulary](#). Consistent with the medication continuation practice at DOC Reception Centers, DOC Contracted Violator Facilities are authorized to receive reimbursement for Non-formulary or Restricted Formulary prescriptions for up to thirty (30) days for general medical medications and sixty (60) days for mental health medications provided to patients returning to custody due to a violation. However, the Department still encourages Contracted Violator Facilities to use Formulary medications whenever possible. Over-the-counter (OTC) medications and/or medical supplies are not reimbursable items.

For any single prescription that is expected to exceed \$2500.00 per month, notification to the Department's Utilization Management Office (Nurse Desk) is required. Any questions related to medication reimbursement may be directed to the Nurse Desk. See Attachment B.



### **Section 3.8.3    Safe Transfer of Care.**

**3.8.3.1 HIPAA** – Both parties agree to follow [the Health Insurance Portability and Accountability Act of 1996 \(HIPAA\)](#). HIPPA protects the privacy of individually identifiable protected health information. It allows the exchange of this information between the Department and the Contractor for the purpose of billing and payment. This allows the Contractor to provide the Department documentation of the Department offender's health information and Contractor's treatment activities so that the Contractor can receive reimbursement under this Contract for costs of health care provided to Department offenders. [See CFR 45 § 164.506](#). HIPPA also clarifies the standard for use and disclosure for correctional institutions and other law enforcement custodial situations in [CFR 45 §164.512](#).

**3.8.3.2** The Contractor agrees to consult with the Department's Utilization Management Office prior to transferring a Department offender for medical reasons. "Transferring," as used in this section, includes moving the Department offender into the Contractor's medical unit within the Facility.

**3.8.3.3** The Contractor also agrees to consult telephonically with the medical staff at any facility receiving the Department offender and agrees to transport, with the Department offender, any applicable medical records, current care instructions, and all appropriately labeled medications. The medical record shall at a minimum include the Department offender's name, DOC number, date of birth, any known allergies, current medication list, and description of current medical problem(s), the Facility medical care previously provided, and the Facility medical staff contact information.

**3.8.3.4** Prior to the Contractor transferring a Department offender to any other correctional facility, the Contractor agrees to obtain the Department's authorization, and if approved to provide a copy of the Department's authorization to hold the Department offender at the receiving facility.

**3.8.3.5** The Department agrees to transport, with the Department offender, any applicable medical records, current care instructions, and all appropriately labeled medications. The medical record shall at a minimum include the Department offender's name, DOC number, date of birth, any known allergies, current medication list and description of current medical problem(s), the Facility medical care previously provided, and the Department's institutional medical staff contact information.

**Section 3.8.4    Medical Care Utilization Review.** The Contractor agrees to allow the Department and its agents to conduct concurrent and retrospective utilization audits and reviews of any and all medical services provided to Department

offenders. The Contractor agrees that any and all of its medical service contracts will include authorization for the Department's concurrent and retrospective utilization audits and reviews of any and all medical services provided to Department offenders.

**Section 3.8.5 Medical Billing.** Contractor costs incurred for a Department offender's medical care not included in the per diem may be reimbursed by the Department consistent with this Contract and **Attachment C**.

The Contractor agrees to electronically send itemized monthly bills to the Department at: [DOCHQMedicalRAB@DOC1.WA.GOV](mailto:DOCHQMedicalRAB@DOC1.WA.GOV).

The itemized reimbursement claims must contain the Department offender's name and DOC number and attached supporting documentation of the service provided that includes the date(s) of service, the name of the practitioner who ordered the service, details of the service/item(s) provided, the prescriptions(s) provided, the facility(s) that provided the service(s), and a copy of any health care claims paid to off-site providers. All reimbursements claims must also include documentation showing proof of payment by the Contractor.

The Contractor agrees to submit itemized billing statements electronically to the Department for reimbursement and data collection purposes. If billings received do not contain the detailed information or supporting documents required, they will be returned to the Contractor and not processed.

The Contractor agrees to submit itemized bills for medical services not later than six months after the date of service. **If medical or pharmaceutical bills are received 365 days or more after the date of service, the Department may decline to reimburse the Contractor for those bills.**

**ARTICLE III, SECTION 3.9 NOTIFICATION OF RELEASE DATE** is hereby replaced in its entirety with the following:

**Section 3.9 Notification of Release Date.** The Department agrees to calculate a Department offender's release date and to notify the Contractor, in writing, of the Department offender's release date. The Contractor will not release a Department offender unless the Department's sanction has been served, or when the Department's hold or detainer is no longer valid, whichever is earliest.

The Contractor also agrees to notify the Department if a Department offender receives additional confinement or holds from a non-Department jurisdiction(s). The Department will not be financially responsible for any per diem or medical costs beyond the sanction time imposed by DOC.

**ATTACHMENT A, DOC CONTACT INFORMATION** is hereby replaced in its entirety by **ATTACHMENT A-1, DOC CONTACT INFORMATION**, which is attached hereto and incorporated by reference herein.

ATTACHMENT B, PREAUTHORIZATION AND MEDICAL BILLING INSTRUCTIONS is hereby replaced in its entirety by ATTACHMENT B-1, PREAUTHORIZATION AND MEDICAL BILLING INSTRUCTIONS, which is attached hereto and incorporated by reference herein.


Additions to this text are shown by underline and deletions by ~~((strikeout))~~. All other terms and conditions remain in full force and effect. The effective date of this Amendment is **January 1, 2021**.

**THIS AMENDMENT**, consisting of nine (9) page(s) and two (2) attachments is executed by the persons signing below who warrant that they have the authority to execute this Amendment.

WALLA WALLA COUNTY  
CORRECTIONS

WASHINGTON STATE DEPARTMENT OF  
CORRECTIONS

\_\_\_\_\_  
Norris Gregoire, Director Date

  
\_\_\_\_\_  
Debra Eisen 12/21/2020  
Contracts Administrator Date

BOARD OF COMMISSIONERS WALLA  
WALLA COUNTY, WASHINGTON

\_\_\_\_\_  
Gregory A. Tompkins, Commissioner Date

\_\_\_\_\_  
Todd L. Kimball, Commissioner Date

\_\_\_\_\_  
Jennifer R. Mayberry, Commissioner Date

**ATTEST:**

\_\_\_\_\_  
Dianne L. Harris Date  
Clerk of the Board

Approved as to Form: This Amendment format was approved by the office of the Attorney General.  
Approval on file.



## DOC Contact Information

<b>Violator Medical Issues</b> <ul style="list-style-type: none"> <li>• Pre-Authorization for extraordinary medical expenses</li> <li>• Pre-Authorization for high cost medications.</li> <li>• Notification: of emergent offender medical issue or</li> <li>• Hospitalization</li> <li>• Requests for transfer due to medical or mental health issues.</li> </ul>	<b>DOC Nurse Desk-24/7</b> <ul style="list-style-type: none"> <li>• 360-725-8733</li> </ul> Additional contact during business hours: <ul style="list-style-type: none"> <li>• <a href="mailto:NurseDesk@doc1.wa.gov">NurseDesk@doc1.wa.gov</a></li> <li>• Fax: 360-586-9060</li> </ul>
<b>Violator Issues</b> <ul style="list-style-type: none"> <li>• To request a transfer of violator</li> <li>• Notification of additional non-DOC sentence/sanction confinement</li> <li>• Notification of violator discipline/new charges</li> <li>• Notification of any non- DOC detainees/ holds</li> </ul>	<b>DOC Violator Desk</b> Monday-Friday (except Holidays): 7:00 am-5:00 pm <ul style="list-style-type: none"> <li>• 1-855-584-6528</li> <li>• <a href="mailto:Violatordesk@doc.wa.gov">Violatordesk@doc.wa.gov</a></li> <li>• <i><u>When calling outside of hours listed call the DOC Warrants Desk and ask to speak to the CCD Section Duty Officer.</u></i></li> </ul>
<b>DOC Secretary Warrant</b>	<b>DOC Warrants Desk-24/7</b> <ul style="list-style-type: none"> <li>• 360-725-8888</li> </ul>
<b>Concerns after normal business hours</b> For example: offenders under DOC supervision or issues related to DOC staff or DOC equipment	<b>DOC Warrants Desk-24/7</b> <i>Warrants Desk will refer to the appropriate Duty Officer</i> <ul style="list-style-type: none"> <li>• 360-725-8888</li> </ul>
<b>Violator Medical Billing</b> <ul style="list-style-type: none"> <li>• Requests for reimbursement for medical care not included in the offender base rate.</li> </ul>	<b>Medical Disbursement Unit</b> <ul style="list-style-type: none"> <li>• <a href="mailto:DOCHQMedicalRAB@doc1.wa.gov">DOCHQMedicalRAB@doc1.wa.gov</a></li> <li>• 360-725-8298</li> <li>• Fax: 360-586-1320</li> </ul>
<b>DOC Contract Coordinator</b> <ul style="list-style-type: none"> <li>• Contract concerns/issues</li> <li>• Death of a Violator</li> <li>• Violator Escape</li> </ul>	<b>Greg Oliver</b> Monday-Friday (except Holidays): 8:00 am-5:00 pm <ul style="list-style-type: none"> <li>• Work 360-725-8943</li> <li>• After hours/holidays 360-584-3202</li> <li>• <a href="mailto:gregory.oliver@doc.wa.gov">gregory.oliver@doc.wa.gov</a></li> </ul>

Last updated 1/11/2017

**PRE-AUTHORIZATION AND MEDICAL BILLING INSTRUCTIONS****Definitions**

Per Diem Rate – the cost per day per Department offender for all care, included in facility medical costs housing which is the same or similar care provided to County/City inmates.

DOC Utilization Management Office (Nurse Desk) – the Department’s medical contact that receives, reviews and approves extraordinary medical expenses and non-formulary requests for DOC Offenders. The Nurse Desk is available 24 hours a day via phones at (360) 725-8733 or during normal business hours via email at [NurseDesk@doc1.wa.gov](mailto:NurseDesk@doc1.wa.gov)

Extraordinary Medical Care – medically necessary care that is not commonly available through the facility health services and incurs additional cost. Examples of extraordinary medical care **may** include, but are not limited to, specialty consults, emergency room care, hospital care, ancillary charges and ambulance services.

Extraordinary Medical Expense – medical expenses that are beyond the medical expenses included in the Base Rate per Diem for in-facility care for Department offenders including high cost/specialty medication for chronic conditions.

In-Facility Care – medical care provided to Department offenders as part of the Base Rate per Diem to include over-the-counter medications, routine medical, mental health and dental care, regular medical screenings and emergent medical treatment, identical to services provided to other County inmates.

Formulary Medications – medications described in the DOC Pharmaceutical Management and Formulary Manual. Medications in this category are described as medically necessary and require no further approval for use provided the criteria listed in the formulary are met. The formulary is available online at the following link: <http://www.doc.wa.gov/corrections/services/docs/formulary.pdf>.

Medically Necessary Care – medical care that meets one or more of the following criteria for a given patient at a given time:

- Is essential to life or preservation of limb, or
- Reduces intractable pain, or
- Prevents significant deterioration of activities of daily living (ADLs), or
- Is of proven value to significantly reduce the risk of one of the three outcomes above (e.g. certain immunizations), or
- Immediate intervention is not medically necessary, but delay of care would make future care or intervention for intractable pain or preservation of ADLs significantly more dangerous, complicated, or significantly less likely to succeed, or
- Reduces severe psychiatric symptoms to a degree that permits engagement in programming that advances correctional interests, or
- Is described as part of a Departmental policy or health care protocol or guideline and delivered according to such policy, protocol or guideline, or

- From a public health perspective, is necessary for the health and safety of a community of individuals and is medically appropriate, but may not be medically necessary for the individual (for example, treatment of head lice)

Any medically necessary care provided shall **NOT**:

- Be considered experimental or to be lacking in medically recognized professional documentation of efficacy, or
- Be administered solely for the convenience of the offender or the health care provider

Non Formulary – medications in this category are not generally prescribed in DOC. They are not medically necessary usually for one of the following reasons:

- Experimental medications or experimental use of medication
- Medications for which alternative therapeutic modalities may already exist on the formulary list
- Medications for which alternative therapeutic modalities may already exist on the over-the counter (OTC) store list
- Medications with the sole purpose of treating conditions recognized in the Offender Health Plan (OHP) as not medically necessary
- Brand-name medication when a generic product is available within the therapeutic class

Offender Health Plan (OHP) – The Department’s OHP describes medically necessary medical care, mental health and dental care services that are available to Department offenders, as well as the services that are limited or not available. The OHP is not a contract or a guarantee of payment for services provided to Department offenders. The Offender Health Plan (OHP) is available online at the following link: <http://doc.wa.gov/corrections/services/health.htm>.

Restricted Formulary – medications in this category are described as medically necessary but restricted to documented failure of a Formulary medication(s) or certain populations or disease states. Refer to the [Medication Formulary](#) status for specific criteria.

### **Pre-Authorization**

The County/Violator Facility must obtain pre-authorization through the Department’s Utilization Management Office for all health care beyond what is normally provided to County inmates. This includes notification of incarceration of offenders who are on specialty/high cost medications for long-term or chronic conditions such as Hepatitis C, HIV, MS or any other condition that requires the consistent administration of medications during their incarceration.

In the case of an emergency when pre-authorization is not feasible, the County/Violator Facility must notify the Department’s Utilization Management Office as soon as possible, but no later than four (4) hours after transporting the Department offender to an emergency room or other medical facility and before any hospital admission.

The following information must be included with notifications:

- The date and time the offender left your facility for the medical event;
- The name of the hospital or medical facility;
- The medical issue/reason for trip; and

- The date and time the offender returned to your facility (if applicable)

Please note that if **ANY** hospitalization results in an inpatient event the Department, if properly notified, will apply for Medicaid coverage under the Affordable Care Act and the County/Violator Facility will not be billed for qualifying services. However, the County/Violator Facility must notify the Department of the hospitalization and follow the emergency notification and/or pre-authorization process so that a Medicaid application can be initiated for the event.

The Department is not obligated to reimburse the County/Violator Facility for medical care or treatment provided to a Department Offender without the Department's pre-authorization or notification within the timeframe specified in the contract.

Pre-authorization requests for extraordinary medical care including pertinent medical records and other supporting documentation are faxed to the Utilization Management Office at (360) 586-9060.

The Department's Utilization Management Office will be available via telephone to assist staff 24 hours a day and 7 days per week.

- From 8 a.m. - 4:30 p.m. Monday – Friday (except holidays), the Nurse Desk is available at [NurseDesk@doc1.wa.gov](mailto:NurseDesk@doc1.wa.gov) or (360) 725-8733.
- After normal business hours and during holidays, please call (360) 725-8733. The call will forward to the on-call UM Nurse.

If authorization for extraordinary medical care is denied, the practitioner may appeal the Department's decision by submitting a written request and supporting documentation to DOC via email at [DOCHQMedicalRAB@DOC1.wa.gov](mailto:DOCHQMedicalRAB@DOC1.wa.gov)

### **Pharmaceuticals and Non-Formulary Requests**

Consistent with the medication continuation practice at DOC Reception Centers, DOC Contracted Violator Facilities are authorized to receive reimbursement for Non-formulary or Restricted Formulary prescriptions for up to thirty (30) days for general medical medications and sixty (60) days for mental health medications provided to patients returning to custody due to a violation. However, the Department still encourages Contracted Violator Facilities to use Formulary medications whenever possible. Over-the-counter (OTC) medications and/or medical supplies are not reimbursable items.

For any single prescription that is expected to exceed \$2500.00 per month, notification to the Department's Utilization Management Office (Nurse Desk) is required.

Any questions related to medication reimbursement may be directed to the Nurse Desk at [NurseDesk@doc1.wa.gov](mailto:NurseDesk@doc1.wa.gov) or (360) 725-8733.

### **Medical Billing**

It is the responsibility of the billing County/Violator Facility to process payment for all bills prior to sending them to the Department for reimbursement. However, if the County/Violator facility is unable to make payment for direct billings, you may send a written request to the Department to process payment on the behalf of the County/ Violator Facility can be submitted by fax (360) 586-1320 or email to [DOCHQMedicalRAB@DOC1.WA.GOV](mailto:DOCHQMedicalRAB@DOC1.WA.GOV). Please include a copy of the bill with the request. The Department will respond to written requests for assistance with payment of direct billings within seven (7) business days of receipt. Please do not instruct the billing entity to bill the Department directly.



Monthly medical billings are to be submitted electronically to the Medical Disbursement Unit at [DOCHQMedicalRAB@DOC1.WA.GOV](mailto:DOCHQMedicalRAB@DOC1.WA.GOV). Itemized invoices for services provided onsite by the incarcerating facility should be submitted to the Department on a monthly basis for the previous month's services. Any billing for offsite services should be submitted for reimbursement or payment within 30 days of the date of service. We understand that each monthly billing may have medical invoices for previous months and that is acceptable; however, in an effort to ensure the cleanest billing process, please bill one month at a time whenever possible. Itemized statements must be submitted in the format below with supporting documentation when applicable. Incomplete or missing data or supporting documentation may result in delays or denial of payment.

If unable to submit billing electronically, please fax to:  
 Department of Corrections  
 Health Services Contract, Claims and Benefits Unit  
 Fax: (360) 586-1320

A sample billing entry is provided below

Last name	First Name	DOC # or Birthdate	Trip Date or date RX given	Destination or RX name & strength	Quantity	ER? (Y/N)	IP? (Y/N)	Reason for Trip/RX #	Split Custody (Y/N)	Amount Billed to DOC
Doe	John	999999	8/27/12	Gabapentin 30 MG TAB	14 N	N		N		25.00
Jackson	Joseph	111111	8/1/12	Clonidine 1 MG TAB	6 N	N		N		34.00
Smith	Joe	888888	8/14/12	Providence St Peter Hospital		Y	N	Broken Leg		2,500.00

**Monthly billings must include:**

- A coversheet with all pertinent details including the total amount billed, month of service, facility name, contact information for the billing staff( including an email address, phone number and fax number), address for where to submit the payment, an invoice number (this is your internal invoice tracking number) and Federal Tax ID number;
- Itemized Charges to include the name of the offender and DOC# who the charges are for, what the charges are for and the total amount of the charges. If you are asking for reimbursement for services paid to offsite providers, a copy of the original healthcare claim form paid by the facility must be included. If charges are for onsite services, the detail of what services were provided must be listed along with copies of any paid bills for those services with a break-out of the amount attributed to the DOC offenders.
- Supporting documentation including verification of DOC hold, any authorizations from the Utilization Management Office and all Health Insurance Claim Forms (CMS 1500 or UB-04) and/or invoices from community providers showing what was billed and documentation of what you paid if requesting reimbursement, for medications, you must provide a copy of the pharmacy bill to include the drug name, dosage and quantity provided and amount paid for the drugs;
- Credits for returned prescriptions (if applicable) listed in the same way as noted above and clearly marked as CREDIT.

Once DOC has completed the verification process and is ready to process payment, the County will be notified by email or fax of any denials or credits.

For billing questions or concerns, please email [DOCHQMedicalRAB@DOC1.WA.GOV](mailto:DOCHQMedicalRAB@DOC1.WA.GOV).

## **HIPAA**

The Health Insurance Portability and Accountability Act (HIPAA – CFR 45) of 1996 protects the privacy of individually identifiable, protected health information or PHI. This law allows for the exchange of this information between covered entities for the purpose of billing and payment which allows you to provide the required back-up documentation regarding the offenders' health information and treatment activities for support of payment purposes (§ 164.506 (c)(3)). It further clarifies the standard for use and disclosure for correctional institutions and other law enforcement custodial situations in §164.512(k).

**10:45 DEPARTMENT OF COMMUNITY HEALTH/  
BOARD OF HEALTH**

**Dr. Kaminsky  
Nancy Wenzel**

**a) COVID-19 update and miscellaneous**

**a) Public Hearing:**

- 1) To consider extending interim zoning enacted by Ordinance 471, and renewed by Ordinance 480, 483 and 484, regarding the maximum density of mobile/manufactured home parks in the Burbank Residential Zoning District

You may testify and attend by attending via WebEx via the call in or meeting link information on the first page of this agenda. Limited participation and testimony at a remote location is available for those who are unable to testify by Webex or Telephone by contacting the Clerk of the Board at 509-524-2505 in advance of the hearing.


**b) Discussion and possible action/direction from the Board regarding above**

**c) Action Agenda Items:**

- 1) Ordinance No. 486 – Renewing an interim Ordinance regarding the maximum density of mobile/manufactured home parks and other residential uses in the Burbank Residential Zoning District

**d) Department update and miscellaneous**





# Walla Walla County Community Development Department

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

---

Date: January 21, 2021  
Date Prepared: January 25, 2021  
To: Walla Walla County Board of County Commissioners  
From: Lauren Prentice, Director  
RE: **Public Hearing** – Public Hearing to receive comments on renewing Interim Ordinance No. 471, relating to residential density in the Burbank Residential zoning district. (Docket No. ZCA18-002)

## **Background**

On August 7, 2018 the Board of County Commissioners enacted Ordinance 471, approving interim zoning regulations which limit the density of any new residential development in the Burbank Residential zoning district to no more than 4 dwelling units per acre (assuming availability of water and sewer utility services). This (interim) density cap applies to mobile/manufactured home parks, one-family, two-family, multi-family, townhouse and other residential uses. These regulations only affect the Burbank Residential zoning district which is located within the Burbank Urban Growth Area (UGA). These regulations were renewed on August 5, 2019 by Ordinance 480, on February 5, 2020 by Ordinance 483, and on July 27, 2020 by Ordinance 484.

The regulations will expire on January 27, 2021 if an ordinance is not passed by the Commissioners to renew/extend the interim regulations. The purpose of the January 25th public hearing is to hear comments regarding the renewal of the interim zoning regulations by the Board of County Commissioners in order to give the County additional time to work on development of potential permanent subarea plan and development regulations amendments. The interim regulations may be renewed for up to six months so long as the County has a public hearing and adopts findings of fact, under RCW 36.70A.390.

## **Staff Conclusion**

Renewal of the interim ordinance would maintain the current status quo in the Burbank Residential (BR) zoning district until additional planning can occur. If the interim zoning is not renewed, it is possible that development may occur at a greater density than 4 dwelling units per acre.

## **Staff Recommendation**

Staff recommends the Board hold a public hearing, review public comments, and if, appropriate, renew the interim regulations via ordinance for a period of not more than six months, which would be the longest renewal period allowed pursuant to RCW 36.70A.390.

## **Attachments**

- A. Public Comments received in 2021:
  - 1. Email and attachment from Brad Beauchamp, 2021-01-07
  - 2. Email from Anna Moffatt, 2021-01-17
  - 3. Email from Ronda Biagi, Ronald Jerri Harrison, 2021-01-17
  - 4. Email from Ken and Leta Fjeld, 2021-01-17
  - 5. Email from Diane and Thomas Bagley, 2021-01-17
  - 6. Email from Mike and Sandee Cobb, 2021-01-17
  - 7. Email from Sonee Reilly, 2021-01-18

8. Email from Gary Stratton, 2021-01-21  
B. Notice of Public Hearing and Certificate of Notification

### **Summary of Interim Regulations**

The purpose of renewing the interim ordinance is to allow the County additional time to study the Burbank Subarea Plan (Chapter 12 of the County's Comprehensive Plan), including the Burbank Urban Growth Area and consider preparing potential development regulations related to density, zoning, lot size and mobile and manufactured home parks.

Currently, without the interim zoning enacted by Ordinance 471, and later renewed, there is no maximum density limit or minimum lot size in the development regulations for the Burbank area, except for multi-family residential housing. Previously, as stated in the Comprehensive Plan, lot sizes were governed by water and sewer availability. As noted in previous staff reports and ordinances, the availability of a public sewer system has increased the potential for more intense development.

The interim regulations fill a gap in the County zoning regulations by capping the maximum density at four dwelling units per acre for all residential uses, not just for multi-family and townhouses. The goal is to ultimately draft zoning and other possible regulations to address such developments and uses, to hold public hearings on draft regulations and to eventually adopt these regulations.

If the interim ordinance is not extended by the Board, there will not be a limit in the Burbank UGA on residential density.

Policy issues, such as whether the County should have additional standards for manufactured home parks, what type of maximum density should be allowed in the Burbank Residential Zone, what lot sizes should be allowed in the zone and whether additional zoning classifications are needed in the Burbank Urban Growth Area, are best addressed through a deliberative planning process with the Planning Commission, and through public workshops and hearings. This process is ongoing, but there is additional work and public outreach that needs to be done.

### **Process Update**

The interim regulations were last renewed on July 27, 2020 via Ordinance 484; the purpose of this ordinance was described on Page 7.

**Section III. Purpose.** The purpose of this renewed interim zoning Ordinance is to allow the County adequate time to study the Burbank Urban Growth Area and potential development regulations related to density, zoning, lot size and mobile and manufactured home parks in the Burbank Urban Growth Area. The County's goal is to ultimately draft zoning and other possible regulations to address such developments and uses, to hold public hearings on such draft regulations and to adopt such regulations but much of this work may not occur due to the restrictions of the ongoing COVID-19 pandemic. Given the uncertainty of whether the County will be able to hold public meetings and hearings during the COVID-19 pandemic and phased reopening, the full six-month term renewal is needed.

Since the last renewal we have prepared a preliminary public outreach plan that would allow the County to conduct required public outreach, including virtual meetings and hearings, under the ongoing COVID-19 restrictions. This was reviewed with the Board on August 10, 2020. The COVID public outreach plan stated that the County will develop a small number of amendment options for consideration in final

public hearings, as well as provide a project website and public presentations in advance of virtual public meetings so that members of the public can view them prior to providing written comments.

On October 14, 2020, the Planning Commission held a Special Meeting to review and discuss background information and scoping documents prepared by staff and the planning consultant. This included five varied amendment options. The Planning Commission provided input in order to identify a small number of amendment options to be developed and disseminated for public review. Staff and the planning consultant worked in November and December to develop three final options based on the Planning Commission's feedback and are in the process of preparing maps, SEPA documents, and other project documents. The three revised amendment proposals will be presented virtually to the Planning Commission at their regular meeting on February 3.

A tentative project schedule has been prepared that anticipates the three options being presented in workshop meetings with the Planning Commission and BOCC in February, public hearings in March and April, and estimating completion of the project around the end of April or beginning of May 2021.

## Lauren Prentice

---

**From:** brad beauchamp <bmbdevelopment@yahoo.com>  
**Sent:** Thursday, January 7, 2021 10:00 PM  
**To:** Lauren Prentice; Walla Walla County Commissioners  
**Subject:** Port-Pasco swr svc area map.pdf  
**Attachments:** Port-Pasco swr svc area map.pdf

Lauren,  
Please share with the planning commission. Also when will there be a follow up meeting? We are coming up on 2.5 years of a 6 month interim ordinance?

Sent from my iPhone

Exhibit 2  
Port of Walla Walla Burbank Sewer Service Area Map



## Lauren Prentice

---

**From:** Anna Moffatt <diamondmo367@gmail.com>  
**Sent:** Sunday, January 17, 2021 7:39 PM  
**To:** Community Development  
**Subject:** Ordinance for Burbank development

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

January 17, 2021

Walla Walla County Community Development Department  
310 W. Poplar, Suite 200  
Walla Walla, WA 99362

Ms. Prentice:

The Walla Walla Planning Commission is again considering extending Ordinance No. 471, an interim ordinance addressing residential density in the Burbank Urban Growth Area (UGA). While this is better than what had been in place, it is not what Burbank people have told you, three times at three different meetings, that this community wants. We have unequivocally stated our opposition to any development with a density of more than two single family dwellings per acre. You have asked for the Burbank people to tell you what our vision is for our community and we have done so. Our reasons have been made very clear at each of these meetings and in letters our community members have written to the Commission. For reasons we have repeatedly and forcefully stated, allowing more than two single family dwellings per acre will negatively impact this entire area. My questions to you are: Why have you not acted to implement the restrictions we have asked for? Why is another extension of the Interim Ordinance even necessary? Are you simply stalling, hoping we will lose interest or give up, so that you can move forward with a plan you know we are opposed to? I assure you, because the very nature of our community is at stake, we will remain vigilant and engaged.

Sincerely,

Anna Moffatt  
2169 Hanson loop  
Burbank Washington 99323



## Lauren Prentice

---

**From:** Ronda Biaggi <rondabiaggi@icloud.com>  
**Sent:** Sunday, January 17, 2021 8:21 PM  
**To:** Community Development  
**Subject:** Ordinance No. 471 Burbank Urban Growth Area

January 17, 2021  
Walla Walla County Community Development Department  
310 W. Poplar, Suite 200  
Walla Walla, WA 99363

Ms. Prentice.

The Walla Walla Planning Commission is again considering extending Ordinance No. 471, an interim ordinance addressing residential density in the Burbank Urban Growth Area (UGA). While this is better than what had been in place, it is not what Burbank people have told you, three times at three different meetings, that this community wants. We have unequivocally stated our opposition to any development with a density of more than two single family dwellings per acre. You have asked for the Burbank people to tell you what our vision is for our community and we have done so. Our reasons have been made very clear at each of these meetings and in letters our community members have written to the Commission. For reasons we have repeatedly and forcefully stated, allowing more than two single family dwellings per acre will negatively impact this entire area. My questions to you are: Why have you not acted to implement the restrictions we have asked for? Why is another extension of the Interim Ordinance even necessary? Are you simply stalling, hoping we will lose interest or give up, so that you can move forward with a plan you know we are opposed to? I assure you, because the very nature of our community is at stake, we will remain vigilant and engaged.

Sincerely,  
Ronda A Biaggi  
Ronald Jerri Harrison  
725 Ringhoff rd  
Burbank Wa 99323

Sent from my iPhone

## Lauren Prentice

---

**From:** Dee Dee and Ken FJELD <FJELDL@msn.com>  
**Sent:** Sunday, January 17, 2021 10:43 PM  
**To:** Community Development  
**Subject:** Ordinance 471

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

January 17, 2021  
Walla Walla County Community Development Department  
310 W. Poplar, Suite 200  
Walla Walla, WA 99362

Ms. Prentice.

The Walla Walla Planning Commission is again considering extending Ordinance No. 471, an interim ordinance addressing residential density in the Burbank Urban Growth Area (UGA). While this is better than what had been in place, it is not what Burbank people have told you, three times at three different meetings, that this community wants. We have unequivocally stated our opposition to any development with a density of more than two single family dwellings per acre. You have asked for the Burbank people to tell you what our vision is for our community and we have done so. Our reasons have been made very clear at each of these meetings and in letters our community members have written to the Commission. For reasons we have repeatedly and forcefully stated, allowing more than two single family dwellings per acre will negatively impact this entire area. My questions to you are: Why have you not acted to implement the restrictions we have asked for? Why is another extension of the Interim Ordinance even necessary? Are you simply stalling, hoping we will lose interest or give up, so that you can move forward with a plan you know we are opposed to? I assure you, because the very nature of our community is at stake, we will remain vigilant and engaged. Sincerely,

Ken & Leta Fjeld

Sent from my Sprint Samsung Galaxy Note10+.  
Get [Outlook for Android](#)



## Lauren Prentice

---

**From:** Diane Bagley <creative@dee-lightful.com>  
**Sent:** Sunday, January 17, 2021 6:56 PM  
**To:** Community Development  
**Subject:** public hearing letter for interim ordinance 471

Warning! This message was sent from outside your organization and we are unable to verify the sender.

[Allow sender](#) | [Block sender](#)

January 17, 2021

Walla Walla County Community Development Department  
310 W. Poplar, Suite 200  
Walla Walla, WA 99362

Ms. Prentice.

The Walla Walla Planning Commission is again considering extending Ordinance No. 471, an interim ordinance addressing residential density in the Burbank Urban Growth Area (UGA). While this is better than what had been in place, it is not what Burbank people have told you, three times at three different meetings, that this community wants. We have unequivocally stated our opposition to any development with a density of more than two single family dwellings per acre. You have asked for the Burbank people to tell you what our vision is for our community and we have done so. Our reasons have been made very clear at each of these meetings and in letters our community members have written to the Commission. For reasons we have repeatedly and forcefully stated, allowing more than two single family dwellings per acre will negatively impact this entire area. My questions to you are: Why have you not acted to implement the restrictions we have asked for? Why is another extension of the Interim Ordinance even necessary? Are you simply stalling, hoping we will lose interest or give up, so that you can move forward with a plan you know we are opposed to? I assure you, because the very nature of our community is at stake, we will remain vigilant and engaged.

Sincerely,

Thomas Bagley

Diane Bagley

## Lauren Prentice

---

**From:** mstonecobb@aol.com  
**Sent:** Monday, January 18, 2021 5:56 AM  
**To:** Community Development  
**Subject:** Interim zoning

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

My name is Mike Cobb my wife and i have been Burbank residents for over 40 years-I am in favor of continuing the interim zoning so we can get to a permanent zoning ordinance-thank you Mike and Sandee Cobb

## Lauren Prentice

---

**From:** Sonee Reilly <soneereilly@gmail.com>  
**Sent:** Monday, January 18, 2021 3:40 PM  
**To:** Community Development  
**Subject:** Opposition to any development f more than two single dwelling on an acre here in Burbank WA

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

January 17, 2021  
Walla Walla County Community Development Department  
310 W. Poplar, Suite 200  
Walla Walla, WA 99362

Ms. Prentice,

The Walla Walla Planning Commission is again considering extending Ordinance No. 471, an interim ordinance addressing residential density in the Burbank Urban Growth Area (UGA). While this is better than what had been in place, it is not what Burbank people have told you, three times at three different meetings, that this community wants. We have unequivocally stated our opposition to any development with a density of more than two single family dwellings per acre. You have asked for the Burbank people to tell you what our vision is for our community and we have done so. Our reasons have been made very clear at each of these meetings and in letters our community members have written to the Commission. For reasons we have repeatedly and forcefully stated, allowing more than two single family dwellings per acre will negatively impact this entire area. My questions to you are: Why have you not acted to implement the restrictions we have asked for? Why is another extension of the Interim Ordinance even necessary? Are you simply stalling, hoping we will lose interest or give up, so that you can move forward with a plan you know we are opposed to? I assure you, because the very nature of our community is at stake, we will remain vigilant and engaged.

Sincerely,

Sonya Reilly  
221 Paradise Dr  
Burbank, WA 99323  
425-478-1919

## Lauren Prentice

---

**From:** Gary Stratton <stratton\_g@msn.com>  
**Sent:** Thursday, January 21, 2021 7:57 AM  
**To:** Community Development  
**Subject:** Burbank Trailer park

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Hello

I am writing in response to this park. I have seen the letter circulating now and agree with it. I would ask you to also look into this companies other parks in Benton Co. These people have been made to pay for improvements to the property or loose their place to live.

The citizens have spoken about their opposition to this addition time and time.

Please listen to the people who live in this part of Walla Walla country who pay taxes and vote.

Thank you,

Gary Stratton  
573 Harrison Rd  
Burbank Wa.

Sent from my Verizon, Samsung Galaxy smartphone



## Walla Walla County Community Development Department

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

---

### Certificate of Notification

**File Number:** ZCA18-002 Renewal of Interim Zoning Regulations (Burbank)

**Site Address:** Non-project application

**Type of Notice:** Notice of BOCC Public Hearing on 1/25/2021

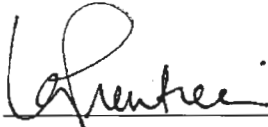
**Review Level/Type:** Level 5

#### **Proof of Mailing**

I certify under penalty of perjury under the laws of the State of Washington that the content of the above form of notice was

☒ Mailed to the parties included in the attached mailing list on 1/12/2021

Lauren Prentice  
Printed Name

  
Signature

1/21/2021  
Date

#### **Proof of Publishing**

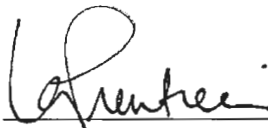
I certify under penalty of perjury under the laws of the State of Washington that the content of the above form of notice was

☒ Published in the official gazette (Union Bulletin) on 1/14/2021


☒ Published in paper(s) of general circulation on 1/14/2021 (The Times) and 1/14/2021 (Tri-City Herald)

☒ Published on the CDD website on the following date: 1/14/2021

Lauren Prentice  
Printed Name

  
Signature

1/21/2021  
Date



# Walla Walla County Community Development Department

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

---

## NOTICE OF PUBLIC HEARING

BOARD OF COUNTY COMMISSIONERS  
WALLA WALLA COUNTY, WA

Notice is hereby given that the Board of County Commissioners will hold a public hearing at 11:00 AM on Monday, January 25, 2021, to receive testimony on whether to renew the interim zoning originally enacted by Ordinance 471 (described below).

**1. ZCA18-002 – Interim Ordinance – Residential Density in Burbank Residential Zone**

Ordinance No. 471, adopted on August 7, 2018, is an interim ordinance regarding the maximum density of mobile/manufactured home parks and other residential uses in the Burbank Residential (BR) zoning district. This ordinance was adopted under RCW 36.70A.390 and it enacted a maximum density of 4 dwelling units per acre for all single-family residential uses, including mobile/manufactured home parks. This ordinance was renewed by Ordinances 480, 483, and 484 and expires on February 3, 2021. *The purpose of this public hearing is to consider whether to renew the interim zoning regulations prior to their expiration on February 3.*

*Finalizing the proposed changes to the zoning ordinance was delayed by the events of 2020. Renewing the interim ordinance at this time will allow the County to finish preparation of final amendment proposals and conduct required public outreach, environmental review, and public hearings on this project. This work is ongoing and opportunities for public participation are tentatively scheduled for February through April 2021.*

Written comments regarding the renewal of the interim zoning regulations may be submitted prior to and at the hearing on January 25. This is the final opportunity to comment on the extension (renewal) of this ordinance; written comments on this proposed procedural action are not expected to be accepted after the public hearing is closed on January 25. However, comments will be allowed separately through any Comprehensive Plan or Development Regulation amendment process that results from the work plan contained in the interim ordinance.

Those participating at said hearing may testify for or against the proposed ordinance which would extend the existing interim regulations. Remote public participation and testimony will be allowed via Cisco Webex and telephone (see call-in information below). Limited participation and testimony at a remote location is available for those who are unable to testify by Cisco Webex or Telephone by contacting the Clerk of the Board at 509-524-2505 in advance of the hearing.

Send written comments to one of the following addresses:

**Board of County Commissioners**  
c/o Walla Walla County Community Development Department  
310 W. Poplar Street, Suite 200; Walla Walla, WA 99362  
[commdev@co.walla-walla.wa.us](mailto:commdev@co.walla-walla.wa.us)

### PUBLIC HEARING INFORMATION

**Monday, January 25, 2021 at 11:00 AM**

**Any citizen may participate in the hearing by attending through the following options:**

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

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

---

**FOR MORE INFORMATION:** For more information regarding this meeting, please contact Lauren Prentice, Director, at 509-524-2620 or [commdev@co.walla-walla.wa.us](mailto:commdev@co.walla-walla.wa.us).

Walla Walla County complies with ADA; reasonable accommodation provided with 3-days notice.

OWNER NAME	IN CARE OF	ADDRESS1	CITY	STATE	ZIPCODE
ANDREW & STACY TORREY		208 WESTBOURNE LOOP	BURBANK	WA	99323
Andrew Lybbert		10412 Oak Court	Pasco	WA	99301
Scott A Bagley		329 Paradise Dr	Burbank	WA	99323
Anna Moffatt		2169 Hanson Loop Road	Burbank	WA	99323
Ben Harris		3505 S Johnson St	Burbank	WA	99323
Bill Jenkin		PO Box 1708	Prosser	WA	99350
Brad Beaucamp		4001 S Vancouver	Kennewick	WA	99337
Brandon & Kim Carpenter		515 Edith St	Burbank	WA	99323
Brandon Beck		771 W Sunset Dr	Burbank	WA	99323
Brandon Lott		26658 Ice Harbor Dr	Burbank	WA	99323
Brent Curtis		237 Harrison Pl	Burbank	WA	99323
Brian Millar		62 Harrison Pl	Burbank	WA	99323
Brian Richardson		PO Box 25	Burbank	WA	99323
Bryon Johnson		167 Ray Blvd	Burbank	WA	99323
Carol Johnson		167 Ray Blvd	Burbank	WA	99323
CHRIS LEAHY		174 SNAKE RIVER DRIVE	BURBANK	WA	99323
Clint Jordan		257 Basin Dr	Burbank	WA	99323
Clyde Bowen		264 Reinken Blvd	Burbank	WA	99323
Colby & Karla Way		309 Ray Blvd	Burbank	WA	99323
Dan and Pam Lagervall		PO Box 87	Burbank	WA	99323
Darrel Ellingson		170 Basin Dr	Burbank	WA	99323
Dave Maiden		96 Merry Lane	Burbank	WA	99323
DAVE RIDDLE		2573 HANSON LOOP	BURBANK	WA	99323
David Ensunsa Jr.		65 Snake River Drive	Burbank	WA	99323
David Ensunsa		597 Harrison Rd	Burbank	WA	99323
Debbie M Ford		25463 Ice Harbor Drive	Burbank	WA	99323
Dee and Randy Stonestreet, et al.		1500 Hanson Loop Road	Burbank	WA	99323
Diane Bagley		453 Basin Dr	Burbank	WA	99323
Diane F Bagley		435 Basin Drive	Burbank	WA	99323
Donald Percifield		1710 Lake Rd	Burbank	WA	99323
Dorothy Knudsen		PO Box 2046	Walla Walla	WA	99362
Doug and Tina Gourley		PO Box 5	Burbank	WA	99323
Doug Kelly		365 Basin Dr	Burbank	WA	99323



Elizabeth Correll		132 Edith	Burbank	WA	99323
Ellie Ensunsa		597 Harrison Rd	Burbank	WA	99323
Fred Martin		26580 Ice Harbor Dr	Burbank	WA	99323
Gary Stratton		573 Harrison Rd	Burbank	WA	99323
GAYLE CARRASCO		195 RAY BLVD	Burbank	WA	99323
George and Petty Paxton		PO Box 424	Burbank	WA	99323
George Kremposki		253 Apple Ln	Burbank	WA	99323
Gerry Reed	Rhonda Kuebler	PO Box 305	Burbank	WA	99323
HAYLEY SHEPARD AND GILBERT HERNDEZ		315 Basin Dr	Burbank	WA	99323
Hazel Shepard		452 Basin Dr	Burbank	WA	99323
IRVIN & ELAINE WILBERT		730 BASIN DR	BURBANK	WA	99323
James Daniels	Anna Moffatt	2169 Hanson Loop Road	Burbank	WA	99323
Jane and Ralph Bell		1242 W. Sunset Drive	Burbank	WA	99323
Jason Moody		PO Box 362	Burbank	WA	99323
Jean Langdell	Betty Langdell	101 Cherry Street	Burbank	WA	99323
Jeff Nelson		386 Tuttle Ln	Burbank	WA	99323
Jeff Scott		19 Maple St	Burbank	WA	99323
Jerry Allen		196 Basin Dr	Burbank	WA	99323
Jessie Wilder		1710 Lake Rd	Burbank	WA	99323
Jim Moor		2385 Hanson Loop	Burbank	WA	99323
Jim Ricard		1117 Maple	Burbank	WA	99323
John and Vicki Cleghorn		643 Harrison Road	Burbank	WA	99323
John Hoover		600 Basin Drive	Burbank	WA	99323
John Wilson		55 Field Ln	Burbank	WA	99323
Josh and Brittany Hoover		600 Basin Drive	Burbank	WA	99323
Joshua Kizanis		389 Edith St	Burbank	WA	99323
Joyce Rouse		PO Box 43	Burbank	WA	99323
Judy Weitz		253 Basin Drive	Burbank	WA	99323
Kandyce Dexter		371 Valley Dr	Burbank	WA	99323
Karen & Mel Walsh		545 Basin Dr	Burbank	WA	99323
Karen Scott		19 Maple St	Burbank	WA	99323
Kathy Berg		78 Wayne Ct	Burbank	WA	99323
Keith Teeters		447 Merry Ln	Burbank	WA	99323
Lacie Schreiber		105 S Columbia School Rd	Burbank	WA	99323

Larie Cameron		339 W Sunset Dr	Burbank	WA	99323
Lattie and Larry Blackburn		PO Box 124	Burbank	WA	99323
Leroy L. Harvill		556 Ringhoff Rd	Burbank	WA	99323
LLOYD & CHERYL STONE		2955 HANSON LOOP	BURBANK	WA	99323
Lorraine Glaesemann		104 McNary Ridge Rd	Burbank	WA	99323
LYLE & AMY QUANDT		72 HARBOR BLVD	BURBANK	WA	99323
Marilyn Lott		26658 Ice Harbor Dr	Burbank	WA	99323
Marjiom Lopez-Wade		71 Adair Rd	Burbank	WA	99323
Mary Power		2861 Hanson Loop Road	Burbank	WA	99323
Melinda Koopman		451 Harrison Rd	Burbank	WA	99323
Michael Scrimsher		104 Tuttle Lane	Burbank	WA	99323
Mike Cobb		32 Largent Rd	Burbank	WA	99323
Mike Hull		495 Edith St	Burbank	WA	99323
Mikell McBride		313 Harrison Rd	Burbank	WA	99323
Nancy McVicker		46 McKelter	Burbank	WA	99323
Nathan Lueck		82 Shamrock Rd	Burbank	WA	99323
Nathan McBride		412 Merry Ln	Burbank	WA	99323
NICHOLAS PATRICK REIHS &	LARISSA CAPULI-REIHS	139 WESTBOURNE LOOP	BURBANK	WA	99323
Nick Scott, et al.		2355 Hanson Loop Road	Burbank	WA	99323
Norm and Diane Wells		45 Walnut Street	Burbank	WA	99323
Fred Martin		64 HAROLD AVE	BURBANK	WA	99323
Pat Reay	Port of Walla Walla	310 A Street	Walla Walla	WA	99362
Paul Smith		238 Harrison Pl	Burbank	WA	99323
Phaedra Ellingson		170 Basin Dr	Burbank	WA	99323
Phil Weitz		253 Basin Drive	Burbank	WA	99323
Phillip G Weite		253 Basin Drive	Burbank	WA	99323
Rick Woodard		1061 W Sunset Dr	Burbank	WA	99323
Rob Green	Amy Grow	65 Merry Lane	Burbank	WA	99323
Robin Headley		117 W. Sunset Drive	Burbank	WA	99323
Roger Bairstow	Broetje Orchards	1111 Fishhook Park Road	Prescott	WA	99348
Ron Bruder		PO Box 220	Burbank	WA	99323
Roxanna Kizanis		389 Edith St	Burbank	WA	99323
Ryan Hull		126 Ryan Ave	Burbank	WA	99323
Sandra Miller		169 Apple Ln	Burbank	WA	99323

Scott Jamison	203 Jill Marie St	Burbank	WA	99323
Shane Combs	339 W Sunset Dr	Burbank	WA	99323
Shelbie Johnson	167 Ray Blvd	Burbank	WA	99323
Shelly Doss	613 E Sunset Dr	Burbank	WA	99323
Shirley Kelly	365 Basin Dr	Burbank	WA	99323
Stan & Joanna Case	192 Teri Rd	Burbank	WA	99323
STEPHANIE DUFF	3438 HANSON LOOP	BURBANK	WA	99323
Sue Wilson	55 Field Ln	Burbank	WA	99323
Tammy Moody	PO Box 362	Burbank	WA	99323
Teri Curtis	237 Harrison Pl	Burbank	WA	99323
Thomas and Lacie Screiber	105 S. Columbia School Road	Burbank	WA	99323
Tom Bagley	453 Basin Dr	Burbank	WA	99323
Travis Koopman	451 Harrison Rd	Burbank	WA	99323
TRAVIS M & CARLY R BROGOITTI	2515 HANSON LOOP	BURBANK	WA	99323
Wayne Langford	672 Lake Rd	Burbank	WA	99323
Wil Ricard	2809 Hanson Loop	Burbank	WA	99323
Wilma Robinson Burgess	71 Adair Rd	Burbank	WA	99323
Yvonne Stredwick	2251 Hanson Loop Road	Burbank	WA	99323
Zoe & Sarah Dexter	674 Lake Rd	Burbank	WA	99323
PAT & MELINDA HAWES	64 HAROLD AVE	Burbank	WA	99323
VIC PARKS	579 TUTTLE LN	Burbank	WA	99323
Sandra Gonzalez	1505 S Road 40 E Trlr 314	Pasco	WA	99301

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

**ORDINANCE NO. 486**

**RENEWING AN INTERIM ORDINANCE REGARDING THE MAXIMUM DENSITY OF  
MOBILE/MANUFACTURED HOME PARKS AND OTHER RESIDENTIAL USES IN  
THE BURBANK RESIDENTIAL ZONING DISTRICT.**

**WHEREAS**, the Board of County Commissioners may adopt interim development regulations for a period of up to six months provided that the Board holds a public hearing on the proposed interim development regulations within sixty (60) days after adoption of the Ordinance (RCW 36.70A.390); and

**WHEREAS**, the Board of County Commissioners may adopt interim development regulations for up to one year if a work plan is developed for related studies providing for such a longer period; and

**WHEREAS**, interim development regulations may be renewed for one or more six-month periods, so long as a public hearing is held, and findings of facts are made; and

**WHEREAS**, Walla Walla County Code Section 14.15.030 allows the Board of County Commissioners to amend the County development regulations more than once per year by majority vote of the Board; and

**WHEREAS**, a public sewer system has recently been constructed by the Port of Walla Walla in the Burbank area; and

**WHEREAS**, interim zoning will provide the County with additional time to review and amend its Comprehensive Plan, zoning and land use regulations related to density and development in the Burbank area; and

**WHEREAS**, inquiries were made in 2018 regarding the placement of mobile/manufactured home parks in the Burbank area; and

**WHEREAS**, in 2018, the Commissioners and Community Development Department received numerous comments and concerns from residents of the Burbank area regarding any proposed mobile/manufactured home park in the Burbank area; and

**WHEREAS**, it appears that the County Comprehensive Plan and County Code do not currently accurately address the availability of the public utilities in the Burbank area; and

**WHEREAS**, on January 25, 2021, the Board of County Commissioners held a public hearing to consider renewing the interim zoning regulations initially enacted by Ordinance 471.

**NOW THEREFORE**

**BE IT ORDAINED**, by the Walla Walla County Board of County Commissioners that:

**Section I. The Board of County Commissioners Makes the Following Findings of Fact and Conclusions of Law.**

**A. Findings of Fact.**

1. The Burbank Subarea Plan has not been substantially modified for more than 10 years.
2. The Port's sewer system in the Burbank Urban Growth Area has been in place since late 2015.
3. The Port's infrastructure provides a needed service to the Burbank community, and the sewer system is a benefit to the area.
4. The sewer system will allow for an increased density of development than would have been allowed previously. Before, development density was limited primarily by on-site septic requirements set by State law and local health codes (Walla Walla County Code Chapter 8.16). Generally, absent special conditions, those codes require new development to be located on at least 12,500 square feet if a connection to a public water system was made. One acre or more was required if there was no public water system connection.
5. The County has received inquiries regarding placement of mobile/manufactured home parks in Burbank.
6. The County has received numerous letters and comments from residents of the Burbank area noting concerns about a proposed mobile/manufactured home park.
7. The County passed Ordinance 471 on August 7, 2018. The Ordinance enacted interim zoning that set the maximum density for residential uses at 4 dwelling units per acre.
8. A public hearing on Ordinance 471 was held on October 1, 2018.
9. On May 13, 2019, the Board of County Commissioners executed a contract amendment with The Watershed Company. The Contract amendment called for The Watershed Company to assist in community outreach and planning for the Burbank Subarea, this was identified as 'Phase 1' of the Burbank residential density review.



10. On June 29, 2019, the Community Development Department and The Watershed Company held an open house workshop to gather comments from the public in the Burbank area.
11. On July 29, 2019, the Board of County Commissioners held a public hearing to determine whether to renew the interim zoning regulations for six months. Four members of the public spoke at the public hearing. All of the speakers were supportive of capping the density in the Burbank area, although one speaker wished for a lower maximum density, in order to have larger lots.
12. On August 5, 2019, the Board of County Commissioners passed Ordinance 480, renewing the interim zoning regulations adopted by Ordinance 471 for a period of six months, ending on February 5, 2020.
13. On September 4, 2019, the Planning Commission held a workshop meeting to review the interim regulations, the existing development regulations for the Burbank UGA and other UGAs, the Burbank Subarea Plan, and the public comments that had been received at the June 29, 2019 outreach meeting in Burbank. The Planning Commission asked staff to investigate a few issues prior to further review by the Commission.
14. On November 18, 2019, the Board of County Commissioners entered into an agreement with LDC, Inc. for On-Call Professional Planning Services through December 31, 2020.
15. On November 26, 2019, the Board of County Commissioners held a workshop meeting to discuss possible long-range planning projects and issues and provide direction regarding priorities for 2020. Four projects were identified as priorities for early 2020; one of these was the Burbank residential density review.
16. On January 8, 2020, Community Development Department and Public Works Department staff met with representatives of the Port of Walla Walla to discuss the availability of utilities in the Burbank UGA and residential uses and density.
17. On February 3, 2020, after holding a public hearing, the Board of County Commissioners extended Ordinance 471's interim regulations for six months via Ordinance 483.
18. On February 6-7, 2020, the County experienced a major flooding event that occupied significant County resources.
19. On February 17-19, 2020 LDC staff visited the county to assist CDD staff with flood-related matters and background work for the Burbank residential project.
20. On February 26, 2020, LDC completed a final draft of a scoping document for the Burbank Residential Density Review project which included a tentative plan for

informational public meeting to be scheduled in April followed by public hearings by the Planning Commission and Board of County Commissioners.

21. On February 29, 2020, Governor Jay Inslee declared a statewide emergency related to the COVID-19 pandemic. The COVID-19 pandemic and Statewide emergency, Governor's stay at home orders, and phased reopening has presented challenges with regard to enacting zoning regulations, including inability to schedule open houses, Planning Commission meetings and public hearings, and other public gatherings to ensure public participation as required by the Washington State Growth Management Act (GMA).
22. On March 10, 2020, LDC provided CDD staff with a proposed Change Order which included work on the Burbank Residential Density Review based on the February 26 scoping document.
23. On March 20, 2020, the Community Development Department implemented modified operations under the direction of the Board of County Commissioners acting as the Walla Walla County Board of Health as a result of the COVID-19 pandemic. The CDD office closed to the general public and has not yet re-opened. In limited situations, in-person appointments are scheduled, but only if deemed necessary and strict adherence to social distancing requirements can be met.
24. On July 6, 2020, the Community Development Department staff and LDC prepared a revised scoping document outlining the remaining steps in the amendment process.
25. On July 13, 2020, the Board of County Commissioners adopted Resolution 20-142, setting a public hearing for July 27, 2020 for the purpose of considering renewal of the interim development regulations.
26. On July 27, 2020, the Board of County Commissioners held a public hearing to determine whether to extend Ordinance 471's interim regulations for another six months. The hearing was held remotely, with participation allowed via video conferencing and telephone. Persons who were unable to participate by video conference or phone were asked to call the Clerk of the Board to arrange to participate at a remote location.
27. From April 2019 through December 2020 the Community Development Department had significant senior-level staff vacancies. The Director position was filled in December 2019, the Senior Planner position was filled in March 2020, and the Building Official/Fire Marshal position was filled in June 2020. The Code Compliance Officer position remained vacant from March through December 2020; both building and planning division staff assisted with code enforcement work in 2020 to cover this vacancy.
28. On July 27, 2020, the Board of County Commissioners passed Ordinance 484, renewing the interim zoning regulations adopted by Ordinance 471 for a period of six months, ending



on January 27, 2021 at 12:01 a.m., unless an ordinance is adopted rescinding or amending the interim zoning.

29. As stated in Ordinance 484, the purpose of this ordinance renewal was "...to allow the County adequate time to study the Burbank Urban Growth Area and potential development regulations... [and] draft zoning and other possible regulations to address such developments and uses, to hold public hearings on such draft regulations and to adopt such regulations..." Ordinance 484 also noted that "... much of this work may not occur due to the restrictions of the ongoing COVID-19 pandemic."
30. On August 10, 2020, the Board of County Commissioners reviewed a memorandum prepared by planning consultant LDC outlining a general plan with six components to conduct public outreach in compliance with WWCC 14.10.050 under the State's COVID-19 restrictions.
31. Typically, public outreach would be conducted, and was originally anticipated for this project, through in-person public meetings. The COVID public outreach plan relies on virtual public meetings and states that the County will develop a small number of amendment options for consideration in final public hearings, as well as provide a project website and public presentations in advance of virtual public meetings so that members of the public can view them prior to providing written comments.
32. On October 14, 2020, the Planning Commission held a Special Meeting to review and discuss revised background information and scoping documents prepared by staff and the planning consultant including five varied amendment options in order for the Planning Commission to provide input in order to identify a small number of amendment options to be developed and disseminated for public review.
33. Staff and the planning consultant worked in November and December to develop three options based on the Planning Commission's feedback and are in the process of preparing maps, SEPA documents, and other project documents.
34. A tentative project schedule has been prepared that anticipates final options being presented in workshop meetings with the Planning Commission and BOCC in February, public hearings in March and April, and estimating completion of the project around the end of April or beginning of May, 2021.
35. On January 11, 2021, the Board of County Commissioners adopted Resolution 21-007, setting a public hearing for January 25, 2021 for the purpose of considering renewal of the interim development regulations.
36. On January 12, 2021, a Notice of Public Hearing was mailed to parties who had previously commented on the interim development regulations and provided their mailing address.



37. On January 14, 2021, a Notice of Public Hearing was published in the official gazette, the Walla Walla Union Bulletin, the Tri-City Herald, and The Times (Waitsburg).
38. On January 25, 2021, the Board of County Commissioners held a public hearing to determine whether to renew Ordinance 471's interim regulations for six months. The hearing was held remotely, with participation allowed via video conferencing and telephone. Persons who were unable to participate by video conference or phone were asked to call the Clerk of the Board to arrange to participate at a remote location.

#### **B. Conclusions of Law:**

1. Interim zoning enacted under RCW 36.70A.390 is a method by which local governments may preserve the status quo so that new plans and regulations will not be rendered moot by intervening development.
2. Interim zoning to preserve the status quo is necessary, until the Burbank Subarea Plan can be more thoroughly reviewed.
3. Walla Walla County is authorized by RCW 36.70A.390 to adopt interim zoning controls for a period of six months or for one year if a work plan is implemented.
4. The Comprehensive Plan notes that, in the Burbank area "The County Health Department requirements for water and domestic waste disposal will continue to dictate minimum lot size in the absence of full public utilities." Page 12-5. This section of the County Comprehensive Plan reflects the previous limitation on density that existed prior to the availability of public sewer services. This statement in the Comprehensive Plan is no longer entirely accurate, since more public utilities are available in the Burbank Urban Growth Area.
5. County Code currently limits maximum density of multifamily housing and townhouses to four dwelling units per acre in the Burbank Residential Zone. WWCC 17.18.050(D).
6. County Code currently has a minimum density of three dwelling units per acre in the Burbank Residential Zone. WWCC 17.18.020. There is currently no maximum density.
7. County Code does not have a minimum lot size in the Burbank Residential Zone. WWCC 17.18.020.
8. Limiting mobile/manufactured home parks and all new residential uses to a maximum density of four dwelling units per acre on an interim basis is consistent with the purpose of the Burbank Residential zoning district, which allows for multifamily housing that is consistent with the scale of adjacent single-family development.

9. By limiting mobile/manufactured home parks and new residential uses to a maximum of four dwelling units per acre, the Code would be consistent for all uses. A landowner could still develop a manufactured home park, but the density would be capped. A landowner could also subdivide property and locate a similar number of manufactured homes or traditional homes on the new lots.
10. County Code allows for mobile/manufactured home parks in the Burbank area, by conditional use permit.
11. The County Code does not currently have development standards for high density mobile/manufactured home parks. Other urban zoning codes (such as the City of Walla Walla's) include such requirements as density, space size, fencing requirements and open space requirements.
12. County Code states that the purpose of the Burbank Residential zone is as follows: "This district is primarily a single-family residential district with provisions for multifamily dwelling units that are consistent with the height, bulk and scale of adjacent development." WWCC 17.12.040 (M).
13. Policy and planning questions, such as whether the County should have additional standards for manufactured home parks, what type of maximum density should be allowed in the Burbank Residential Zone, what lot sizes should be allowed in the zone, and whether additional zoning classifications are needed in the Burbank Urban Growth Area, are best addressed through a deliberative planning process with the Planning Commission.
14. A large, high-density mobile home park, or other high-density subdivision, could have a lasting effect on the Burbank Urban Growth Area, because such uses were not previously anticipated or possible in the area, and because the County does not currently have standards to address those high-density uses in the Burbank area.
15. Immediate, and temporary, action is necessary to preserve the status quo and allow for additional planning before higher density development is allowed.
16. The interim zoning which would be renewed is consistent with the purposes of the Burbank Residential zone, allowing all residential development to be consistent in density and scale until such time as the County can complete the work on this project.

**Section II. Renewal of Ordinance 471.** Ordinance 471 is renewed and will remain in effect until May 25, 2021, at 12:01 a.m.

**Section III. Purpose.** The purpose of this renewed interim zoning Ordinance is to allow the County adequate time to study the Burbank Urban Growth Area and potential development regulations related to density, zoning, lot size and mobile and manufactured home parks in the Burbank Urban Growth Area. The County's goal is to ultimately draft zoning and other possible regulations to address such developments and uses, to hold public hearings on such draft



regulations and to adopt such regulations. The current work plan anticipates the project being completed in late April or early May; renewal of the interim regulations for four months accommodates this schedule.

**Section IV. Duration of Interim zoning.** This interim zoning Ordinance shall be in effect for four months, beginning on January 25, 2021, and ending on May 25, 2021 at 12:01 a.m., unless an ordinance is adopted rescinding or amending the interim zoning. This interim zoning may be extended by the Board of County Commissioners following a public hearing prior to such extension.

**Section V. Work Plan.** During the four-month period, the County will further study the Burbank Subarea, the zoning in the Burbank Urban Growth Area, and development regulations within the Burbank Urban Growth Area.

**Section VI. Declaration of Emergency.** The Board of County Commissioners hereby declares that an emergency exists necessitating that this Ordinance take effect immediately upon passage by the Board, and that the same is not subject to a referendum (RCW 36.70A.390).

**Section VII. Effective Date.** This Ordinance shall take effect and be in full force and effect immediately upon its adoption.

**Section VIII. Conflict with other WWCC Provisions.** If the provisions of this Ordinance are found to be inconsistent with other provisions of the Walla Walla County Code, this Ordinance shall control.

**Section IX. 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 X. Publication.** This Ordinance will be published by an approved summary consisting of the title.

PASSED by the Walla Walla County Board of County Commissioners at Walla Walla, Washington, then signed by its membership and attested by its Clerk in authorization of such passage this 25<sup>th</sup> day of January 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

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

Approved as to form:

Jesse D. Nolte, Chief Civil Deputy Prosecuting Attorney

OK

**11:45 COUNTY COMMISSIONERS**

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

**12:00 RECESS**

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) New Position Approval Form – Administrative Director for the Community Health Department

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

a) **Active Agenda Items:**

1) Possible discussion/decision re: any pending claims against the County

b) 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))

**- 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.*