

**A G E N D A**  
**WALLA WALLA COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, MARCH 1, 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 [wwccommissioners@co.walla-walla.wa.us](mailto:wwccommissioners@co.walla-walla.wa.us)**

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

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

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

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

**10:00 A.M. COUNTY COMMISSIONERS**

**Chairman Tompkins**

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

- a) Roll call and establish a quorum
- b) Declarations re: conflict of interest
- c) Pledge of Allegiance
- d) Public comment period (time limitations may be imposed)
- e) Introduction of new county employees (this is scheduled for the first meeting of each month)
- f) **Action Agenda Items:**
  - 1) Review submitted Employee Payroll Action Forms
  - 2) Review vouchers/warrants/electronic payments
- g) **Consent Agenda Items:**
  - 1) Resolution - Minutes of County Commissioners' proceedings for February 22 and 23, 2021
  - 2) Resolution – Approval of an Agreement with Washington State Military Department for Homeland Security Funding (E20-241A)
  - 3) Payroll action and other forms requiring Board approval
- h) **Action Items:**
  - 1) County vouchers/warrants/electronic payments as follows: 4051387 through 4051394 totaling \$83,676.00 (payroll draws dated February 12, 2021); 4051481 through 4051519, totaling \$1,008,014.76 (February payroll); 4227406 through 4051519 totaling \$1,159,909.24, (benefits and deductions); and 4227404 through 4227405 totaling \$236,781.89 (ER&R)
  - 2) Proposal 2021 03-01 Comm Notice of Intent to sell parcel #360714140019
- i) Miscellaneous business to come before the Board

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

IN THE MATTER OF APPROVAL OF  
AN AGREEMENT WITH  
WASHINGTON STATE MILITARY  
DEPARTMENT FOR HOMELAND  
SECURITY FUNDING (E20-241A)

RESOLUTION NO. **21**

**WHEREAS**, the U.S. Department of Homeland Security and the Washington State Military Department Emergency Management Division have offered to provide an additional allocation of funding to the Walla Walla County Emergency Management Department's supplemental Emergency Management Performance contract in the amount of \$2,823, bringing the total amount to \$16,967; and

**WHEREAS**, the funding is pass-through dollars FFY20 for the county's emergency management program; and

**WHEREAS**, the reimbursement agreement is authorized to be used for salaries and benefits; and

**WHEREAS**, Liz Jessee, Walla Walla County Emergency Management Director, is authorized to sign agreements with said entities, and Liz Jessee and Patrick Purcell are authorized to request reimbursements from these entities, on behalf of Walla Walla County; now therefore

**BE IT HEREBY RESOLVED** by this Board of Walla Walla County Commissioners that said agreement and reimbursement authority be approved.

Passed this 1<sup>st</sup> day of March, 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

## Emergency Management Department

27 N. 2<sup>nd</sup> Avenue  
Walla Walla, Washington 99362  
Phone: (509) 524-2900 • Fax: (509) 524-2910  
www.wwemd.info

**LIZ JESSEE**

Director

**PATRICK PURCELL**

Coordinator

## Memo

**To:** Board of Walla Walla County Commissioners  
**From:** Liz Jessee  
**Date:** February 17, 2021  
**Re:** Amendment to Emergency Management Performance Grant Funding - Supplemental

I am requesting your authorization to sign a contract amendment with Washington State Military Department Emergency Management Division to receive additional supplemental Federal Fiscal Year 2020 Emergency Management Performance Grant (EMPG) funds in the amount of \$2,823, bringing the contract total to \$16,967.

During the FY20 EMPG COVID Supplemental (20EMPG-S) allocation process, several emergency management organizations did not accept the 20EMPG-S funds. Per WAC 118-090-040(3), the Emergency Management Advisory Group recommended reallocation of the funds based on the normal EMPG allocation methodology.

EMPG contract funds come from the U.S. Department of Homeland Security through the State Emergency Management Division for the County to support and enhance the local emergency management programs. The EMPG supplemental grant funds are intended to assist state, local, territorial, and tribal governments with their public health and emergency management activities supporting the prevention of, preparation for, response to, and recovery from the ongoing Coronavirus Disease 2019 (COVID-19) public health emergency. Walla Walla County Emergency Management is using the funding to towards Salaries and Benefits.

Sincerely,

/s/

LIZ JESSEE

Director, Emergency Management

# SIGNATURE AUTHORIZATION FORM

WASHINGTON STATE MILITARY DEPARTMENT  
Camp Murray, Washington 98430-5122

*Please read instructions on reverse side before completing this form.*

NAME OF ORGANIZATION Walla Walla County Emergency Management	DATE SUBMITTED 2/17/21
PROJECT DESCRIPTION Washington State Military Department and the U.S. Department of Homeland Security	CONTRACT NUMBER E20-241A

## 1. AUTHORIZING AUTHORITY

SIGNATURE	PRINT OR TYPE NAME	TITLE/TERM OF OFFICE
	Gregory A. Tompkins	Chair, Walla Walla County Board of Commissioners
	Todd L. Kimball	Walla Walla County Commissioner
	Jennifer Mayberry	Walla Walla County Commissioner

## 2. AUTHORIZED TO SIGN CONTRACTS/CONTRACT AMENDMENTS

SIGNATURE	PRINT OR TYPE NAME	TITLE
	Liz Jessee	Director

## 3. AUTHORIZED TO SIGN REQUESTS FOR REIMBURSEMENT

SIGNATURE	PRINT OR TYPE NAME	TITLE
	Liz Jessee	Director
	Patrick Purcell	Coordinator



# Washington State Military Department AMENDMENT

1. Subrecipient Name and Address: <b>Walla Walla, County of Emergency Management (EM) 27 N 2nd Avenue Walla Walla, WA 99362-1801</b>		2. Grant Agreement Number: <b>E20-241</b>	3. Amendment Number: <b>A</b>
4. Subrecipient Contact, phone/email: <b>Liz Jessee, 509-524-2900 ljesssee@co.walla-walla.wa.us</b>		5. Department Contact, phone/email: <b>Michael Alston, 253-512-7083 michael.alston@mil.wa.gov</b>	
6. EIN: <b>91-6001381</b>	7. Assistance Listings # (formerly CFDA) & Title: <b>97.042 (20EMPG-S)</b>	8. Federal Funding Identification #: <b>EMS-2020-EP-00009-S01</b>	
9. Funding Authority: <b>Washington State Military Department</b> (the "DEPARTMENT") and the <b>US Department of Homeland Security</b> (DHS)			
10. Description/Justification of Amendment: <p>During the FY20 EMPG COVID Supplemental (20EMPG-S) allocation process, several emergency management organizations did not accept the 20EMPG-S funds. Per WAC 118-090-040(3), the Emergency Management Advisory Group recommended reallocation of the funds based on the normal EMPG allocation methodology.</p> <p>The Subrecipient has been allocated an additional \$2,823, which is added to the Budget (Attachment E). The Work Plan (Attachment C) and Timeline (Attachment D) are not affected.</p> <p>Changes are noted in strikethrough and grey highlight.</p>			
11. AMENDMENT TERMS AND CONDITIONS: <ol style="list-style-type: none"> <li>1. The Grant Agreement End Date of December 31, 2021 remains <b>unchanged</b>.</li> <li>2. <b>Change</b> the Grant Agreement Amount <b>from</b> \$14,144 <b>to</b> \$16,967, an increase of \$2,823, as described on Page 2 of this Amendment.</li> <li>3. <b>Replace</b> the Original Budget, Attachment E, <b>with</b> the attached Revised Budget, Attachment E, as described on Page 2 of this Amendment.</li> </ol>			
<p>This Amendment is incorporated in and made a part of the Grant Agreement. Except as amended herein, all other terms and conditions of the Grant Agreement remain in full force and effect. Any reference in the original Grant Agreement or an Amendment to the "Grant Agreement" shall mean "Grant Agreement as amended". The Department and Subrecipient acknowledge and accept the terms of this Amendment as identified above, effective on the final date of execution below. By signing this Amendment, the signatories warrant they have the authority to execute this Amendment.</p>			
IN WITNESS WHEREOF, the parties have executed this Amendment:			
FOR THE DEPARTMENT:		FOR THE SUBRECIPIENT:	
<div style="display: flex; justify-content: space-between;"> <div>Signature</div> <div>Date</div> </div> <div>Regan Anne Hesse, Chief Financial Officer Washington State Military Department</div>		<div style="display: flex; justify-content: space-between;"> <div>Signature</div> <div>Date</div> </div> <div>Liz Jessee, Director Walla Walla Emergency Management</div>	
BOILERPLATE APPROVED AS TO FORM: Brian E. Buchholz                      7/30/2018 Assistant Attorney General		APPROVED AS TO FORM (if applicable):	
		<div style="display: flex; justify-content: space-between;"> <div>Applicant's Legal Review</div> <div>Date</div> </div>	

## **Washington State Military Department Amendments to Agreement E20-241**

- 1. The Grant Agreement End Date of December 31, 2021 remains unchanged.**
- 2. Change the Grant Agreement Amount from \$14,144 to \$16,967, an increase of \$2,823.**
  - a. Agreement Face Sheet, Box 2 – ~~\$14,144~~ **\$16,967**.
  - b. Original Budget, Attachment E; with Revised Budget, Attachment E.
- 3. Replace the Original Budget, Attachment E.**
  - a. **Replace** the Original Budget, Attachment E, with attached Revised Budget, Attachment E.
  - b. **Change** the Total Match Amount. ~~\$14,144~~ **\$16,967**

## REVISED BUDGET

## FY 2020 Emergency Management Performance Grant COVID-19 Supplemental

20EMPG-S AWARD	\$	14,144.00
Modification	\$	2,823.00
<b>20EMPG-S Amended Award</b>	<b>\$</b>	<b>16,967.00</b>

SOLUTION AREA	BUDGET CATEGORY	EMPG-S AMOUNT	MODIFICATION	AMENDED EMPG-S AMOUNT	MATCH AMOUNT
PLANNING	Salaries & Benefits	\$ 14,144	\$ 2,823	\$ 16,967	\$ 16,967
	Overtime/Backfill	\$ -	\$ -	\$ -	\$ -
	Consultants/Contractors	\$ -	\$ -	\$ -	\$ -
	Goods & Services	\$ -	\$ -	\$ -	\$ -
	Travel/Per Diem	\$ -	\$ -	\$ -	\$ -
	Subtotal	\$ 14,144	\$ 2,823	\$ 16,967	\$ 16,967
ORGANIZATION	Salaries & Benefits	\$ -	\$ -	\$ -	\$ -
	Overtime/Backfill	\$ -	\$ -	\$ -	\$ -
	Consultants/Contractors	\$ -	\$ -	\$ -	\$ -
	Goods & Services	\$ -	\$ -	\$ -	\$ -
	Travel/Per Diem	\$ -	\$ -	\$ -	\$ -
	Subtotal	\$ -	\$ -	\$ -	\$ -
TRAINING	Salaries & Benefits	\$ -	\$ -	\$ -	\$ -
	Overtime/Backfill	\$ -	\$ -	\$ -	\$ -
	Consultants/Contractors	\$ -	\$ -	\$ -	\$ -
	Goods & Services	\$ -	\$ -	\$ -	\$ -
	Travel/Per Diem	\$ -	\$ -	\$ -	\$ -
	Subtotal	\$ -	\$ -	\$ -	\$ -
EQUIP	Equipment	\$ -	\$ -	\$ -	\$ -
	Subtotal	\$ -	\$ -	\$ -	\$ -
M&A	Salaries & Benefits	\$ -	\$ -	\$ -	\$ -
	Overtime/Backfill	\$ -	\$ -	\$ -	\$ -
	Consultants/Contractors	\$ -	\$ -	\$ -	\$ -
	Goods & Services	\$ -	\$ -	\$ -	\$ -
	Travel/Per Diem	\$ -	\$ -	\$ -	\$ -
	Subtotal	\$ -	\$ -	\$ -	\$ -
	Indirect	\$ -	\$ -	\$ -	\$ -
	Indirect Cost Rate on file	0.0%			
<b>TOTAL Grant Agreement AMOUNT:</b>		<b>\$ 14,144</b>	<b>\$ 2,823</b>	<b>\$ 16,967</b>	<b>\$ 16,967</b>

- The Subrecipient will provide a match of at least ~~\$14,144~~ **\$16,967**, 50% of the total project cost (local budget plus EMPG-S award), of non-federal origin.
- Cumulative transfers between budget categories in excess of 10% of the grant agreement amount will not be reimbursed without prior written authorization from the Department.

Funding Source: U.S. Department of Homeland Security - PI# 703PS – EMPG-S

**COUNTY COMMISSIONERS (continued)**

- j) Review reports and correspondence; hear committee and meeting reports
- k) Review of constituent concerns/possible updates re: past concerns

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

**a) Consent Agenda Items:**

- 1) Execute Landowner Acknowledgement form for grant application with the Tri-State Steelheaders for the Mill Creek Passage – Gose Street Design



# Landowner Acknowledgement Form

## Landowner Information

Name of Landowner: Mill Creek Flood Control Zone District (Walla Walla County)

Landowner Contact Information:

☐ Mr. ☐ Ms. Title: Walla Walla County Commissioner

First Name: Gregory Last Name: Tompkins  
Todd Kimball  
Jennifer Mayberry

Contact Mailing Address: PO Box 1506, Walla Walla, WA 99362

Contact E-Mail Address: wwcocommissioners@co.walla-walla.wa.us

Property Address or Location: Mill Creek at Gose St

1. Mill Creek Flood Control Zone District (Walla Walla County) is the legal owner of property described in this grant application.
2. I am aware that the project is being proposed on my property.
3. If the grant is successfully awarded, I will be contacted and asked to engage in negotiations.
4. My signature does not represent authorization of project implementation.

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Landowner Signature

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Date

## Project Sponsor Information

Project Name: Mill Creek Passage – Gose St Design

Project Applicant Contact Information:

☒ Mr. ☐ Ms. Title Executive Director

First Name: Brian Last Name: Burns

Mailing Address: PO Box 1375, Walla Walla, WA 99362

E-Mail Address: brian.burns@tristatesteelheaders.com

a) **Action Agenda Items:**

- 1) Resolution – Signing a prospectus and local agency agreement for Fishhook Road Project
- 2) Resolution – Rejecting bids for Hot Mix Asphalt
- 3) Resolution – Bid award for Emulsified Asphalt
- 4) Resolution – Bid award for Aggregate for Bituminous Surface Treatment
- 5) Resolution – Bid award for Aggregate Crushed Surfacing – Base Course
- 6) Resolution – Bid award for Aggregate Crushed Surfacing – Top Course

b) Department update and miscellaneous

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

IN THE MATTER OF SIGNING A  
LOCAL AGENCY AGREEMENT AND  
A PROJECT PROSPECTUS FOR AN  
APPLICATION FOR FEDERAL  
SURFACE TRANSPORTATION  
PROGRAM FUNDS FOR FISHHOOK  
PARK ROAD PROJECT



**RESOLUTION NO. 21**

**WHEREAS**, Surface Transportation Program (STP) funds are available; and

**WHEREAS**, Fishhook Park Road Project from MP 0.00 to MP 1.40 qualifies for Surface Transportation Program (STP) funds; and

**WHEREAS**, Fishhook Road Project is listed on the Six Year Transportation Improvement Program; and

**WHEREAS**, a Project Prospectus and Local Agency Agreement have been prepared as part of an application for said funds to improve Fishhook Park Road Project; and

**WHEREAS**, Walla Walla County agrees to comply with the regulations, policies and procedures set forth in the Local Agency Agreement as a condition of payment of federal funds obligated; now therefore

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

*Passed this 1<sup>st</sup> day of **March, 2021** by Board members as follows:      Present or      Participating via other means, and by the following vote:      Aye      Nay      Abstained      Absent.*

**Attest:**

\_\_\_\_\_  
Diane L. Harris, Clerk of the Board

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

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

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

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

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

IN THE MATTER OF REJECTING  
BIDS FOR HOT MIX ASPHALT

RESOLUTION NO. **21**

**WHEREAS**, as advertised, a bid opening was held on February 22, 2021 for furnishing Walla Walla County with Hot Mix Asphalt from April 1, 2021, through November 15, 2021, and the following bids were opened and read publicly:

- |    |   |             |
|----|---|-------------|
| 1) | Central Manufacturing, Inc.<br>Moses Lake, WA | \$59.00/Ton |
| 2) | Humbert Asphalt, Inc.<br>Milton-Freewater, OR | \$65.50/Ton |

and,

**WHEREAS**, Paragraph 9 of the Walla Walla County Call for Bids for Hot Mix Asphalt, Instruction to Bidder states the Board of Walla Walla County Commissioners reserves the right to accept or reject any or all bids submitted; and

**WHEREAS**, the County wishes to re-advertise with some additional clarification in the Call for Bid language; now therefore

**BE IT HEREBY RESOLVED**, the Board of County Commissioners rejects all bids for Hot Mix Asphalt and further directs the County Engineer to re-advertise with additional clarifying language in the Call for Bids.

*Passed this 1<sup>st</sup> day of **March, 2021** by Board members as follows:        Present or        Participating via other means, and by the following vote:        Aye        Nay        Abstained        Absent.*

Attest:

\_\_\_\_\_  
Diane L. Harris, Clerk of the Board

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

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

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

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

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

IN THE MATTER OF A BID  
AWARD FOR CRS-2P  
EMULSIFIED ASPHALT

RESOLUTION NO. **21**

**WHEREAS**, as advertised, a bid opening was held on February 22, 2021 for furnishing Walla Walla County with CRS-2P Emulsified Asphalt from May 13, 2021, through August 31, 2021, and the following bids were opened and read publicly:

- |    |                                       |          |              |
|----|---------------------------------------|----------|--------------|
| 1) | Ergon Asphalt & Emulsion<br>Pasco, WA | CRS - 2P | \$414.00/Ton |
| 2) | Albina Asphalt<br>Vancouver, WA       | CRS – 2P | \$442.00/Ton |
| 3) | Idaho Asphalt<br>Hauser, ID           | CRS – 2P | \$450.00/Ton |

and,

**WHEREAS**, Ergon Asphalt & Emulsion submitted the lowest responsive, responsible bid; now therefore

**BE IT HEREBY RESOLVED** by this Board of Walla Walla County Commissioners that the contract to furnish Walla Walla County with CRS-2P Emulsified Asphalt be awarded to Ergon Asphalt & Emulsion for \$414.00/Ton.

*Passed this 1<sup>st</sup> day of **March 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

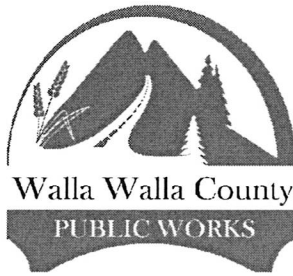
\_\_\_\_\_  
Gregory A. Tompkins, Chairman, District 3

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

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

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





February 22, 2021

Emulsified Asphalt  
(Approximately 2,400 Tons CRS-2P)  
Bid Results

Ergon Asphalt & Emulsion Pasco, WA	CRS-2P	\$414.00/Ton
Albina Asphalt Vancouver, WA	CRS-2P	\$442.00/Ton
Idaho Asphalt Hauser, ID	CRS-2P	\$450.00/Ton

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

IN THE MATTER OF A BID  
AWARD FOR AGGREGATE FOR  
BITUMINOUS SURFACE  
TREATMENT

RESOLUTION NO. **21**

**WHEREAS**, as advertised, a bid opening was held on February 22, 2021, for furnishing Walla Walla County with Aggregate for Bituminous Surface Treatment, and the following bids were opened and read publicly:

- |  |                      |
|--|----------------------|
| 1) Central Washington Asphalt, Inc<br>Moses Lake, WA | Total Bid: \$315,000 |
| 2) Humbert Asphalt Inc.<br>Milton-Freewater, OR      | Total Bid: \$351,900 |
| 3) Koncrete Industries, Inc<br>Walla Walla, WA       | Total Bid: \$446,550 |

and,

**WHEREAS**, Central Washington Asphalt, Inc. submitted the lowest responsive, responsible bid; now therefore

**BE IT HEREBY RESOLVED** by this Board of Walla Walla County Commissioners that the bid to furnish Walla Walla County with Aggregate for Bituminous Surface Treatment be awarded to Central Washington Asphalt, Inc. of Moses Lake, WA for the total bid price of \$315,000.00.

*Passed this 1<sup>st</sup> day of **March, 2021** by Board members as follows:        Present or        Participating via other means, and by the following vote:        Aye        Nay        Abstained        Absent.*

Attest:

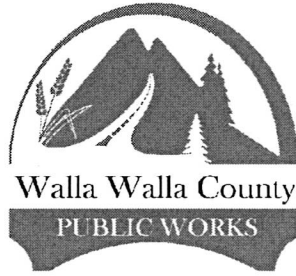
\_\_\_\_\_  
Diane L. Harris, Clerk of the Board

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

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

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

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of Walla Walla County, Washington*



February 22, 2021

Aggregate for Bituminous Surface Treatment  
(Approximately 15,000 Tons)  
Bid Results

1) Central Washington Asphalt, Inc. Moses Lake, WA	Total Bid: \$315,000
2) Humbert Asphalt Inc. Milton-Freewater, OR	Total Bid: \$351,900
3) Koncrete Industries, Inc. Walla Walla, WA	Total Bid: \$446,550

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

IN THE MATTER OF A BID AWARD  
FOR AGGREGATE CRUSHED  
SURFACING – BASE COURSE

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RESOLUTION NO. **21**

**WHEREAS**, as advertised, a bid opening was held on February 22, 2021 for furnishing Walla Walla County with Aggregate Crushed Surfacing – Base Course, the following bids were opened and read publicly; and

**WHEREAS**, bids were received from Humbert Asphalt Inc, Koncrete Industries Inc., Barker Inc, Central Washington Asphalt Inc. and American Rock Products; and

**WHEREAS**, Humbert Asphalt Inc. submitted the lowest responsive, responsible bid on item one on Exhibit “A” and Koncrete Industries, Inc. submitted the lowest responsive responsible bid on item 2 on Exhibit “A”; and

**WHEREAS**, Section 9 of the Instructions to Bidders indicated this Board may award each item separately to the successful bidder for that item; now therefore

**BE IT HEREBY RESOLVED**, that the Aggregate Crushed Surfacing – Base Course be awarded as described on Exhibit “A” by this Board of Walla Walla County Commissioners; and

**BE IT FURTHER RESOLVED**, that the County reserves the right to purchase any or no quantities at the unit bid price, or to utilize other processes, such as the County vendor’s list or purchasing from the state contract.

*Passed this 1<sup>st</sup> day of **March, 2021** by Board members as follows:        Present or        Participating via other means, and by the following vote:        Aye        Nay        Abstained        Absent.*

**Attest:**

\_\_\_\_\_  
Diane L. Harris, Clerk of the Board

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

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

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

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of Walla Walla County, Washington*

**Aggregate Crushed Surfacing – Base Course  
Exhibit “A”**

	<u>Location</u>	<u>Bidder</u>	<u>Total Amount</u>
Item 1	Walla Walla Stockpile Site	<b>Humbert Asphalt, Inc Milton Freewater, OR</b>	<b>\$36,575</b>
		Central Washington Asphalt Moses Lake, WA	\$48,125
		Koncrete Industries, Inc. Walla Walla, WA	\$51,695
		American Rock Products Walla Walla, WA	\$58,625
		Barker Inc. Dayton, WA	\$59,500
Item 2	Waitsburg Stockpile Site	<b>Koncrete Industries Walla Walla, WA</b>	<b>\$27,425</b>
		Humbert Asphalt, Inc, Milton Freewater, OR	\$33,625
		Barker Inc. Dayton, WA	\$33,750
		Central Washington Asphalt Moses Lake, WA	\$41,250
		American Rock Products Walla Walla, WA	\$42,500



## Aggregate Crushed Surfacing – Base Course

February 22, 2021

### Bid Tab

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	<u>Location</u>	<u>Bidder</u>	<u>Total Amount</u>
Item 1	Walla Walla Stockpile Site	<b>Humbert Asphalt, Inc</b> <b>Milton Freewater, OR</b>	<b>\$36,575</b>
		Central Washington Asphalt Moses Lake, WA	\$48,125
		Koncrete Industries, Inc. Walla Walla, WA	\$51,695
		American Rock Products Walla Walla, WA	\$58,625
		Barker Inc. Dayton, WA	\$59,500
Item 2	Waitsburg Stockpile Site	<b>Koncrete Industries</b> <b>Walla Walla, WA</b>	<b>\$27,425</b>
		Humbert Asphalt, Inc, Milton Freewater, OR	\$33,625
		Barker Inc. Dayton, WA	\$33,750
		Central Washington Asphalt Moses Lake, WA	\$41,250
		American Rock Products Walla Walla, WA	\$42,500

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

IN THE MATTER OF A BID AWARD  
FOR AGGREGATE CRUSHED  
SURFACING – TOP COURSE

RESOLUTION NO. **21**

**WHEREAS**, as advertised, a bid opening was held on February 22, 2021 for furnishing Walla Walla County with Aggregate Crushed Surfacing – Top Course, the following bids were opened and read publicly; and

**WHEREAS**, bids were received from Humbert Asphalt Inc, Koncrete Industries Inc., Barker Inc, Central Washington Asphalt Inc. and American Rock Products; and

**WHEREAS**, Humbert Asphalt Inc. submitted the lowest responsive, responsible bid on item one on Exhibit "A" and Koncrete Industries, Inc. submitted the lowest responsive, responsible bid on item 2 and Barker Inc. submitted the lowest responsive, responsible bid on item 3 on Exhibit "A"; and

**WHEREAS**, Section 9 of the Instructions to Bidders indicated this Board may award each item separately to the successful bidder for that item; now therefore

**BE IT HEREBY RESOLVED**, that the Aggregate Crushed Surfacing – Top Course be awarded as described on Exhibit "A" by this Board of Walla Walla County Commissioners; and

**BE IT FURTHER RESOLVED**, that the County reserves the right to purchase any or no quantities at the unit bid price, or to utilize other processes, such as the County vendor's list or purchasing from the state contract.

*Passed this 1<sup>st</sup> day of **March, 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*

**Aggregate Crushed Surfacing – Top Course  
Exhibit “A”**

	<u>Location</u>	<u>Bidder</u>	<u>Total Amount</u>
Item 1	Walla Walla Stockpile Site	<b>Humbert Asphalt, Inc Milton Freewater, OR</b>	<b>\$83,600</b>
		Central Washington Asphalt Moses Lake, WA	\$110,000
		Koncrete Industries, Inc. Walla Walla, WA	\$118,160
		American Rock Products Walla Walla, WA	\$134,000
		Barker Inc. Dayton, WA	\$136,800
Item 2	Waitsburg Stockpile Site	<b>Koncrete Industries Walla Walla, WA</b>	<b>\$109,700</b>
		Humbert Asphalt, Inc, Milton Freewater, OR	\$134,500
		Barker Inc. Dayton, WA	\$137,000
		Central Washington Asphalt Moses Lake, WA	\$165,000
		American Rock Products Walla Walla, WA	\$190,000
Item 3	Saxon Stockpile Site	<b>Barker Inc. Dayton, WA</b>	<b>\$196,000</b>
		Humbert Asphalt, Inc, Milton Freewater, OR	\$200,000
		American Rock Products Walla Walla, WA	\$201,000
		Central Washington Asphalt Milton Freewater, OR	\$210,000
		Koncrete Industries Walla Walla, WA	\$227,700

## Aggregate Crushed Surfacing – Top Course

**February 22, 2021 - Bid Tab**

	<u>Location</u>	<u>Bidder</u>	<u>Total Amount</u>
Item 1	Walla Walla Stockpile Site	<b>Humbert Asphalt, Inc Milton Freewater, OR</b>	<b>\$83,600</b>
		Central Washington Asphalt Moses Lake, WA	\$110,000
		Koncrete Industries, Inc. Walla Walla, WA	\$118,160
		American Rock Products Walla Walla, WA	\$134,000
		Barker Inc. Dayton, WA	\$136,800
Item 2	Waitsburg Stockpile Site	<b>Koncrete Industries Walla Walla, WA</b>	<b>\$109,700</b>
		Humbert Asphalt, Inc, Milton Freewater, OR	\$134,500
		Barker Inc. Dayton, WA	\$137,000
		Central Washington Asphalt Moses Lake, WA	\$165,000
		American Rock Products Walla Walla, WA	\$190,000
Item 3	Saxon Stockpile Site	<b>Barker Inc. Dayton, WA</b>	<b>\$196,000</b>
		Humbert Asphalt, Inc, Milton Freewater, OR	\$200,000
		American Rock Products Walla Walla, WA	\$201,000
		Central Washington Asphalt Moses Lake, WA	\$210,000
		Koncrete Industries Walla Walla, WA	\$227,700

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



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To: Board of County Commissioners

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

Date: 23 February 2021

Re: Director's Report for the Week of 22 February 2021

**Board Action: 1 March 2021**

**RESOLUTIONS:**

**In the Matter of a Bid Award – Emulsified Asphalt**

**In the Matter of a Bid Award – Aggregate for Bituminous Surface Treatment**

**In the Matter of a Bid Award – Aggregate Crushed Surfacing - Base Course**

**In the Matter of a Bid Award – Aggregate Crushed Surfacing – Top Course**

**In the Matter of a Bid Award – Hot Mix Asphalt**

**In the Matter of Signing a Prospectus and Local Agency Agreement for Fishhook Park Road Project**

**MISCELLANEOUS:**

**Execute Landowner Acknowledgement Form with the Tri-State Steelheaders for the Mill Creek Passage – Gose Street Design**

**ENGINEERING:**

- Arch Bridge: Working on bridge design and environmental documents.
- Dell Sharpe Bridge: Consultant is working on hydrology and structural design.
- Old Highway 12: Reviewing final design.
- Countywide Guideposts: Working on layout and plan sheets.
- Abbott Road Sidewalk: Reviewing preliminary design from consultant. Project is being coordinated with the High School improvements.

**MAINTENANCE/FLEET MANAGEMENT:**

- Crews working on cleaning up after snow and ice.
- Monitoring for potential flooding concerns.
- South crews will begin replacing bridge deck on Fredrickson Bridge starting Thursday.
- Garage working on routine maintenance.

**ADMINISTRATION:**

- Held weekly Staff meeting and meetings with Engineering and Road Operations.
- Met with Tech Services Director to continue to coordinate our IT merger effort.
- Attended a weather update from the National Weather Service to go over what weather events are forecasted next.
- Met with the Fairgrounds Director to go over the basics of their ER&R program.
- Met with the City of Walla Walla and Public Schools to go over potential intersection improvements at Abbott/Fern.
- We continue to provide some assistance, when possible/as needed, with Contact Tracing/Case Tracking and Traffic Control during Vaccine Clinics at the Fairgrounds.



- a) Presentation of the County Planning Commission's recommendation to move out-of-cycle amendment application ZCA18-003, Dressler/BERRI, to Final Docket Review (out-of-cycle)
- b) Board discussion and possible action to place out-of-cycle amendment application ZCA18-003 to the 2020 Final Docket as recommended by the County Planning Commission or to set a public hearing to consider not moving the application forward for Final Docket review at this time (**Note:** This is not a public hearing and no public testimony will be taken.)
- c) Department update and miscellaneous



## Walla Walla County Community Development Department

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

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To: Board of County Commissioners  
From: Lauren Prentice, Director  
Date Prepared: February 24, 2021  
Agenda Date: March 1, 2021  
RE: **Presentation of the Planning Commission's recommendation on Preliminary Docket Application: Zoning Code Text Amendment – David Dressler/BERRI, MODIFIED request to amend WWCC 17.16.014, Permitted Uses Table, to make Organic Waste Processing Facility a permitted use in the Light Industrial (LI) zoning district. Docket No. ZCA18-003.**

### Docketing Process for Annual Amendments

A zoning code text amendment application was received by the County as an out of cycle application in December 2018 from David Dressler. The original application proposed to make Organic Waste Processing Facilities a permitted use in the Agriculture Residential 10 (AR-10) zoning district. This application was placed on hold by the Applicant in early 2019 after the Planning Commission had begun the Preliminary Docket review process.

The applicant has modified the proposal to make the use a permitted use in the Light Industrial (LI) zoning district.

The purpose of the Preliminary Docket review is to review the amendments based on initial criteria (shown below), staff and the Planning Commission would not complete a thorough technical analysis of the merits for each of the applications until the Final Docket.

If a decision is made by the Board of County Commissioners to move this to the Final Docket outside the regular docketing cycle, or include it on the 2021 Final Docket, the development regulations amendments on the Final Docket will be reviewed pursuant to Walla Walla County Code (WWCC) Sections 14.15.070, including environmental review under the State Environmental Policy Act (SEPA). Later a public information meeting will be held as required by Section 14.15.050B(2), followed by possible workshops and required public hearings with the Planning Commission and the Board of County Commissioners.

### Review Criteria

*WWCC Section 14.15.060D(3) – Development Regulation Amendment Criteria*

- a. The amendment is consistent with the comprehensive plan;
- b. The amendment is consistent with other development regulations, unless accompanied by amendments to such other development regulations; and
- c. The amendment is appropriate for consideration at this time.

### Attachments and background materials

1. Draft minutes from February 3, 2021 Planning Commission meeting
2. February 3, 2021 Planning Commission Final Docket Public Hearing Staff Report with attachments

**Summary of Proposal**

The application includes one proposed amendment to Title 17.


1. Amend Section 17.18.014, Permitted Uses Table, to allow for Organic waste processing facilities in the Light Industrial (LI) zoning district. As proposed by the applicant this would be a permitted use.

**Planning Commission Recommendation**

The Planning Commission voted, after holding a Preliminary Docket public hearing, to recommend that the Board of County Commissioners move this to the Final Docket.

Per WWCC 14.15.060E the BOCC may adopt the Planning Commission's Final Docket recommendation, moving this to the Final Docket, outside the regular docketing cycle, without a public hearing.

Alternatively, if a majority of the BOCC decides that they want to consider not moving this application to the Final Docket, the Board must first schedule and conduct a public hearing.



# Walla Walla County Community Development Department

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

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## Walla Walla County Planning Commission

Meeting Location: VIRTUAL

Wednesday, February 3, 2021

6:00 PM

Regular Meeting

**DRAFT**

A. CALL TO ORDER:

Meeting was called to order by Vice Chair Bruce McCaw at 7:00 PM.

B. ROLL CALL

Members Present: Vice Chair Bruce McCaw  
Michelle Liberty  
Jon Hooper  
Chuck Carruthers  
Richard L. (RL) McFarland

Members Present: Chair Bryce Buckley  
Antionette (Toni) Rudnick

Staff Present: Lauren Prentice, Director  
Don Sims, Associate Planner  
Jennifer Ballard, Senior Planner

C. ESTABLISH A QUORUM: A quorum was established.

D. CONFLICT OF INTEREST/APPEARANCE OF FAIRNESS: None

E. APPROVAL OF AGENDA:

**Motion:** To approve by Chuck Carruthers; Michelle Liberty seconded. Motion passed unanimously.

F. PUBLIC HEARING(S):

Vice Chairman McCaw read the public hearing rules.

1. **ZCA18-003 BERRI/DRESSLER APPLICATION** – Request (modified) to allow Organic Waste Processing in the Light Industrial zoning district. This is an amendment to the Zoning Code application (PRELIMINARY DOCKET HEARING).

Ms. Prentice gave an overview of this application and the Planning Commission members discussed the applications. After discussion by the Planning Commission, the Vice Chairman

opened the public hearing for public comments and allowed the applicant to speak first.

**PUBLIC COMMENT:**

Speaking in Favor:

1. David Dressler (Applicant)
2. Carlan Bradshaw

Speaking in Opposition: None

The Vice Chairman closed the hearing to public comment and opened it to Planning Commission discussion.

**Motion:** Member Jon Hooper moved that the Planning Commission concur with the findings of fact and conclusion of law in docket number ZCA18-003 and recommend to the Board of County Commissioners that the application by BERRI be included in the Final Docket." Michelle Liberty seconded; motion passed (4-1).

G. WORKSHOP(S):

1. BURBANK RESIDENTIAL DENSITY REVIEW PROJECT (ZCA18-002) –

Ms. Prentice reviewed the materials prepared by planning staff and LDC as background information for the Planning Commission regarding the recent four-month extension of the interim zoning regulations in the Burbank UGA and recent public outreach. This is a high priority for the Board of County Commissioners. Discussion ensued by Commission and Staff. Lauren said that she will likely schedule one additional workshop for the Burbank topic either later in February or the regular scheduled meeting in March.

H. ELECTION OF OFFICERS FOR 2021:

1. Bruce McCaw nominated John Hooper to be Chair, Michelle Liberty seconded. Jon stated that he accepted the nomination; motion passes (5-0).
2. Chuck Carruthers nominated RL McFarland as Vice-Chair; RL accepted nomination; motion passes (5-0).

I. STAFF UPDATE:

Ms. Prentice said that the Department has hired two new staff members. A Planning Technician for Planning applications to start on February 16, 2021 and a Code Compliance Officer, who started in January.

J. ADJOURNMENT: 7:02 PM

**Motion:** Chuck Carruthers by to adjourn. Second by Michelle Liberty. Motion passed unanimously.

Prepared by:


Don Sims, Associate Planner, Community Development Department

Submitted by:

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Lauren Prentice, Secretary





# Walla Walla County Community Development Department

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

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Date: February 3, 2021  
Date Prepared: January 28, 2021  
To: Walla Walla County Planning Commission  
From: Lauren Prentice, Director  
RE: **Public Hearing** – Zoning Code Text Amendment – Dressler Application, ZCA18-003, MODIFIED request to amend WWCC 17.16.014, Permitted Uses Table, to make Organic Waste Processing Facility a permitted use in the Light Industrial (LI) zoning district.

## **Background**

A zoning code text amendment application was received by the County as an out of cycle application in December, 2018. The original application proposed to make Organic Waste Processing Facilities a permitted use in the Agriculture Residential 10 (AR-10) zoning district.

The applicant has modified the proposal to make the use a permitted use in the Light Industrial (LI) zoning district.

Recommending that this application be moved to the Final Docket now would not preclude the Planning Commission from recommending modifications to the proposal, such as a conditional use permit requirement, after conducting a more in depth review of the merits of the proposal during the Final Docket process.

## **Staff Conclusion**

Community Development Department (CDD) staff concludes that the proposed amendments meet the Community Development Department's review criteria in the Walla Walla County Code (WWCC) 14.15.060C(1-3) and can be considered for inclusion on the Final Docket.

## **Staff Recommendation**

Staff recommends that if the Planning Commission finds that the application, docket number ZCA 18-003, is consistent with WWCC 14.15.060D(3), it should be recommended to the Board of County Commissioners for inclusion on the Final Docket.

## **Recommended Motion**

"I move that the Planning Commission concur with the findings of fact and conclusion of law in docket number ZCA18-003 and recommend to the Board of County Commissioners that the application by David Dressler be placed on the Final Docket."

## **Attachments**

- A. Development Regulations Amendment Process – Walla Walla County Code Section 14.15.060 – Preliminary docket – Adoption of final docket
- B. Notice of Public Hearing and Certificate of Notification
- C. Staff Report and revised application material, Planning Commission Workshop, presented December 14, 2020 with attachments.

### **Analysis and Summary of the Proposal**

The application includes one proposed amendment to Title 17.

1. Amend Section 17.18.014, Permitted Uses Table, to allow for Organic waste processing facilities in the Light Industrial (LI) zoning district. As proposed by the applicant this would be a permitted use.

### **Development Regulations Review Criteria for Preliminary Docket**

*Below is WWCC Sections 14.15.060C and 14.15.060D(3) which lists the criteria the Community Development Department and Planning Commission shall base their recommendations.*

- **Criteria:** The amendment is consistent with the comprehensive plan; and  
**Staff Discussion:** The applicant has provided several general explanations for how the application is consistent with and supported by the Comprehensive Plan. In their application, they present that a large portion of Walla Walla County is resource land and that the end product of the proposed BERRI operations would be a soil amendment, and therefore a benefit to the agricultural sector. The application explains that "BERRI is planning on distributing the end product from the project as a soil amendment, due to slight contamination from plastic primarily, the product is really compost..." the application material then lists numerous benefits of composting soil related to agricultural production and concludes by stating that the compost that results from the project will benefit all resource zoned property and will be consistent with the comprehensive plan's goal of maintaining resource land.
- **Criteria:** The amendment is consistent with other development regulations, unless accompanied by amendments to such other development regulations; and  
**Staff Discussion:** The proposed amendments do not appear to be inconsistent with any other development regulations. This use is already permitted in other industrial districts.
- **Criteria:** The amendment is appropriate for consideration at this time.  
**Staff Discussion:** The Board of County Commissioners allowed this application to be submitted out of cycle.

### **Recommended Findings of Fact**

In making a recommendation regarding application placement on the Final Docket, the Planning Commission should be prepared to make findings of fact which would be included in the Planning Commission Resolution.

1. On December 18, 2018, an application by BERRI was submitted to the Community Development Department.
2. On February 6, 2019, the Planning Commission held a public workshop to review and discuss the proposal.
3. On March 20, 2019, the Planning Commission held a public workshop to review and discuss the proposal.
4. On July 23, 2020, a revised application by BERRI was submitted to the Community Development Department.
5. On December 14, 2020, the Planning Commission held a public workshop to review and discuss the revised proposal.
6. On January 20, 2021, a Notice of Public Hearing was emailed to the applicant and posted on the Community Development Department website.

7. On date, a Notice of Public Hearing was published in the Walla Walla Union Bulletin, Waitsburg Times, and the Tri-City Herald.
8. On January 22, 2021, a Notice of Public Hearing was published in the Tri-City Herald and the Walla Walla Union Bulletin.
9. On January 28, 2021, a Notice of Public Hearing was published in The Times (Waitsburg).

**Recommended Conclusions of Law**

In making a recommendation for inclusion on the Final Docket, the Planning Commission should be prepared to make conclusions of law, specifically related to WWCC 14.15.060E (see Attachment A) which would be included in the Planning Commission Resolution.

1. The proposed amendments have been reviewed pursuant to Walla Walla County Code Sections 14.15.060C-D



**ATTACHMENT A**  
**Development Regulations Amendment Process**  
14.15.060 – Preliminary docket – Adoption of final docket.

- A. Required Information. The community development department shall compile a preliminary docket of proposed amendments. The preliminary docket shall include at least the following information for each proposed amendment:
  - 1. Docket number; and
  - 2. Name and address of the person or agency proposing the amendment; and
  - 3. Summary of the proposed amendment; and
  - 4. Date of application; and
  - 5. Address or section, township and range of the location of the amendment, if applicable.
- B. Available for Public Review. The community development department shall keep the preliminary docket available for public review during normal business hours.
- C. Community Development Department Review. After compiling the preliminary docket, the director shall review the suggested amendments and prepare a staff report to the planning commission recommending which proposed amendments should be placed on the final docket. The staff report shall address the following criteria:
  - 1. The amendment is consistent with the comprehensive plan; and
  - 2. The amendment is consistent with other development regulations, unless accompanied by amendments to such other development regulations; and
  - 3. The amendment is appropriate for consideration at this time.
- D. Planning Commission Review. All proposed amendments shall be reviewed and assessed by the planning commission, which shall make a recommendation to the board of county commissioners after considering the staff report prepared by the director.
  - 1. Workshop Meeting. The planning commission may first review the recommendations of the director in a workshop meeting(s)
  - 2. Public Hearing. The planning commission shall conduct a public hearing on the proposed amendments on the preliminary docket as set forth in Sections 14.09.065 and 14.09.070 of this title.
  - 3. Recommendations. Following the hearing, the planning commission shall make a recommendation to the board of county commissioners on each proposed amendment as to whether or not the amendment should be placed on the final docket. The planning commission's recommendation shall be based upon the following criteria:
    - a. The amendment is consistent with the comprehensive plan; and
    - b. The amendment is consistent with other development regulations, unless accompanied by amendments to such other development regulations; and
    - c. The amendment is appropriate for consideration at this time.
- E. Board of County Commissioner's Decision—Adoption of Final Docket.
  - 1. Review and Decision Process. The board of county commissioners shall review and consider the planning commission's report and recommended final docket at a regularly scheduled commissioner's meeting. The board of county commissioners may adopt the planning commission's recommended final docket without a public hearing; however, in the event that a majority of the board of county commissioners decides to add or subtract proposed amendments, it shall first conduct a public hearing as set forth in Sections 14.09.065 and 14.09.070 of this title.
  - 2. Effect of Final Adopted Docket. The decision of the board of county commissioners to adopt the final docket does not constitute a decision or recommendation that the substance of any recommended amendment should be adopted. No additional amendments shall be considered after adoption of the final docket for that year except for exceptions as set forth in Section 14.15.030.



## NOTICE OF APPLICATION AND PUBLIC HEARING OF THE WALLA WALLA COUNTY PLANNING COMMISSION (VIRTUAL)

The Walla Walla County Planning Commission will be holding a virtual public hearing to discuss the following out-of-cycle Development Regulations Amendment Application.

**ZCA18-003 – Zoning Code Text Amendment – BERRI/Dressler Application**

Revised request to allow Organic Waste Processing Facilities to be located in the Light Industrial Zoning District (LI).

### PUBLIC HEARING INFORMATION

**Wednesday, February 3, 2021, at 6:00 PM** (or as close thereto as possible)

**Location:** Due to the Governor's COVID-19 rulings **this hearing will be held virtually.**

Cisco Webex Meeting Link: <https://wwco.webex.com/meet/CDD>

Call in 1-408-418-9388 | Meeting Number/Access Code: 969 633 053

An agenda, instructions on participating by phone or online, and a staff report, will be available approximately one week prior to the hearing. Contact staff directly for more information about how to participate virtually; if you provide your email address, we can add you to the email distribution list. If you want to run a test of the Cisco Webex system, we can do that too.

**The County can provide access to equipment  
to members of the public without access to technology to participate.  
Please contact the department at least 24-hours in advance to coordinate.**

The Planning Commission, following the public hearing, will make a recommendation to the Board of County Commissioners on whether the above application should be moved to the Final Docket. The process for establishing the Final Docket is included in Walla Walla County Code (WWCC) Chapter 14.15 which outlines the criteria for consideration. The Board may then adopt the Planning Commission's recommendation at a regular public meeting without a public hearing pursuant to WWCC Section 14.15.060(E). Alternatively, if a majority of the Board decides to add or subtract amendments from the recommended Final Docket, another public hearing will be held. If placed on the Final Docket by the BOCC, the proposed amendment will be considered at additional public meetings and hearings and reviewed under the State Environmental Policy Act (SEPA). The decision of the Board of County Commissioners to place an amendment on the Final Docket does not constitute a decision that the substance of any proposed amendment should or will be adopted.

Written comments regarding the above-listed application may be submitted prior to and at the hearing on Wednesday, February 3. Send written comments to the following address:


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

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Any interested person may comment on this application, receive notice, and participate in any hearings. Persons submitting testimony may participate in the public hearing, request a copy of the final decision, and have rights to appeal the final decision. You can obtain a copy of the staff report from the Community Development Department by contacting the person listed below. The staff report will be available about one week prior to the hearing date.

**FOR MORE INFORMATION:** For more information regarding this meeting, please contact the planning staff at 509-524-2610 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.



# Walla Walla County Community Development Department

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

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Date: December 14, 2020  
Date Prepared: December 11, 2020  
To: Walla Walla County Planning Commission  
From: Lauren Prentice, Director  
RE: Workshop – Zoning Code Text Amendment – Dressler Application, ZCA18-003, MODIFIED request to allow Organic Waste Processing Facilities in the Light Industrial (LI) zoning district.

## **Background**

In December of 2018 the County received an application for a Zoning Code Text Amendment application submitted by Mr. David Dressler representing a company called Bio-Environmental Resource Recovery International (BERRI). This was an out-of-cycle amendment application; permission to apply as such was granted approval by the Board of County Commissioners (by consent) in the summer of 2018 following a presentation and request by Mr. Dressler.

In his 2018 application, Mr. Dressler proposed that the County amend the Permitted Uses Table (Walla Walla County Code Section 17.16.014) to allow Organic Waste Processing Facilities in the Agriculture Residential zoning district (AR-10). This is a request to amend the County development regulations only. It is not a request to amend the Comprehensive Plan.

Currently, Organic Waste Processing Facilities are only allowed in the following zones:

- Primary Agriculture 40 (PA-40) (administrative conditional use permit required);
- Industrial Agriculture – Mixed (IA-M) (permitted outright); and
- Industrial Agriculture – Heavy (IA-H) (permitted outright).

Walla Walla County has a definition of ‘Organic Waste Processing Facility’ in Walla Walla County Code (WWCC) Chapter 17.08.

*WWCC 17.08.364 - Organic waste processing facility. "Organic waste processing facility" means a facility that is operated for the purpose of producing marketable compost, other soil amendments, and/or energy recovery from the on-site and/or off-site organic material fraction of the waste stream, provides a direct benefit/link to the agricultural operation on the premises and other agricultural lands in the vicinity, and is permitted, designed in compliance with the applicable regulations contained in the Washington Administrative Code Chapter 173-350. Feedstock may include, but is not limited to agricultural waste, industrial food processing waste, commercial and residential yard waste, biosolids, or food waste from local or regional sources."*

In December 2017 Mr. Dressler submitted a code interpretation request to the Community Development Department asking whether his project could be conducted within the Agriculture Residential 10-acre (AR-10) zoning district. Then Community Development Department (CDD) Director Tom Glover issued an interpretation that his project met the definition in the code for an ‘Organic Waste Processing Facility’ and this was not allowed in the AR-10 district per WWCC 17.16.014. This determination led Mr. Dressler to submit his original zoning code amendment application.

The Planning Commission reviewed Mr. Dressler's December 2018 application in workshop meetings on February 6 and March 20, 2019. After these meetings Mr. Dressler asked the Community Development Department to put processing of his application on hold.

#### **Modified Request**

Mr. Dressler has submitted a revised request. Instead of proposing to make this use an allowed use in the Agriculture Residential 10 (AR-10) zoning district, he has proposed to allow it in the Light Industrial (LI) zoning district. The LI district is an Urban zoning district. As noted above, this use is permitted outright in two industrial zones, the Industrial Agriculture Mixed and Heavy districts. The IA zones are only located within the Attalia Urban Growth Area (UGA), so his proposal to amend the code to allow for this use to be located in the LI zone would provide options for these facilities to be located in the College Place, Walla Walla, and Burbank UGA's.

Mr. Dressler submitted revised application documents (Exhibits A and B) as well as a new one-page summary about his project. These documents are included as Attachments A-C.

#### **Attachments**

- A. Revised ZCA18-003 Exhibit A
- B. Revised ZCA18-003 Exhibit B
- C. Summary of BERRI Project

#### **Purpose of Workshop and Next Steps**

No recommendation is being requested of the Planning Commission at this workshop. A formal public hearing will be scheduled for a later date at which time the Commission will provide the opportunity for the public to make comment on the application, and then to provide a formal recommendation for the Board of County Commissioners to consider.



Attachment A

Exhibit A

July 27, 2020

Walla Walla County Planning and Zoning Commission  
310 W Poplar Street, Suite 200  
Walla Walla, WA 99362

To whom it may concern:

Bio-Environmental Resource Recovery International (BERRI) requests that the county allow Organic Waste Processing Facilities (17.08.364) in areas zoned as Light Industrial.

BERRI has been looking for several years for an area where it can set up an Organic Waste Processing Facility. It has had numerous difficulties trying to secure a location. Currently Organic Waste Processing is allowed in areas zoned PA-40, IA-M, and IA-H. For the type of facility that BERRI desires to set up, it needs to be in proximity to Walla Walla and College Place, and have ready access to significant electrical power. The only areas designated IA-M and IA-H are located over near the Boise Cascade paper mill. BERRI has not been able to find an owner of any PA-40 zoned property that is interested in working with BERRI.

BERRI has found a party that is interested in working with us who owns property that is currently zoned Light Industrial.

Respectfully,

David Dressler  
President, BERRI

Attachment B

Exhibit B

July 23, 2020

Walla Walla Planning and Zoning Commission  
310 W. Poplar Street, Suite 200  
Walla Walla, WA 99362

To whom it may concern:

Bio-Environmental Resource Recovery International (BERRI) has reviewed the criteria specified by WWCC 14.15.060C and WWCC 14.15.070B.3.

BERRI has requested a change to the County's Zoning Code, Title 17, as related to allowing organic waste processing in areas designated Light Industrial. Currently organic waste processing is only allowed in areas designated as PA-40, IA-M, and IA-H. Currently IA-M and IA-H zoned properties are only in the vicinity of the Boise Cascade paper mill. BERRI has conducted a comprehensive search for any parcel of land that would meet BERRI's needs and comply with the present zoning restrictions. BERRI needs property that is in proximity to Walla Walla and College Place that has 3 phase power readily available. BERRI has had discussions with the Port Authority and this is not a direction in which it desires to move.

WWCC14,15,060C focuses on three criteria for the Community Development Department Review. These criteria are the following:

1. The amendment is consistent with the comprehensive plan.
2. The amendment is consistent with other development regulations, unless accompanied by amendments to such other development regulations, and
3. The amendment is appropriate for consideration at this time.

Regarding Criteria Number 1, BERRI has reviewed the documents related to the county's comprehensive plan. In particular, Chapter Six, says the following:

"About 98% of the County land lies outside of UGAs, with 89% of County lands in resource designations, 8% in rural designations, and about 1% in public uses, making rural and resource lands important for the County and those that choose to live or work in them."

Under Applicable Grow Management Act Goals, a significant one deals with natural resource industries.

"Maintain and enhance natural resource based-industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses (RCW 36.70A.020(8))

Although, BERRI is planning on distributing the end product from the project as a soil amendment, due to slight contamination from plastic primarily, the product is really compost. Per the County information quoted above, a goal of the county is to conserve and enhance the productivity of agricultural lands. BERRI would like to share the following information, as it is written from the United States Composting Council, copyright 2018.

## **“Benefits of Compost and its Effects on Soils and Plants**

Thanks to its many attributes, compost is extremely versatile and beneficial in many applications. Compost has the unique ability to improve the properties of soils and growing media physically (structurally), chemically (nutritionally), and biologically. Although some equate the benefit of compost use to lush green growth, caused by plant-available nitrogen, the real benefits of using compost are long-term and related to its organic matter content.

### **Benefits of Using Compost**

Improves the soil structure, porosity, and density, thus creating a better plant root environment.

Increases infiltration and permeability of heavy soils, thus reducing erosion and runoff.

Improves water holding capacity, thus reducing water loss and leaching in sandy soils.

Supplies a variety of macro and micronutrients.

May control or suppress certain soil-borne plant pathogens.

Supplies significant quantities of organic matter.

Improves cation exchange capacity (CEC) of soils and growing media, thus improving their ability to hold nutrients for plant use.

Supplies beneficial microorganisms to soils and growing media.

Improves and stabilizes soil pH.

Can bind and degrade specific pollutants.

## **Physical Benefits**

### **Improved Structure**

Compost can greatly enhance the physical structure of soil. In fine-textured (clay, clay loam) soils, the addition of compost will reduce bulk density, improve friability (workability) and porosity, and increase its gas and water permeability, thus reducing erosion. When used in sufficient quantities, the addition of compost has both an immediate and long-term positive impact on soil structure. It resists compaction in fine textured soils and increases water holding capacity and improves soil aggregation in coarse-textured (sandy) soils. The soil-binding properties of compost are due to its humus content. Humus is a stable residue resulting from a high degree of organic matter decomposition. The constituents of the humus act as a soil 'glue,' holding soil particles together, making them more resistant to erosion and improving the soil's ability to hold moisture.

### **Moisture Management**

The addition of compost may provide greater drought resistance and more efficient water utilization. Therefore, the frequency and intensity of irrigation may be reduced. Recent research also suggests that the addition of compost in sandy soils can facilitate moisture dispersion by allowing water to more readily move laterally from its point of application.

## **Chemical Benefits**

### **Modifies and Stabilizes pH**

The addition of compost to soil may modify the pH of the final mix. Depending on the pH of the compost and of the native soil, compost addition may raise or lower the soil/compost blend's pH. Therefore, the addition of a neutral to slightly alkaline compost to an acidic soil will increase soil pH if added in appropriate quantities. In specific conditions, compost has been found to affect soil pH even when applied at quantities as low as 10-20 tons per acre. The incorporation of compost also has the ability to buffer or stabilize soil pH, whereby it will more effectively resist pH change.

### **Increases Cation Exchange Capacity**

Compost will also improve the cation exchange capacity of soils, enabling them to retain nutrients longer. It will also allow crops to more effectively utilize nutrients, while reducing nutrient loss by leaching. For this reason, the fertility of soils is often tied to their organic matter content. Improving the cation exchange capacity of sandy soils by adding compost can greatly improve the retention of plant nutrients in the root zone.



### **Provides Nutrients**

Compost products contain a considerable variety of macro and micronutrients. Although often seen as a good source of nitrogen, phosphorous, and potassium, compost also contains micronutrients essential for plant growth. Since compost contains relatively stable sources of organic matter, these nutrients are supplied in a slow-release form. On a pound-by-pound basis, large quantities of nutrients are not typically found in compost in comparison to most commercial fertilizers. However, compost is usually applied at much greater rates; therefore, it can have a significant cumulative effect on nutrient availability. The addition of compost can affect both fertilizer and pH adjustment (lime/sulfur addition). Compost not only provides some nutrition, but often makes current fertilizer programs more effective.

### **Biological Benefits**

#### **Provides Soil Biota**

The activity of soil organisms is essential in productive soils and for healthy plants. Their activity is largely based on the presence of organic matter. Soil microorganisms include bacteria, protozoa, actinomycetes, and fungi. They are not only found within compost, but proliferate within soil media. Microorganisms play an important role in organic matter decomposition which, in turn, leads to humus formation and nutrient availability. Microorganisms can also promote root activity as specific fungi work symbiotically with plant roots, assisting them in the extraction of nutrients from soils. Sufficient levels of organic matter also encourage the growth of earthworms, which through tunneling, increase water infiltration and aeration.

#### **Suppresses Plant Diseases**

Disease incidence on many plants may be influenced by the level and type of organic matter and microorganisms present in soils. Research has shown that increased population of certain microorganisms may suppress specific plant diseases such as pythium and fusarium as well as nematodes. Efforts are being made to optimize the composting process in order to increase the population of these beneficial microbes.

### **Additional Benefits of Compost**

Some additional benefits of compost have been identified, and has led to new uses for it. These benefits and uses are described below.

### **Binds Contaminants**

Compost has the ability to bind heavy metals and other contaminants, reducing both their leachability and absorption by plants. Therefore, sites contaminated with various pollutants may often be improved by amending the native soil with compost. The same binding affect allows compost to be used as a filter media for storm water treatment and has been shown to minimize leaching of pesticides in soil systems.

### **Degrades Compounds**

The microbes found in compost are also able to degrade some toxic organic compounds, including petroleum (hydrocarbons). This is one of the reasons why compost is being used in bioremediation of petroleum contaminated soils.

### **Wetland Restoration**

Compost has also been used for the restoration of native wetlands. Rich in organic matter and microbial population, compost and soil/compost blends can closely simulate the characteristics of wetland soils, thereby encouraging the reestablishment of native plant species.

### **Erosion Control**

Coarser composts have been used with great success as a mulch for erosion control and have been successfully used on sites where conventional erosion control methods have not performed well. In Europe, fine compost has been mixed with water and sprayed onto slopes to control erosion.

### **Weed Control**

Immature composts or ones which possess substances detrimental to plant growth (phytotoxins), are also being tested as an alternative to plastic mulches for vegetable and fruit production. While aiding in moisture conservation and moderating soil temperatures, immature composts also can act as mild herbicides.

### **A Bright Future**

With these many benefits and its myriad of applications, from the traditional growing of plants to novel uses in storm water management and climate change mitigation, the production and use of compost has a bright future indeed! “

Regarding Criteria Number 2, the amendment is consistent with other development regulations, unless accompanied by amendments to such other development regulations. BERRI is unaware of an conflict with other development regulations.

Regarding Criteria Number 3, the amendment is appropriate for consideration at this time, BERRI shares the following. BERRI and Planning and Zoning personnel have already had two meetings with the County Commissioners and they have been supportive of the idea.

In preparing for the Planning Commission Review, under Section 14.15.070, Section B, Item 3, the following criteria are listed:

- a. The amendment is consistent with the comprehensive plan; and
- b. The amendment meets a definable public need; and
- c. The amendment is in the long term interest of the county.

As related to consistency with the comprehensive plan, BERRI feels that information shared regarding Section 14.15.060 well covers this point.

As relating to meeting a definable public need, the process that BERRI is attempting to introduce can be of great value both here in the United States as well as in many countries around our planet. Currently waste is mainly being land-filled and in some cases it is burned in waste-to-energy facilities. In a number of countries overseas, municipal solid waste is just dumped into the ocean. Land-filling just results in additional land needing to be designated for this purpose, in lieu of waste being utilized for more productive purposes. Also, landfills are significant generators of methane. Methane is twenty times worse for the environment than carbon dioxide is. Waste-to-energy facilities are typically very expensive to construct and still have ash as a waste byproduct. As related to waste being dumped into the ocean, the issues are self evident. With BERRI's process, a valuable soil amendment is the primary end product. This end product enhances the soil, and agriculture is a primary industry that Walla Walla county desires to develop and enhance. BERRI's process also eliminates methane.

Regarding the amendment being in the long term interest of the county, as compost is added to the soil, it further enhances the soil every time it is added. In addition, there are minimal limits as to how much compost can be added to soil and there are thousands of acres in our county that can benefit.

BERRI feels that its proposal is compliant with the goals specified by the WWC Planning and Zoning Commission in regards to long term plans for the County.

Respectfully,

David Dressler  
President, BERRI

## Attachment C

Bio-Environmental Resource Recovery International (BERRI) feels that it can significantly improve the current method of processing municipal solid waste.

BERRI has conducted numerous tests to confirm that its end product, a soil amendment, is safe and valuable. I have shared some of the tests we have with various people in the city and the county.

BERRI realizes that what it is proposing could have a significant impact on how things are done in relation to the landfill. I ask that the city and county look at the potential benefits that BERRI could be offering the city, county, and many other places around our planet if the process proves out as anticipated.

Our process should dramatically increase the life span of landfills, potentially saving cities significant amounts of money in needed new permits, new liners, monitoring wells, the costs of digging out the pits for the liners, the costs related to the large specialized equipment needed for compacting the municipal solid waste, and the cost of daily land covering.

According to the reading that BERRI has done, landfills are the third largest generators of methane in the United States. Methane is 20 to 30 times more dangerous to our environment than carbon dioxide. BERRI's process could significantly reduce or potentially eliminate methane generation as far as new MSW.

BERRI's end product is a composted soil amendment. There are many benefits to compost. It enriches the soil in various ways. It improves soil structure and porosity, thus creating a better plant root environment. It supplies a variety of beneficial macro and micronutrients. It helps to control or suppress certain soil borne plant pathogens. Additionally, studies indicate that when adequate amounts of compost are applied, it can significantly reduce the amount of water that needs to be applied to crops. This has a two-fold benefit. By reducing the amount of water needed on crops, it can help protect our water table. In addition, it can save farmers significant amounts of money due to savings in the amount of electricity they must pay to irrigate their crops.

The shredders that we will use pulverize glass to sand. An additional benefit that may be reaped is that the plastic, which is a challenge for the landfills and does not break down readily, could be shredded and mixed with asphalt for our roads. There are studies that validate this application and it is actually being done in a number of places around our planet. It can also be repurposed for other applications such as roofing tiles and paving stones.

BERRI has conducted a number of tests involving processing bio-solids and we are readily able to process bio-solids as well. It is my understanding that when bio-solids are land applied that very detailed records are needed to be maintained as to which acreage has had them applied, and the amount that is applied. There are also limits on which crops can be grown on the acreage. With composted bio-solids, none of the restrictions apply.

BERRI hopes to be able to bring an exciting and valuable technology to our area that could eventually be beneficial for many other places on our planet.

**10:45 COUNTY SHERIFF**

**Mark Crider**

- a) Department update and miscellaneous

**a) Action Agenda Items:**

- 1) Proposal 2021 03-01 DCH-1 Approval to recommend funding and award contracts for services under the Healthcare Authority Mental Health Promotion/Suicide Prevention Contract
- 2) Proposal 2021 03-01 DCH-2 Approval to apply for Treasury Rent Assistance Program Grant (T-RAP)

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

**11:15 COUNTY COMMISSIONERS**

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

**11:30 RECESS**

a) Department update and miscellaneous

b) **Active Agenda Items:**

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

c) Possible executive session re: qualifications of an applicant for employment and/or review performance of a public employee (pursuant to RCW 42.30.110(g)), collective bargaining negotiations (pursuant to RCW 42.30.140(4)(a)(b)), and/or litigation or pending litigation (pursuant to RCW 42.30.110(i))



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

**- A D J O U R N -**

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

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