

A G E N D A

WALLA WALLA COUNTY BOARD OF COMMISSIONERS

FRIDAY, DECEMBER 21, 2018 – SPECIAL MEETING

(PLEASE NOTE SLIGHTLY EARLIER START TIME THIS DATE)

9:15

COUNTY COMMISSIONERS

Chairman Johnson

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

- a) Roll call and establish a quorum
- b) Declarations re: conflict of interest
- c) Pledge of Allegiance
- d) Public comment period (time limitations may be imposed)

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

- e) **Action Agenda Items:**
 - 1) Review warrant list
 - 2) Review submitted Employee Payroll Action Forms
- f) **Consent Agenda Items:**
 - 1) Resolution _____ - Minutes of County Commissioners' sessions of December 17 and 18, 2018
 - 2) Resolution _____ - Cancelling a County Commissioners' session
 - 3) Approval of final plat Daybreak Estates (SUB18-018)
 - 4) County vouchers/warrants/electronic payments as follows: 4204107 through 4204405 totaling \$1,680,707.33 and 4204090 in the amount of \$2,500.00 and 4204106 in the amount of \$126,464.89
 - 5) Payroll action and other forms requiring Board approval
- g) **Action Agenda Items:**
 - 1) Proposal 2018 12-21 SO-1 Approval to offer salary above mid-range for Walla Walla County Undersheriff

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER CANCELLING
A COUNTY COMMISSIONERS'
SESSION

}

RESOLUTION NO. **18 3**

WHEREAS, pursuant to Walla Walla County Resolution 18 309, certain county commissioners' sessions were cancelled and a special session was set; and

WHEREAS, said resolution referenced that the Board of County Commissioners would meet on December 31, 2018; and

WHEREAS, all business that was scheduled to come before the Board on December 31, 2018 has been cancelled; now therefore

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners that the regularly scheduled Board meeting of December 31, 2018 be cancelled.

BE IT FURTHER RESOLVED that regular meetings of the Board will then resume on January 7 and 8, 2019.

"Passed this 21st day of December, 2018 by Board members as follows: ___ Present or ___ Participating via other means, and by the following vote: ___ Aye ___ Nay ___ Abstained ___ Absent."

Attest:

Connie R. Vinti, Clerk of the Board

James K. Johnson, Chairman, District 1

Todd L. Kimball, Commissioner, District 2

James L. Duncan, Commissioner, District 3

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

Walla Walla County Community Development Department

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

To: Board of County Commissioners
From: Lauren Prentice, Principal Planner
Date Prepared: December 18, 2018
Agenda Date: December 21, 2018
RE: **Consent Agenda Item** – SUB18-018 Daybreak Estates Final Plat Approval

Recommended Motion

I move approval of the consent agenda.

Request

Approval of the final plat map for Daybreak Estates (application SUB18-018).

Background

The Daybreak Estates final plat has been submitted to the Walla Walla County Community Development Department by the developer, Brent Knowles. Approval of the cluster subdivision will result in the creation of nine single-family residential lots (approximately one-acre each) and one remaining resource parcel generally located approximately one-third mile west of Valley Chapel Road lying north of Stateline Road and east of Locher Road. The residential lots are located off of Stateline Road; access to all nine residential lots will be from Daybreak Road, a new private road. Required improvements have been completed.

The property is zoned Agriculture Residential 10-acres. Cluster developments, subject to the development standards in Chapter 17.31, are the only type of development allowed in the AR-10 zone; the creation of 10-acre lots is not allowed. The site will be served by on-site exempt domestic wells and sanitary sewer disposal systems.

The County's Pro Tem Hearing Examiner, Leland Kerr, granted preliminary plat approval of the subdivision on September 14, 2017, with six conditions of approval (Attachment B, Page 10).

The final plat has been reviewed by all appropriate agencies for conformance with the conditions of approval (Building/Fire, Environmental Health, Public Works, Planning); staff is recommending that the final plat be approved.

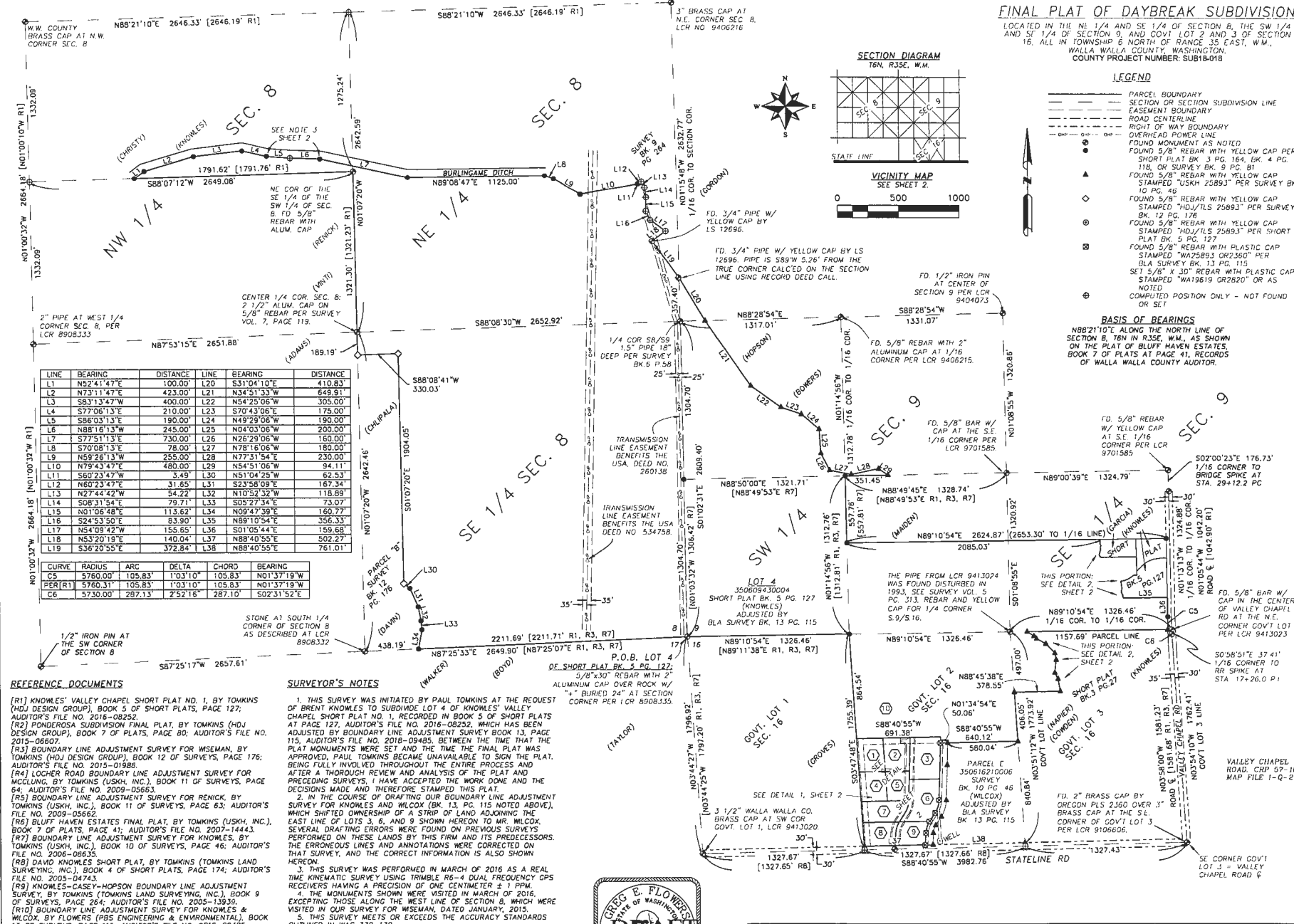
Final plat approval is the last step in the land division process. Lots can be sold only after the final plat has been recorded with the County Auditor. Approval by the Board can be via the motion recommended above, as the subdivision ordinance does not require approval of a resolution.

Attachments

- A. Proposed Final Plat Map
- B. Hearing Examiner's Findings of Fact, Conclusion of Law, and Decision (SUB17-003)

FINAL PLAT OF DAYBREAK SUBDIVISION

LOCATED IN THE NE 1/4 AND SE 1/4 OF SECTION 8, THE SW 1/4 AND SE 1/4 OF SECTION 9, AND COV1 LOT 2 AND 3 OF SECTION 16, ALL IN TOWNSHIP 6 NORTH OF RANGE 35 EAST, W.M., WALLA WALLA COUNTY, WASHINGTON. COUNTY PROJECT NUMBER: SUB18-018



LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N52°41'47"E	100.00'	L20	S31°04'10"E	410.83'
L2	N73°11'47"E	423.00'	L21	N54°51'33"W	849.91'
L3	S63°13'47"W	400.00'	L22	N54°25'06"W	305.00'
L4	S77°06'13"E	210.00'	L23	S70°43'06"E	175.00'
L5	S86°03'13"E	190.00'	L24	N49°29'06"W	190.00'
L6	N88°16'13"W	245.00'	L25	N04°03'06"W	200.00'
L7	S75°51'13"E	78.00'	L26	N26°29'06"W	160.00'
L8	S70°08'13"E	78.00'	L27	N78°16'06"W	180.00'
L9	N59°26'13"W	255.00'	L28	N77°31'54"E	230.00'
L10	N79°43'47"E	480.00'	L29	N54°51'06"W	94.11'
L11	S60°23'47"W	3.49'	L30	N51°04'25"W	62.53'
L12	N60°23'47"E	31.65'	L31	S23°56'09"E	183.34'
L13	N27°44'42"W	54.22'	L32	N10°52'32"W	118.89'
L14	S08°31'54"E	79.71'	L33	S05°27'34"E	73.07'
L15	N01°06'48"E	113.62'	L34	N09°47'39"E	160.77'
L16	S24°53'50"W	83.90'	L35	N89°10'25"W	356.33'
L17	N54°08'42"W	155.65'	L36	S01°05'44"E	159.69'
L18	N53°20'15"E	140.04'	L37	N88°40'55"E	502.27'
L19	S36°20'55"E	372.84'	L38	N88°40'55"E	761.01'

CURVE	RADIUS	ARC	DELTA	CHORD	BEARING
C5	5750.00'	105.83'	1°03'10"	105.83'	N01°37'19"W
C6	5730.00'	287.13'	2°52'16"	287.10'	S02°31'52"E

REFERENCE DOCUMENTS

(R1) KNOWLES' VALLEY CHAPEL SHORT PLAT NO. 1, BY TOMKINS (HOJ DESIGN GROUP), BOOK 5 OF SHORT PLATS, PAGE 127; AUDITOR'S FILE NO. 2016-08252.

(R2) PONDEROSA SUBDIVISION FINAL PLAT, BY TOMKINS (HDJ DESIGN GROUP), BOOK 7 OF PLATS, PAGE 80; AUDITOR'S FILE NO. 2015-06607.

(R3) BOUNDARY LINE ADJUSTMENT SURVEY FOR WISEMAN, BY TOMKINS (HAJ DESIGN GROUP), BOOK 12 OF SURVEYS, PAGE 176; AUDITOR'S FILE NO. 2015-01988.

(R4) LOCHER ROAD BOUNDARY LINE ADJUSTMENT SURVEY FOR MCCLUNG, BY TOMKINS (USKH, INC.), BOOK 11 OF SURVEYS, PAGE 64; AUDITOR'S FILE NO. 2008-05663.

(R5) BOUNDARY LINE ADJUSTMENT SURVEY FOR RENICK, BY TOMKINS (USKH, INC.), BOOK 11 OF SURVEYS, PAGE 63; AUDITOR'S FILE NO. 2009-05662.

(R6) BLUFF HAVEN ESTATES FINAL PLAT, BY TOMKINS (USKH, INC.), BOOK 7 OF PLATS, PAGE 41; AUDITOR'S FILE NO. 2007-14443.

(R7) BOUNDARY LINE ADJUSTMENT SURVEY FOR KNOWLES, BY TOMKINS (USKH, INC.), BOOK 10 OF SURVEYS, PAGE 46; AUDITOR'S FILE NO. 2006-08635.

(R8) DAVID KNOWLES SHORT PLAT, BY TOMKINS (TOMKINS LAND SURVEYING, INC.), BOOK 4 OF SHORT PLATS, PAGE 174; AUDITOR'S FILE NO. 2005-04743.

(R9) KNOWLES-CASEY-HOPSON BOUNDARY LINE ADJUSTMENT SURVEY, BY TOMKINS (TOMKINS LAND SURVEYING, INC.), BOOK 9 OF SURVEYS, PAGE 264; AUDITOR'S FILE NO. 2005-13930.

(R10) BOUNDARY LINE ADJUSTMENT SURVEY FOR KNOWLES & MILCOX, BY FLOWERS (P&S ENGINEERING & ENVIRONMENTAL), BOOK 13 OF SURVEYS, PAGE 115; AUDITOR'S FILE NO. 2016-09485.

SURVEYOR'S NOTES

1. THIS SURVEY WAS INITIATED BY PAUL TOMKINS AT THE REQUEST OF BRENT KNOWLES TO SUBDIVIDE LOT 4 OF KNOWLES' VALLEY CHAPEL SHORT PLAT NO. 1, RECORDED IN BOOK 5 OF SHORT PLATS AT PAGE 127, AUDITOR'S FILE NO. 2016-08252, WHICH HAS BEEN ADJUSTED BY BOUNDARY LINE ADJUSTMENT SURVEY BOOK 13, PAGE 115, AUDITOR'S FILE NO. 2016-09485, BETWEEN THE TIME THAT THE PLAT MONUMENTS WERE SET AND THE TIME THE FINAL PLAT WAS APPROVED. PAUL TOMKINS BECAME UNAVAILABLE TO SIGN THE PLAT, BEING FULLY INVOLVED THROUGHOUT THE ENTIRE PROCESS AND AFTER A THOROUGH REVIEW AND ANALYSIS OF THE PLAT AND PRECEDING SURVEYS, I HAVE ACCEPTED THE WORK DONE AND THE DECISIONS MADE AND THEREFORE STAMPED THIS PLAT.

2. IN THE COURSE OF DRAFTING OUR BOUNDARY LINE ADJUSTMENT SURVEY FOR KNOWLES & MILCOX (BK. 13, PG. 115 NOTED ABOVE), WHICH SHIPPED OWNERSHIP OF A STRIP OF LAND ADJOINING THE EAST LINE OF LOTS 3, 6, AND 9 SHOWN HERON TO MR. MILCOX, SEVERAL DRAFTING ERRORS WERE FOUND ON PREVIOUS SURVEYS PERFORMED ON THESE LANDS BY THIS FIRM AND ITS PREDECESSORS. THE ERRONEOUS LINES AND ANNOTATIONS WERE CORRECTED ON THIS SURVEY, AND THE CORRECT INFORMATION IS ALSO SHOWN HERON.

3. THIS SURVEY WAS PERFORMED IN MARCH OF 2016 AS A REAL TIME KINEMATIC SURVEY USING TRIMBLE RS-4 DUAL FREQUENCY GPS RECEIVERS HAVING A PRECISION OF ONE CENTIMETER ± 1 PPM. THE MONUMENTS SHOWN WERE VISITED IN MARCH OF 2016, EXCEPTING THOSE ALONG THE WEST LINE OF SECTION 8, WHICH WERE VISITED IN OUR SURVEY FOR WISEMAN, DATED JANUARY, 2015.

4. THIS SURVEY MEETS OR EXCEEDS THE ACCURACY STANDARDS OUTLINED IN WAC 312-130.

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____ 20____
AT THE REQUEST OF GREG E. FLOWERS, LAND SURVEYOR, IN BOOK _____ AT PAGE _____ OF RECORD OF SURVEY.

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE SURVEY RECORDING ACT AND AT THE REQUEST OF BRENT KNOWLES.



PBS Engineering and Environmental Inc.
5 N Collins St Ste 200
Walla Walla, WA 99362
509.956.3026
pbsusa.com

CLIENT: BRENT KNOWLES	PROJECT NO.: 67046	
SURVEYOR: GREG E. FLOWERS	DATE: 11/16/2018	
CALC BY: PWFT	DRAWN BY: MFW	SCALE: 1" = 500'
SECTION: 8, 9, 16	TOWNSHIP: 6 NORTH	RANGE: 35 EAST
CITY: N/A	COUNTY: WALLA WALLA	SHEET 1 OF 3

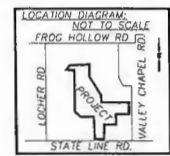
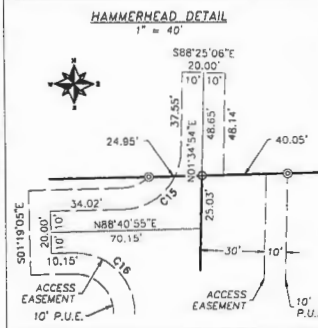
FINAL PLAT OF DAYBREAK SUBDIVISION

PLAT DETAIL SHEET

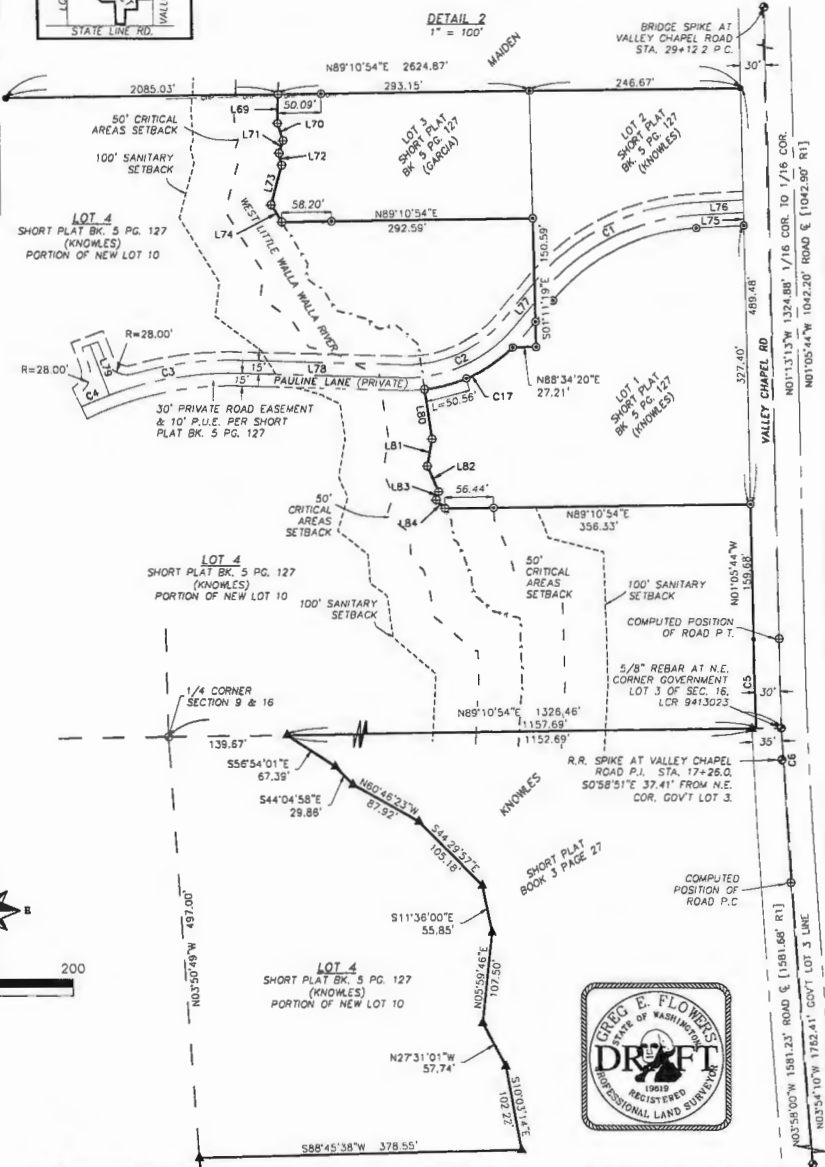
LOCATED IN THE NE 1/4 AND SE 1/4 OF SEC. 8, THE SW 1/4 AND SE 1/4 OF SEC. 9, AND GOVT. LOT 2 AND 3 OF SEC. 16, ALL IN TOWNSHIP 8 NORTH OF RANGE 35 EAST, W.M., WALLA WALLA COUNTY, WASHINGTON. COUNTY PROJECT NUMBER SUB18-018

LINE	BEARING	DISTANCE
L69	N01°40'28"E	34.58'
L70	S18°17'59"E	21.29'
L71	N18°57'55"E	15.54'
L72	S17°32'38"E	14.37'
L73	N15°05'57"E	48.32'
L74	S31°37'10"E	23.94'
L75	N01°05'44"W	15.01'
L76	N86°45'44"E	56.61'
L77	N39°36'36"E	54.84'
L78	S88°26'01"E	202.20'
L79	S20°33'50"E	63.28'
L80	S08°22'01"E	58.83'
L81	N09°42'43"E	32.46'
L82	S23°29'58"E	33.07'
L83	S16°35'37"W	9.88'
L84	N45°06'19"W	14.33'
L85	S87°13'47"W	10.00'
L86	N02°46'13"W	40.00'
L87	N87°13'47"E	40.00'
L88	S02°46'13"E	40.00'
L89	N87°13'47"E	10.00'

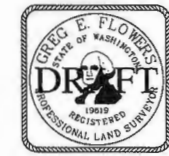
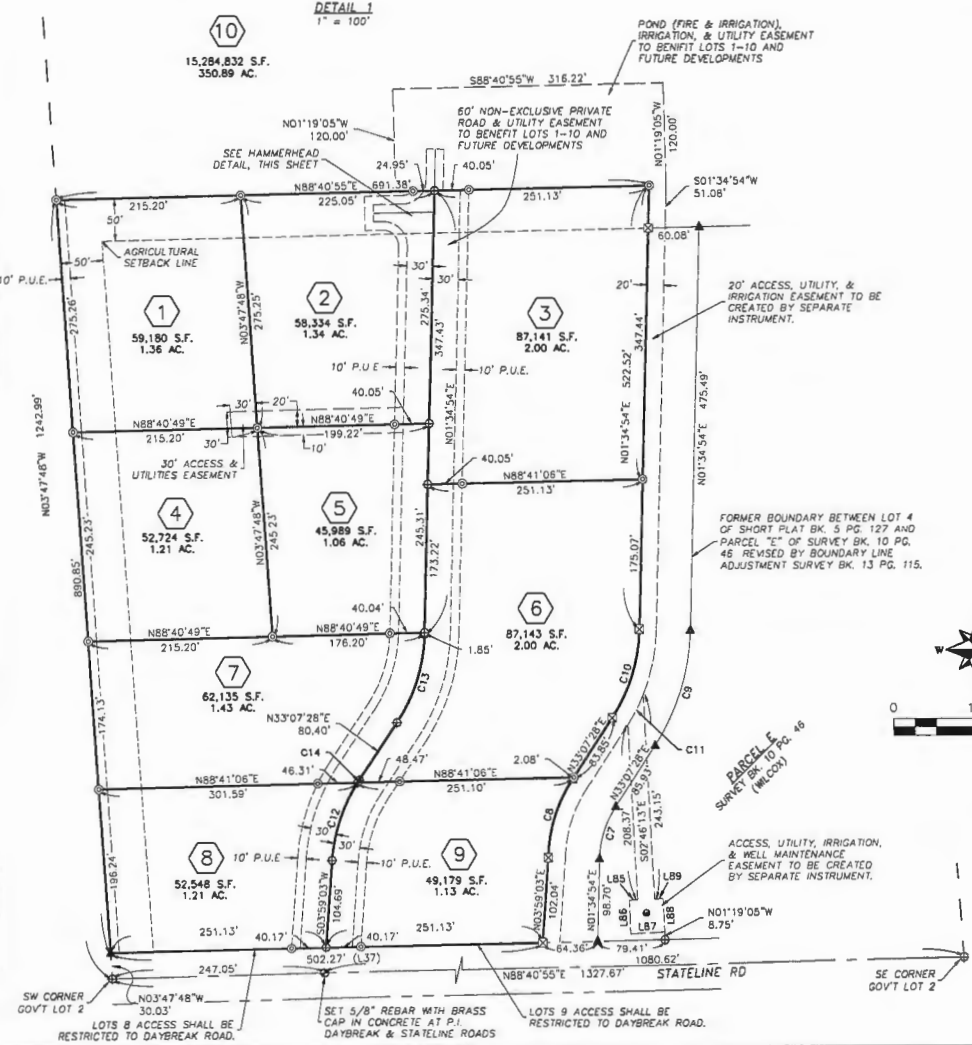
CURVE	RADIUS	ARC	DELTA	CHORD	BEARING
C1	250.00'	205.74'	47°09'08"	199.98'	S63°11'10"W
C2	180.00'	145.09'	51°57'24"	140.17'	N65°35'17"E
C3	405.80'	146.17'	20°38'19"	145.38'	N79°45'19"E
C4	405.80'	35.67'	5°02'08"	35.65'	N66°55'08"E
C5	3740.00'	105.83'	1°03'10"	105.83'	N01°37'19"W
C6	5730.00'	287.13'	2°52'16"	287.10'	S02°31'52"E
C7	120.00'	66.08'	31°32'34"	65.23'	N17°21'11"E
C8	180.00'	99.09'	31°32'34"	97.85'	N17°21'11"E
C9	260.00'	143.14'	31°32'34"	141.34'	S17°21'11"W
C10	200.00'	110.10'	31°32'34"	108.72'	S17°21'11"W
C11	220.00'	40.18'	10°27'49"	40.12'	S27°07'48"W
C12	200.00'	98.30'	28°09'36"	97.31'	N18°03'51"E
C13	200.00'	110.10'	31°32'34"	108.72'	N17°21'11"E
C14	200.00'	3.42'	0°58'49"	3.42'	S32°38'03"W
C15	28.00'	42.53'	87°06'01"	38.58'	N45°07'55"E
C16	28.00'	45.40'	92°53'58"	40.59'	S44°52'05"E
C17	175.00'	116.15'	38°01'47"	114.03'	N64°29'51"E



DETAIL 2 1" = 100'



DETAIL 1 1" = 100'



PBS Engineering and Environmental Inc.
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CLIENT: BRENT KNOWLES	PROJECT NO.: 87046
SURVEYOR: GREG E. FLOWERS	DATE: 11/16/2018
CALC BY: PWPT	DRAWN BY: MFW
SECTION: 8, R, 16	TOWNSHIP: 8 NORTH
CITY: N/A	COUNTY: WALLA WALLA
SCALE: 1" = 100'	RANGE: 35 EAST
	SHEET 2 OF 3

LOT 4 LEGAL DESCRIPTION

PER BOUNDARY LINE ADJUSTMENT SURVEY BOOK 13 PAGE 115: A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 8, THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 9, AND GOVERNMENT LOTS 1, 2, AND 3 OF SECTION 16, ALL IN TOWNSHIP 6 NORTH, RANGE 35 EAST, W.M., WALLA WALLA COUNTY, WASHINGTON, BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 8, BEING THE TRUE POINT OF BEGINNING; THENCE S87°25'33"W ALONG THE SOUTH LINE OF SECTION 8 A DISTANCE OF 2211.69 FEET TO THE EAST LINE OF THE DAWN LANDS, AS DETERMINED AND DESCRIBED IN THAT SHORT PLAT RECORDED NOVEMBER 5, 2003, IN BOOK 4 OF SHORT PLATS AT PAGE 116, RECORDS OF THE WALLA WALLA COUNTY AUDITOR; THENCE ALONG THE EAST LINE OF SAID LANDS BY THE FOLLOWING COURSES AND DISTANCES:

N09°47'39"E A DISTANCE OF 160.77 FEET; THENCE N05°27'34"W A DISTANCE OF 73.07 FEET; THENCE N10°32'32"W A DISTANCE OF 118.89 FEET; THENCE N02°38'09"W A DISTANCE OF 167.34 FEET; THENCE N51°04'25"W A DISTANCE OF 62.53 FEET TO A POINT ON THE EAST LINE OF ADJUSTED PARCEL "B" OF THAT SURVEY RECORDED IN BOOK 12 OF SURVEYS AT PAGE 176, RECORDS OF SAID AUDITOR; THENCE N01°07'20"W ALONG SAID EAST LINE A DISTANCE OF 1904.05 FEET; THENCE S88°08'41"W ALONG THE NORTH LINE OF SAID PARCEL "B" A DISTANCE OF 330.03 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 8;

THENCE N01°07'20"W ALONG SAID EAST LINE OF THE SOUTHWEST QUARTER A DISTANCE OF 189.19 FEET TO THE NORTHEAST CORNER THEREOF; THENCE CONTINUING N01°07'20"W ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8 A DISTANCE OF 1321.30 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID NORTHWEST QUARTER OF SAID SECTION 8; THENCE S88°07'12"W ALONG THE SOUTH LINE OF SAID NORTH HALF A DISTANCE OF 1791.62 FEET TO A POINT ON THE SOUTH LINE OF THOSE LANDS IN SECTION 8 OWNED BY THE BURLINGAME DITCH COMPANY; THENCE ALONG SAID DITCH COMPANY LANDS BY THE FOLLOWING COURSES AND DISTANCES:

N52°41'47"E A DISTANCE OF 100.00 FEET; THENCE N73°11'47"E A DISTANCE OF 423.00 FEET; THENCE N83°13'47"E A DISTANCE OF 400.00 FEET; THENCE S77°06'13"E A DISTANCE OF 210.00 FEET; THENCE S86°03'13"E A DISTANCE OF 130.00 FEET; THENCE S88°16'13"E A DISTANCE OF 245.00 FEET; THENCE S77°51'13"E A DISTANCE OF 330.00 FEET; THENCE N89°08'47"E A DISTANCE OF 1125.00 FEET; THENCE S70°08'13"E A DISTANCE OF 78.00 FEET; THENCE S59°26'13"E A DISTANCE OF 255.00 FEET; THENCE N79°43'47"E A DISTANCE OF 480.00 FEET; THENCE N60°23'47"E A DISTANCE OF 3.49 FEET; THENCE N60°23'47"E A DISTANCE OF 31.65 FEET TO A POINT ON THE BOUNDARY OF THE KNOWLES LAND AS DEPICTED IN THE BOUNDARY ADJUSTMENT SURVEY RECORDED IN BOOK 9 OF SURVEYS AT PAGE 264, RECORDS OF SAID AUDITOR; THENCE ALONG SAID BOUNDARY BY THE FOLLOWING COURSES AND DISTANCES:

S27°44'42"E A DISTANCE OF 54.22 FEET; THENCE S08°31'54"E A DISTANCE OF 79.71 FEET; THENCE S01°06'48"W A DISTANCE OF 113.62 FEET; THENCE S24°03'50"E A DISTANCE OF 83.90 FEET; THENCE S54°09'42"E A DISTANCE OF 155.65 FEET; THENCE S53°20'19"W A DISTANCE OF 140.04 FEET; THENCE S36°20'52"E A DISTANCE OF 372.84 FEET; THENCE S31°04'10"E A DISTANCE OF 410.83 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 9;

THENCE DEPARTING FROM THE AFOREMENTIONED BOUNDARY ADJUSTMENT LINE AS FOLLOWS: S34°51'33"E A DISTANCE OF 649.91 FEET; THENCE S54°25'06"E A DISTANCE OF 305.00 FEET; THENCE S70°43'06"E A DISTANCE OF 175.00 FEET; THENCE S49°29'06"E A DISTANCE OF 190.00 FEET; THENCE S04°03'06"E A DISTANCE OF 200.00 FEET; THENCE S26°29'06"E A DISTANCE OF 160.00 FEET; THENCE S78°16'06"E A DISTANCE OF 180.00 FEET; THENCE N77°31'54"E A DISTANCE OF 230.00 FEET; THENCE S54°51'06"E A DISTANCE OF 94.11 FEET TO A POINT IN THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9;

THENCE S88°49'45"W ALONG SAID NORTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 351.45 FEET TO THE NORTHWEST CORNER THEREOF; THENCE S01°14'56"E ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 557.76 FEET; THENCE N89°10'54"E A DISTANCE OF 2085.03 FEET TO THE NORTHWEST CORNER OF LOT 3 OF THAT SHORT PLAT RECORDED IN BOOK 5 OF SHORT PLATS AT PAGE 127, RECORDS OF SAID AUDITOR; THENCE ALONG THE WEST LINE OF SAID LOT 3 BY THE FOLLOWING COURSES AND DISTANCES:

S01°40'28"W A DISTANCE OF 34.58 FEET; THENCE S18°17'59"E A DISTANCE OF 21.29 FEET; THENCE S18°57'55"W A DISTANCE OF 15.54 FEET; THENCE S12°32'38"E A DISTANCE OF 14.37 FEET; THENCE S15°05'57"W A DISTANCE OF 48.32 FEET; THENCE S31°37'10"E A DISTANCE OF 23.94 FEET; THENCE N89°10'54"E A DISTANCE OF 292.59 FEET TO A POINT IN THE WEST LINE OF LOT 2 OF SAID SHORT PLAT; THENCE S01°11'19"E ALONG SAID WEST LINE AND ALSO THE WEST LINE OF LOT 3 OF SAID SHORT PLAT A DISTANCE OF 150.59 FEET; THENCE CONTINUING ALONG THE WEST AND SOUTH LINE OF SAID LOT 3 BY THE FOLLOWING COURSES AND DISTANCES:

S88°34'20"W A DISTANCE OF 27.21 FEET; THENCE WITH A CURVE TURNING TO THE RIGHT WITH A RADIUS OF 175.00 FEET, WITH AN ARC LENGTH OF 116.15 FEET, WITH A CHORD BEARING OF S64°29'51"W, WITH A CHORD LENGTH OF 114.03 FEET; THENCE S08°22'01"E A DISTANCE OF 58.83 FEET; THENCE S09°42'43"W A DISTANCE OF 32.46 FEET; THENCE S23°29'58"E A DISTANCE OF 33.02 FEET; THENCE S16°35'37"W A DISTANCE OF 9.88 FEET; THENCE S45°06'19"E A DISTANCE OF 14.33 FEET; THENCE N89°10'54"E A DISTANCE OF 356.33 FEET TO A POINT IN THE WEST RIGHT OF WAY OF VALLEY CHAPEL ROAD, THENCE ALONG SAID RIGHT OF WAY LINE AS FOLLOWS:

THENCE S01°05'44"E A DISTANCE OF 159.69 FEET; THENCE WITH A CURVE TURNING TO THE LEFT WITH A RADIUS OF 5760.00 FEET, WITH AN ARC LENGTH OF 105.83 FEET, WITH A CHORD BEARING OF S01°37'19"E, WITH A CHORD LENGTH OF 105.83 FEET; THENCE S89°10'54"W A DISTANCE OF 5.00 FEET TO THE NORTHEAST CORNER OF THAT SHORT PLAT RECORDED IN BOOK 3 OF SHORT PLATS AT PAGE 27, RECORDS OF SAID AUDITOR; THENCE ALONG THE BOUNDARY OF SAID SHORT PLAT BY THE FOLLOWING COURSES AND DISTANCES:

S89°10'54"W A DISTANCE OF 1152.69 FEET; THENCE S56°54'01"E A DISTANCE OF 67.39 FEET; THENCE S44°04'58"E A DISTANCE OF 29.86 FEET; THENCE S60°46'23"E A DISTANCE OF 87.92 FEET; THENCE S44°29'57"E A DISTANCE OF 105.18 FEET; THENCE S11°36'00"E A DISTANCE OF 55.85 FEET; THENCE S05°59'46"W A DISTANCE OF 107.50 FEET; THENCE S27°31'01"E A DISTANCE OF 57.74 FEET; THENCE S10°03'14"E A DISTANCE OF 102.22 FEET; THENCE S88°45'38"W A DISTANCE OF 378.55 FEET TO THE SOUTHWEST CORNER OF SAID SHORT PLAT, WHICH IS A POINT IN THE EAST LINE OF GOVERNMENT LOT 2 IN FRACTIONAL SECTION 16 OF SAID TOWNSHIP AND RANGE;

THENCE S03°51'12"E ALONG SAID EAST LINE A DISTANCE OF 406.05 FEET TO THE NORTHEAST CORNER OF PARCEL "E" AS DEPICTED AND DESCRIBED IN THAT BOUNDARY LINE ADJUSTMENT SURVEY RECORDED IN BOOK 10 OF SURVEYS AT PAGE 46, RECORDS OF SAID AUDITOR; THENCE S88°40'55"W ALONG THE NORTH LINE OF SAID PARCEL "E" AND ITS WESTERLY EXTENSION A DISTANCE OF 640.19 FEET; THENCE S01°34'54"W A DISTANCE OF 472.45 FEET; THENCE WITH A CURVE TURNING TO THE RIGHT WITH A RADIUS OF 200.00 FEET, WITH AN ARC LENGTH OF 110.10 FEET, WITH A CHORD BEARING OF S17°21'11"W, WITH A CHORD LENGTH OF 108.72 FEET; THENCE S33°07'28"W A DISTANCE OF 85.93 FEET; THENCE WITH A CURVE TURNING TO THE LEFT WITH A RADIUS OF 180.00 FEET, WITH AN ARC LENGTH OF 99.09 FEET, WITH A CHORD BEARING OF S17°21'11"W, WITH A CHORD LENGTH OF 97.85 FEET; THENCE S03°59'03"W A DISTANCE OF 102.04 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF STATE LINE COUNTY ROAD; THENCE S88°40'55"W ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 502.27 FEET TO A POINT IN THE WEST LINE OF SAID GOVERNMENT LOT 2; THENCE N03°47'48"W ALONG SAID WEST LINE A DISTANCE OF 1755.39 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 9 AFORESAID; THENCE S89°10'54"W ALONG SAID SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 A DISTANCE OF 1326.46 FEET TO THE SOUTHWEST CORNER THEREOF, WHICH IS THE TRUE POINT OF BEGINNING.

HAVING AN AREA OF 15,839,205 SQUARE FEET, 363.6 ACRES, MORE OR LESS.

AGRICULTURAL LAND STATEMENT THE SUBJECT PROPERTY IS LOCATED WITHIN OR NEAR DESIGNATED AGRICULTURAL LANDS ON WHICH A VARIETY OF COMMERCIAL ACTIVITIES OCCUR THAT ARE NOT COMPATIBLE WITH RESIDENTIAL DEVELOPMENT FOR CERTAIN PERIODS OF LIMITED DURATION. EXEMPT WELL NOTE ACCORDING TO THE ATTORNEY GENERAL OPINION, ADO 1997, NO. 6, A GROUP OF WELLS DRILLED BY THE SAME PERSON OR GROUP OF PERSONS AT OR ABOUT THE SAME TIME, IN THE SAME AREA FOR THE SAME PURPOSE OR PROJECT, SHOULD BE CONSIDERED A SINGLE WELLS, AND WOULD NOT BE EXEMPT FROM THE PERMITTING REQUIREMENTS CONTAINED IN RCW 90A.44.050.

CRITICAL AREAS NOTE THE FOLLOWING CRITICAL AREAS ARE LOCATED ON OR ADJACENT TO THE SITE: CRITICAL AQUICL RECHARGE AREA, FISH AND WILDLIFE HABITAT AREAS, AND GEOLOGICALLY HAZARDOUS AREAS (SEISMIC HAZARD AREAS AND EROSION HAZARD AREAS). FUTURE DEVELOPMENT IN THESE AREAS IS SUBJECT TO REGULATION UNDER COUNTY CODE CHAPTER 18.08. CRITICAL AREAS REPORTS MAY BE REQUIRED.

NOXIOUS WEED NOTE AS REQUIRED BY WCCC 17.30.06D, OWNERS SHALL PREVENT THE SPREAD OF NOXIOUS WEEDS. WATER USAGE NOTE THE EXISTING IRRIGATION WELL SHALL PROVIDE WATER FOR FIRE FLOW AND LANDSCAPING IRRIGATION USE THROUGH EXISTING IRRIGATION SYSTEMS. INDIVIDUAL EXEMPT WELLS SERVING RESIDENCES SHALL NOT EXCEED 5,000 GALLONS PER DAY (500 GALLONS PER UNIT PER DAY). EXTERNAL HOSE DIPS AND USE OF DOMESTIC WATER FOR LANDSCAPE IRRIGATION ON OTHER OUTDOOR USES SHALL BE PROHIBITED. DENSITY NOTE THE AREA OF THE PARENT PARCEL OF THIS PLAT IS 354.8 ACRES. THE ZONING IS AR-10 AS NOTED ON KNOWLES' VALLEY CHAPEL SHORT PLAT NO. 1, COUNTY PROJECT SUB16-007 RECORDED IN BOOK 5 OF SHORT PLATS AT PAGE 127 AS AUDITOR'S FILE NUMBER 2016-08252. THE NUMBER OF DEVELOPMENTS RIGHTS AVAILABLE ON THE PARENT PARCEL IS 24. THE NUMBER OF DEVELOPMENTS RIGHTS AVAILABLE ON THIS PLAT, THE FINAL RESIDUAL DEVELOPMENT RIGHTS ON THE REMAINDER LOT (LOT 10) NUMBER 15. THIS PROPERTY IS LOCATED WITHIN THE AR-10 ZONING DISTRICT. AS PER THE REQUIREMENTS OF COUNTY CODE WCCC 17.31.060W, THE ABOVE SUMMARY ADDRESSES THE DENSITY CALCULATIONS FOR THIS PLAT. THIS ACREAGE MAY NOT BE USED AGAIN FOR DENSITY CALCULATIONS.

DECLARATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, BRENT KNOWLES AND VICTORIA KNOWLES, MEMBERS OF BRENT AND VICTORIA KNOWLES, LLC, OWNERS, AN AUTHORIZED REPRESENTATIVE OF NORTHWEST FARM CREDIT SERVICES, F.L.C.A. MORTGAGEE, AN AUTHORIZED REPRESENTATIVE OF BANNER BANK, BENEFICIARY AND AN AUTHORIZED REPRESENTATIVE OF NORTHWEST FINANCIAL CORPORATION, A WASHINGTON CORPORATION, TRUSTEES OF A DEED OF TRUST UPON THE LANDS DEPICTED HEREON, HAVE CAUSED THESE LANDS TO BE SURVEYED AND SUBDIVIDED AS SHOWN AND DO HEREBY DEDICATE TO THE PUBLIC AND EASEMENTS AND RIGHTS OF WAY NOT DESIGNATED AS PRIVATE. WE HEREBY WAIVE FOR OURSELVES AND FOR OUR SUCCESSORS ANY CLAIMS FOR DAMAGES AGAINST ANY PUBLIC AUTHORITY RESULTING FROM THE CONSTRUCTION OR MAINTENANCE OF ANY PUBLIC FACILITIES OR PUBLIC PROPERTY ON THE LANDS DESCRIBED HEREIN.

BRENT KNOWLES DATE VICTORIA KNOWLES DATE AUTHORIZED REPRESENTATIVE FOR NORTHWEST FARM CREDIT SERVICES, F.L.C.A. DATE AUTHORIZED REPRESENTATIVE FOR NORTHWEST FINANCIAL CORPORATION, A WASHINGTON CORPORATION DATE AUTHORIZED REPRESENTATIVE FOR BANNER BANK DATE

APPROVALS THE SUBDIVISION SHOWN ON THE ACCOMPANYING PLAT CONFORMS TO THE WALLA WALLA COUNTY COMPREHENSIVE PLAN AND TO COUNTY ORDINANCES 16.35 AND 17.31. THOMAS GLOVER, DIRECTOR WALLA WALLA COUNTY COMMUNITY DEVELOPMENT DEPARTMENT TONY GARCIA MORALES, WALLA WALLA COUNTY ENGINEER

I HEREBY CERTIFY THAT _____ TAXES FOR THE YEAR _____ AGAINST THE PROPERTY SHOWN HEREIN HAVE BEEN PAID. WALLA WALLA COUNTY TREASURER

APPROVED BY THE WALLA WALLA COUNTY COMMISSIONERS. JAMES K JOHNSON, CHAIRMAN, DIST. 1 COMMISSIONER JAMES L. DUNCAN, DIST. 3 COMMISSIONER TODD L. KIMBALL, DIST. 2 COMMISSIONER



FINAL PLAT OF DAYBREAK SUBDIVISION

LOCATED IN THE NE 1/4 AND SE 1/4 OF SECTION 8, THE SW 1/4 AND SE 1/4 OF SECTION 9, AND GOVT. LOT 2 AND 3 OF SECTION 16, ALL IN TOWNSHIP 6 NORTH OF RANGE 35 EAST, W.M., WALLA WALLA COUNTY, WASHINGTON, COUNTY PROJECT NUMBER: SUB18-018

ACKNOWLEDGEMENT STATE OF WASHINGTON COUNTY OF WALLA WALLA BEFORE ME THIS ____ DAY OF _____, 20____ APPEARED BRENT A. KNOWLES, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FOREGOING SUBDIVISION AND DEDICATION TO BE A FREE AND VOLUNTARY ACT AND DEED. WITNESS MY HAND AND OFFICIAL SEAL THIS ____ DAY OF _____, 20____

NOTARY PUBLIC FOR THE STATE OF WASHINGTON RESIDING IN _____ MY COMMISSION EXPIRES _____

ACKNOWLEDGEMENT STATE OF WASHINGTON COUNTY OF WALLA WALLA BEFORE ME THIS ____ DAY OF _____, 20____ APPEARED VICTORIA M. KNOWLES, TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FOREGOING SUBDIVISION AND DEDICATION TO BE A FREE AND VOLUNTARY ACT AND DEED. WITNESS MY HAND AND OFFICIAL SEAL THIS ____ DAY OF _____, 20____

NOTARY PUBLIC FOR THE STATE OF WASHINGTON RESIDING IN _____ MY COMMISSION EXPIRES _____

ACKNOWLEDGEMENT STATE OF _____ COUNTY OF _____ BEFORE ME THIS ____ DAY OF _____, 20____ APPEARED _____ TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FOREGOING SUBDIVISION AND DEDICATION TO BE A FREE AND VOLUNTARY ACT AND DEED. WITNESS MY HAND AND OFFICIAL SEAL THIS ____ DAY OF _____, 20____

NOTARY PUBLIC FOR THE STATE OF _____ RESIDING IN _____ MY COMMISSION EXPIRES _____

ACKNOWLEDGEMENT STATE OF _____ COUNTY OF _____ BEFORE ME THIS ____ DAY OF _____, 20____ APPEARED _____ TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FOREGOING SUBDIVISION AND DEDICATION TO BE A FREE AND VOLUNTARY ACT AND DEED. WITNESS MY HAND AND OFFICIAL SEAL THIS ____ DAY OF _____, 20____

NOTARY PUBLIC FOR THE STATE OF _____ RESIDING IN _____ MY COMMISSION EXPIRES _____

ACKNOWLEDGEMENT STATE OF _____ COUNTY OF _____ BEFORE ME THIS ____ DAY OF _____, 20____ APPEARED _____ TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FOREGOING SUBDIVISION AND DEDICATION TO BE A FREE AND VOLUNTARY ACT AND DEED. WITNESS MY HAND AND OFFICIAL SEAL THIS ____ DAY OF _____, 20____

NOTARY PUBLIC FOR THE STATE OF _____ RESIDING IN _____ MY COMMISSION EXPIRES _____

ACKNOWLEDGEMENT STATE OF _____ COUNTY OF _____ BEFORE ME THIS ____ DAY OF _____, 20____ APPEARED _____ TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FOREGOING SUBDIVISION AND DEDICATION TO BE A FREE AND VOLUNTARY ACT AND DEED. WITNESS MY HAND AND OFFICIAL SEAL THIS ____ DAY OF _____, 20____

NOTARY PUBLIC FOR THE STATE OF _____ RESIDING IN _____ MY COMMISSION EXPIRES _____



PBS Engineering and Environmental Inc. 5 N Colville St. Ste 200 Walla Walla, WA 99862 509.856.3026 pbsusa.com

Table with client information: CLIENT: BRENT KNOWLES, PROJECT NO.: 67046, SURVEYOR: GREG E. FLOWERS, DATE: 11/16/2018, CALC BY: PMP/T, DRAWN BY: MFW, SCALE: 1" = 500', SECTION: 8, 9, 16, TOWNSHIP: 6 NORTH, RANGE: 35 EAST, CITY: N/A, COUNTY: WALLA WALLA, SHEET 3 OF 3

Walla Walla County Community Development Department

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

File No. SUB17-003

NOTICE OF DECISION

Date of Notice: 9/14/2017
Date of Decision: 9/14/2017
Applicant: BRENT & VICTORIA KNOWLES LLC
Type of Application: SUBDIVISION
File Number: SUB17-003

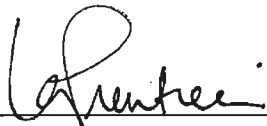
Enclosed is the Hearing Examiner's decision from the August 14, 2017 agenda.

Walla Walla County Code Section 14.11.060 allows for the reconsideration of the final decision. The request must be submitted to the administrator within ten (10) days of the final decision or action; the submittal period ends **September 25, 2017**. Reconsideration of the final decision must be granted or denied by the Hearing Examiner prior to an appeal being submitted to Walla Walla County Superior Court. Pursuant to Walla Walla County Code Sections 14.11.020 and 14.11.040 the Hearing Examiner's decision may be appealed to the Walla Walla County Superior Court. The appeal must be submitted to the Walla Walla County Superior Court within twenty-one (21) days of the final decision or action date. The Hearing Examiner's decision will be considered final if no appeals are filed within the allowed time frame described in Walla Walla County Code Chapter 14.11.

Please review Chapter 14.11 for the County's appeal requirements.

The complete project file is available for inspection at the Walla Walla County Community Development Department (CDD) office during normal office hours Monday through Friday from 8 AM to 4 PM. Please contact the CDD at the phone number above to arrange for inspection.

Feel free to contact me at 509-524-2620 if you have any further questions.



Lauren Prentice, Principal Planner
Walla Walla County Community Development Department

Enc. SUB17-003 Findings, Conclusions and Decision

**BEFORE THE HEARING EXAMINER
FOR WALLA WALLA COUNTY**

In Re: Preliminary Plat)	Findings of Fact, Conclusion
Daybreak Subdivision)	of Law and Decision
File Number SUB17-003)	

This matter having regularly come before the Walla Walla County Pro Tem Hearing Examiner, Leland B. Kerr, on the 14th day of August, 2017, on the application of Brent and Victoria Knowles, LLC, for a preliminary cluster plat consisting of nine (9) approximately one-acre lots with one (1) remaining resource lot generally located approximately one-third mile west of Valley Chapel Road lying north of Stateline Road, and east of Locher Road, in Walla Walla County, Washington.

The public hearing was opened at approximately 10:00 a.m., on August 14, 2017, and all witnesses intending to testify at the public hearing were placed under oath. After an explanation of the application of the Appearance of Fairness Doctrine, conflict of interest, and the procedural requirements for a quasi-judicial hearing, an opportunity was provided, but no objections were made to the Hearing Examiner hearing this matter, nor were there any objections to proceed.

The application was introduced by Lauren Prentice, Principal Planner of the Walla Walla County Community Development Department. She presented the Staff Report with attached documentations which were, without objection, admitted as follows:

1. Staff Report, dated August 9, 2017.
2. Preliminary Plat Application with attached documents: (a) title report; and (b) preliminary plat map showing contours, dated August 4, 2017.
3. Revised Preliminary Plat map, dated August 8, 2017.
4. Preliminary Stormwater Hydrology Report, dated April 6, 2017.
5. Preliminary Liquefaction Assessment, dated June 6, 2017.
6. SEPA Environmental Checklist (SEPA 17-010), dated April 5, 2017.
7. Notice of Application (NOA) ODNs and publishing, posting, and mailing affidavits.
8. Email from Todd Blevins, County Building Official/Fire Marshal, dated May 31, 2017.
9. Email from Rocky Eastman, Fire District 4, dated May 26, 2017.

10. Email from Holly Shea with CTUIR, dated June 6, 2017.
11. Letter from the Department of Ecology, dated June 7, 2017.
12. Email from LeRoy Waggoner, County Surveyor, dated August 7, 2017.
13. Final SEPA Mitigated Determination of Non-Significance (MDNS) for SEPA17-010 issued July 28, 2007, and publishing, mailing affidavit.
14. Notice of Public Hearing (NOPH) and publishing, mailing affidavit.
15. Public comment letter from Attorney Mona Geidl with Minnick Hayner on behalf of George and Cora Edwards, dated August 9, 2017.

At the hearing, additional exhibits were submitted by Ms. Prentice consisting of:

16. Public comment letter from Nancy Taylor received on August 10, 2017.
17. Letter from Department of Ecology, dated August 10, 2017.
18. Water Use Analysis by Bill Neve of Water Rights Solutions, LLC, received August 11, 2017.
19. Public comment letter from Yancy Reser received on August 11, 2017.
20. Public comment e-mail from Erica Gordon received on August 14, 2017.

At the hearing, additional evidence was received including:

21. Letter from Hawkins Law, dated August, 2017.

Following receipt of testimony, upon motion of the applicant, the record was held open until 5:00 p.m. on August 28, 2017, to provide the parties an opportunity to respond to the exhibits submitted at the hearing.

Subsequent to the hearing, the following additional exhibits were received:

22. Comment letter from Yancy Reser, dated August 15, 2017, and received on August 28, 2017, together with attachments including a letter from Yancy Reser to Director of the Department of Ecology dated August 25, 2017; attached e-mail from Wyatt Rolfe dated August 23, 2017; a letter from Yancy Reser dated August 27, 2017, with an attached letter from Steven Patten from the Walla Walla Basin Watershed Council with an incorporated map and well monitoring graph.

23. Letter from Mona Geidl of Minnick Hayner, dated August 24, 2017.
24. Letter from Jared N. Hawkins, Hawkins Law, dated August 28, 2017, with an attached Hydrology/Instream Flow Summary and West Little Walla Walla River Habitat Assessment (October 2012) and copy of the superseding Certificate of Water Right and request for administrative confirmation of division of water right.

Testimony was received from Greg E. Flowers of PBS Engineering and Environmental, Inc., the Project Manager, who spoke in favor of the application. Jarod Hawkins, Hawkins Law, the attorney representing the applicant, also spoke in favor of the application.

Erica Gordon, an adjacent property owner, spoke in opposition to the application. Randy Gordon, a former owner of the adjacent property, spoke in opposition to the application. Mona Geidl of Minnick & Hayner, representing Cora Edwards, an adjacent property owner, spoke in opposition to the application.

Brent Knowles, the applicant, spoke by means of rebuttal, in favor of the application.

Upon consideration of the testimony; the exhibits submitted in the open record hearing; and the exhibits received during the extended open record hearing period, the Hearing Examiner makes the following:

FINDINGS OF FACT

1. The applicant requested a preliminary cluster plat dividing approximately 365 acres into ten lots, with 9 lots ranging from 1.06 acres to two acres for residential development (total of 12.73 acres) retaining one resource lot consisting of approximately 352.59 acres, pursuant to Chapter 17.31, Development Standards - - Cluster Development on Resource Lands (Walla Walla County Municipal Code). The application was deemed substantially complete on May 11, 2017, at which time the applicant's rights vested subjecting it to the development regulations and Comprehensive Plan in place at that time pursuant to RCW 58.17.033 and WWCC 14.07.070.
2. The site is located generally on the north side of Stateline Road approximately one-third mile west of Valley Chapel Road. The project site has historically been used for agricultural. The West Little Walla Walla River runs to the northeast of the property at least 900 feet from the designated residential lots.
3. The subject property is primarily surrounded by commercial farming and rural residential uses. The nearest residence is located approximately 250 feet east from the proposed cluster lots; to the north is the Burlingame irrigation ditch approximately 5,000 feet north of the cluster lot; and two additional cluster subdivisions on Frog Hollow Road each containing nine residential lots.

4. A Notice of Application and Public Hearing was given on May 23, 2017, which was published in the Walla Walla Union Bulletin and in the Tri-City Herald on May 25, 2017. The notice was, likewise, posted on the Walla Walla County Community Development Department website on May 23, 2017. In addition, the notice was e-mailed to the applicant and the applicant's response representative; e-mailed to the SEPA Register; and e-mailed to the consulting agency on May 25, 2017, as required by Ordinance. In addition, the notice was mailed to the property owners within 500 feet of the site on August 2, 2017, and posted on the site access by Stateline Road on July 31, 2017.
5. On July 28, 2017, a SEPA Mitigated Determination of Non-Significance (MDNS) was issued by the Director of the Walla Walla County Community Development Department, the County's SEPA Responsible Official, and no appeals of that determination have been filed. The subject property is zoned Agricultural Residential 10-acres (AR-10), and located in the Agriculture Residential Comprehensive Plan use designation. The density of the proposed subdivision apply with the density standards required by the AR-10 zoning development standards, and the configuration of the proposed subdivision complies with the cluster subdivision standards of WWCC 17.31.
6. The following Comprehensive Plan Goals and Policies have been represented by staff as applicable to this project.
 - A. Goal RL 1. Rural character of the land for both human uses and natural environment are met by the cluster development concept provided by Chapter 17.31 WWCC, while preserving land for long-term farming activities.
 - B. Policy LR 2. Allows new development consistent with the rural character of the County by cluster subdivisions in the AR-10 zone.
 - C. Policy RL 3. The proposed subdivision's density is consistent with the development standards for rural areas, and there is no evidence that the development would encumber any critical areas that are adjacent to it.
 - D. Goal RL 21. The development would protect and serve long-term commercially viable agricultural lands.
 - E. Policy RL 47. Residential uses near agricultural lands must be developed to minimize conflict between uses and the required buffer space between the residential and agricultural uses proposed by this subdivision accomplishes that purpose.
7. Access to the subdivision will be from Stateline Road to the private roads providing access to the individual lots, and further restricting access for Lots 8 and 9 to the private road with no direct access to Stateline Road. The Department of Public Works has determined that due to

the size of the development and the likely daily trip generation, no Traffic Impact Analysis was required.

8. Essential public services are provided in that:
 - A. The development is within the College Place Public School District No. 250.
 - B. No park and recreation improvements are required for the proposed subdivision.
 - C. Fire protection is provided by the Walla Walla County Fire District No. 4. To meet fire suppression requirements, the development will need to provide a minimum of 30,000 gallons of fire flow storage and a dry hydrant distribution system will flow at 1,000 gallons per minute.
9. All stormwater generated on-site will be required to be retained and infiltrated on-site with the retention absorption by roadside swales. Wastewater will be discharged into an individual on-site septic system meeting all code requirements.
10. The primary concern associated with the development of this property is the adequacy and availability of water.
11. WWCC 17.31.060K requires:

“Sufficient water to serve both domestic and residential irrigation needs must in fact be present and shall be required. With regard to provision of domestic water and consistent with the requirements regulating the number of small parcels allowed on an overall site, the following requirements shall be met: . . . 2. Where there are existing water rights only . . . an exempt well(s) may be utilized to serve the smaller parcels with domestic water, provided all applicable regulations governing exempt wells are met, as demonstrated by approval from the Washington State Department of Ecology.”

The project site has existing irrigation water rights and well, which will be utilized to provide fire flow availability and irrigation water to nine (9) residential sites. Domestic water for the nine (9) residential sites shall be supplied by exempt individual wells. The County has not, nor does it have standards requiring a water availability study to be performed with this project.

12. A Current and Anticipated Water Use Analysis was prepared on behalf of the applicant by Bill Nave of Water Rights Solutions, LLC. The two-page analysis concludes that both:

“The proposed development, using conservative estimates for in-house use and for irrigation purposes, will result in a reduction in consumptive use of water over the current irrigation practices using existing water rights appurtenant to the lands proposed for development. The proposed development is consistent with the provisions of Chapter 173-532 WAC. Approval of the proposed development will not result in the impairment of existing water rights, surface or ground.”

13. Nearby landowners testifying in objection to the application uniformly expressed concern that the additional demand upon their aquifer by the nine (9) additional exempt wells will impair their water rights and availability. The opponents cite seasonally experienced streambed loss, recognition of unsustainable groundwater declines by the Oregon Water Resource Department near the subject property south of Stateline Road, and challenges to the conclusion in the Neve Current and Anticipated Water Use Analysis.
14. The Neve Water Use Analysis is the only expert testimony available for consideration of the application. In spite of challenges to his objectivity, Mr. Neve’s Resume demonstrates that he is a qualified expert to render an opinion in regards to water use analysis.
15. Without an area-wide water availability analysis, the surrounding property owners depending on the same aquifer have a well-founded fear of future impairment.
16. The Department of Ecology, by regulation under WAC 173-532-050(2)(b), permits exempt withdrawals for multiple residences, as located in a cluster development, permits not more than 1,250 gallons per day per residency for a total maximum water withdrawal for all residences not to exceed 5,000 gallons per day. The proposed development would provide for limited distribution of 555 gallons per day per resident. Although no monitoring is proposed, this limitation would be accomplished in part by restricting the exempt well use to indoor use only prohibiting outdoor hose bibs and irrigation.
17. On October 6, 2016, the Washington Supreme Court rendered its decision in *Whatcom County v. Hirst* (186 Wn.2d 648). The clear holding of this case was that counties have the responsibility under the Growth Management Act (GMA) to make determinations of water availability for development permit approval to be incorporated as a part of its Comprehensive Plan.

“We hold that the board properly concluded that the GMA requires counties to make determinations of water availability. The language placing this burden on the county or local government is clear, consistent, and unambiguous throughout the Act. . . The GMA requires that an applicant for a building permit for a single-family resident or a development must produce proof that water is both legally available and actually available.”

The Court further made it clear that the county cannot independently rely on the regulations or restrictions of the Department of Ecology as its sole basis for determining availability. The opponents assert that the Walla Walla County Comprehensive Plan suffers from the same invalidity of the Whatcom County Comprehensive Plan in that it fails to adequately address the water availability. Opponents assert that based on the *Hirst* case, the County had the obligation prior to permitting, to conduct a Water Availability/Impairment Analysis, or in the absence, deny the permit.

18. While the *Hirst* case places the County on notice, the Comprehensive Plan will need to be amended to accommodate this identified responsibility, the outcome of the *Hirst* case was specific to Whatcom County. Comprehensive plans and development regulations are deemed GMA compliant upon adoption or remain so until the Growth Management Hearings Board rules to the contrary. Under RCW 36.70A.290(2), challenges to the GMA compliance can only be brought within 60 days of an amendment, or, pursuant to WAC 242-03-220(5), at any time after the failure to act by a deadline imposed by the GMA. Therefore, the decision does not trigger an immediate challenge to other county's comprehensive plans or development regulations already adopted.
19. Walla Walla County will undoubtedly incorporate this requirement into its upcoming comprehensive plan review, however, an availability analysis and reciprocally an impairment analysis were not requirements as of the date the present application vested, and, therefore, cannot be the basis for denial of the preliminary plat.

From the foregoing Findings of Fact, the Hearing Examiner makes the following:

CONCLUSION

1. The Hearing Examiner has jurisdiction to approve the preliminary plat with conditions.
2. The proposed preliminary plat complies with the applicable codes, plans and policies in WWCC Chapter 16.04.050 if developed in accordance with the conditions identified below.
3. The proposed lots are served with adequate means of access by means of a private road (Daybreak Road) and limited direct access onto Stateline Road by Lots 8 and 9; adequate fire protection meeting the requirements of the Fire Marshal and Fire District requiring sufficient fire flow and storage from the existing irrigation well; adequate domestic water supplies from an exempt private well subject to the conditions below; and sanitary sewer disposal.
4. With the conditions of approval, the proposal provides accurate measures for the control of drainage and stormwater.
5. The public health, safety and general welfare will be served by the proposed subdivision which is consistent with the current requirements and elements of the Comprehensive Plan.

DECISION

Based upon the foregoing Findings of Fact and Conclusion, the request for preliminary plat of Daybreak Subdivision for a 10-lot cluster subdivision is granted, subject to the following conditions:

1. All required improvements shall, at a minimum, meet the applicable standards for improvements required by WWCC Section 16.24.050.
2. Adequate fire protection shall be required as described by the comments from the Fire Marshal and Walla Walla County Fire District No. 4 Fire Chief including the development of the 30,000 gallon fire flow storage from the existing irrigation well, and installation of a dry hydrant distribution system with capacity of not less than 1,000 gallons per minute.
3. Compliance with the conditions identified by the Walla Walla County Surveyor dated August 7, 2017 (Exhibit 12).
4. Compliance with the mitigation measure identified in the SEPA MDNS issued on July 28, 2017, requiring that prior to any ground disturbance, the applicant shall coordinate with CTUIR to investigate the property for potential cultural resources by conducting a survey or alternative measure.
5. Comply with the representations made at the hearing in regards to available water with the existing irrigation well servicing fire flow and landscape irrigation with limited use of individual exempt wells serving the residences, shall not exceed 5,000 gallons per day (555 gallons per unit per day), and prohibiting external hose bibs and landscape irrigation with domestic water.
6. Pursuant to Walla Walla County Code Section 16.14.060, approval of the preliminary subdivision shall expire seven (7) years after the date of approval, or the date of resolution of all appeals.

DATED this 14th day of September, 2017.



Leland B. Kerr
Pro Tem Hearing Examiner

COUNTY COMMISSIONERS (continued)

g) Action Agenda Items (continued):

- 2) Proposal 2018 12-21 SO-2
Approval to offer salary above
mid-range for Walla Walla
County Chief Civil Deputy

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

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

9:25

COUNTY CORRECTIONS

Norrie Gregoire

a) **Action Agenda Items:**

- 1) Proposal 2018 12-21 CORR-1
Approval of authority to execute
agreement with Advanced Computer
Technologies, LLC
- 2) Resolution _____ - Approving
Service Agreement #19-01 between
Walla Walla County Department of
Corrections and Comprehensive
Healthcare

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF APPROVING
SERVICE AGREEMENT #19-01
BETWEEN WALLA WALLA
COUNTY DEPARTMENT OF
CORRECTIONS AND
COMPREHENSIVE HEALTHCARE



RESOLUTION NO. 18

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

WHEREAS, the Walla Walla County Department of Corrections wishes to enter into an agreement with Comprehensive Healthcare to provide behavioral health treatment services; 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 21st day of December, 2018 by Board members as follows: Present or Participating via other means, and by the following vote: Aye Nay Abstained Absent.

Attest:

Connie R. Vinti, Clerk of the Board

James K. Johnson, Chairman, District 1

Todd L. Kimball, Commissioner, District 2

James L. Duncan, Commissioner, District 3

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

Service Agreement #19-01

between

WALLA WALLA COUNTY DEPARTMENT OF CORRECTIONS

and

COMPREHENSIVE HEALTHCARE

The Agreement is entered into by and between Walla Walla County Department of Corrections hereinafter "County," and Comprehensive Healthcare (CompHC) hereinafter "Contractor," for Jail Based 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(s) of Work
- Exhibit B – Budget
- Exhibit C - Contractor Certification Form

Performance Period: The terms of this Agreement shall commence on January 1, 2019 and shall, unless terminated or renewed as provided elsewhere in the Agreement, terminate on December 31, 2019.

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 \$120,000.

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:

Norrie Gregoire, Director
Department of Corrections

Date

Authorized By

Date

300 W. Alder, PO Box 1754
Walla Walla, WA 99362
Phone: (509) 524-2822
ngregoire@co.walla-walla.wa.us

Jodi Daly, CEO/President
Print Name & Title of Person Signing

Telephone Number / Email Address: (509) 575-4024 / jdaly@cwcmh.org

Mailing Address (Street address required in addition to PO Box.): 402 South 4th Ave., PO Box 959

Yakima WA 98907

Social Security or Business Tax ID#: 91-1043304

CFDA# (if applicable): N/A

UBI#:

State Industrial Account ID # (if applicable):

9:30

COUNTY COMMISSIONERS

- a) **Public Hearing:**
 - 1) To consider amendments to the 2018 Walla Walla County Budget

- b) **Action Agenda Items:**
 - 1) Resolution _____ - Amendments to the 2018 Walla Walla County Budget

- c) Miscellaneous business to come before the Board

- 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.

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF
AMENDMENTS TO THE 2018
WALLA WALLA COUNTY
BUDGET



RESOLUTION NO. **18**

WHEREAS, subsequent to the establishment of the budgets and adoption of the 2018 Walla Walla County Budget and budget amendments, further requests have been made for final amendments to the budget; and

WHEREAS, a properly advertised public hearing was held on December 21, 2018, a special meeting of the Board of County Commissioners, to consider said amendments as advertised as well as other amendments as necessary for accounting purposes, and hear testimony related thereto; now therefore

BE IT HEREBY RESOLVED by this Board of County Commissioners that the 2018 Walla Walla County Budget be amended as outlined on the attached Memo "2018 Budget Amendment #5", dated 12/7/18, from Karen Martin, County Auditor, which is by this reference made a part hereof.

"Passed this 21st day of December, 2018 by Board members as follows: ___ Present or ___ Participating via other means, and by the following vote: ___ Aye ___ Nay ___ Abstained ___ Absent."

Attest:

Connie R. Vinti, Clerk of the Board

James K. Johnson, Chairman, District 1

Todd L. Kimball, Commissioner, District 2

James L. Duncan, Commissioner, District 3

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

MEMO

TO: BOCC
 FROM: KAREN
 DATE: 12/7/18
 SUBJECT: 2018 Budget Amendment #5

FUND	BARS #	DESCRIPTION	AMENDMENT AMOUNT		NEW BUDGET
			REVENUE	EXPENDITURES	AMOUNT
03400 Sheriff Admin					
	521.10.21.0001	Medical-Life-Dental Ins		(\$1,000)	\$96,608
	521.10.41.0000	Professional Services		(\$10,000)	\$3,000
	521.10.43.0000	Travel		(\$2,000)	\$1,000
03409 Sherff Operations Div					
	521.10.21.0002	Social Security		\$1,000	\$13,385
03410 Detective Bureau					
	521.21.12.0000	Overtime		\$4,000	\$7,075
03420 Patrol Bureau					
	521.22.12.0000	Overtime		\$6,500	\$42,550
03493 Canine					
	521.22.41.0000	Professional Services		\$1,500	\$3,000
03500 Corrections					
	334.06.90.0500	CJTA Services	\$4,200		\$21,276
	342.30.01.0000	City of Walla Walla	\$13,300		\$78,300
	342.30.06.0000	Columbia County	\$5,600		\$20,600
	342.30.08.0000	Wa Dept of Corrections	\$61,000		\$421,000
	369.91.00.0000	Medical Reimbursement	\$6,200		\$7,700
	369.91.00.0001	Inmate Medication Reimbursment	\$9,000		\$10,500
	369.91.00.0003	Inmate Stamp Reimbursement	\$900		\$1,400
	369.91.00.0004	Other Misc	\$4,400		\$4,400
03500	523.60.12.0000	Overtime		\$15,000	\$61,125
	523.60.31.0000	Office & Operating Supplies		\$30,000	\$70,000
	523.60.31.0400	Office & Operating Supplies - Prescriptions		\$26,000	\$26,000
	523.60.41.1000	Inmate Medical Services		\$25,000	\$115,000
3510	523.10.11.0005	Director of Corrections		(\$10,000)	\$51,200
	523.10.11.0006	Jail Commander		(\$10,000)	\$78,000
	523.10.21.0001	Medical-Dental-Life Ins		(\$5,000)	\$29,860
03520	523.90.31.0200	Office & Operating supplies - Food Svcs		\$33,600	\$168,600
		Total Current Expense	\$104,600	\$104,600	

FUND	BARS #	DESCRIPTION	AMENDMENT AMOUNT		NEW BUDGET
			REVENUE	EXPENDITURES	AMOUNT
11800 Fair					
11806	573.70.13.0000	Extra Labor		\$90,000	\$90,000
11898	508.40.00.0000	Ending Fund Balance - Committed		(\$90,000)	\$14,184
		Total Fair	\$0	\$0	
50500 Tech Services					
	308.89.00.0000	Beginning Fund Balance - Unreserved	\$80,000		\$180,000
	518.88.21.0002	Social Security		\$4,300	\$27,088
	518.88.21.0003	Retirement		\$7,000	\$44,831
	518.88.42.0000	Communication		\$6,000	\$19,046
	518.88.46.0000	Insurance		\$2,000	\$7,000
	518.88.48.0000	Repairs & Maintenance		\$23,000	\$65,478
	597.00.00.0000	Operating Transfer out - Tech Reserve		\$25,000	
50598	508.89.00.0000	Ending Fund Balance		\$12,700	\$112,700
		Total Tech Services	\$80,000	\$80,000	