

**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF KITTITAS  
STATE OF WASHINGTON**

**RESOLUTION NO. 2024- 108**

A RESOLUTION AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT  
BETWEEN YAKIMA COUNTY, WASHINGTON AND KITTITAS COUNTY, WASHINGTON FOR  
THE HOUSING OF INMATES

WHEREAS, RCW 39.34, the Interlocal Cooperation Act, provides the capability for public agencies to cooperate by providing services and facilities for mutual advantage; and

WHEREAS, Yakima County, Washington wishes to designate the Kittitas County Jail as a place of confinement for the incarceration of one or more inmates lawfully committed to its custody; and

WHEREAS, Kittitas County is desirous of accepting and keeping in its custody such inmate(s) in the Kittitas County Jail for a rate of compensation and other terms and conditions mutually agreed upon by the parties; and

WHEREAS, by action taken at a regular meeting, the governing bodies of each of the parties to the Interlocal Agreement attached hereto have determined to enter into this Interlocal Agreement for the period from date fully executed until December 31, 2025, subject to earlier termination as provided in the Agreement;

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of County Commissioners of Kittitas County, Washington authorizes the execution of the Interlocal Agreement for the Housing of Inmates that is attached hereto, and incorporated herein by this reference, and which shall be forthwith filed with the Kittitas County Auditor pursuant to RCW 39.34.040.

**ADOPTED** this 18<sup>th</sup> day of June 2024.



**ATTEST:**

*[Signature]*

**BOARD OF COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON**

**ABSENT**

*[Signature]*  
Brett Wachsmith, Chairman

*[Signature]*  
Laura Osiadacz, Vice-Chair

*[Signature]*  
Cory Wright, Commissioner

**APPROVED AS TO FORM:**

*[Signature]* #22377  
Douglas R. Mitchell, Deputy Prosecuting Attorney

☒ Clerk of the Board- Julie Kjorsvik

☐ Deputy Clerk of the Board- Mandy Buchholz

## INTERLOCAL AGREEMENT FOR EMERGENCY INMATE HOUSING

This ONGOING AGREEMENT FOR EMERGENCY INMATE HOUSING, effective when signed by both parties is made and entered into by and between Yakima County and the Kittitas County on behalf of their relative Sherriff's Offices/Jails.

The terms of this agreement shall commence on the date of the last signature, and shall continue as long as both parties agree. Any party may terminate this agreement by giving a thirty (30) days' notice in writing either personally delivered, or mailed postage-prepaid by certified mail, return receipt requested, to party's last known address for the purposes of giving notice under this paragraph.

WHEREAS, RCW 39.34 and RCW 70.48 authorize counties to enter into a contract for inmate housing, and

WHEREAS, the parties understand that some circumstances yet unknown may require interlocal assistance to maintain care and custody of inmates in their respective jails, and

WHEREAS, the parties agree to enter into an agreement with the purpose of establishing the terms for emergency housing.

### RECITALS

- A. Both jurisdictions maintain and operate correctional facilities known as jails. In order to assist other jurisdictions in times of emergencies each will enter into this Interlocal Agreement.
- B. Yakima County and Kittitas County each have the statutory power to maintain and operate a correctional facility and to confine inmates therein.

### AGREEMENT

Now, therefore, in consideration of the respective agreements set forth below and for the good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Yakima County and Kittitas County agree as follows:

1. In times of emergency, when one jurisdiction or the other has operational conflicts, the other agency agrees to house no more than 25 inmates, unless there is a mutual agreement for additional housing.
2. The agreed upon transfer of inmates will be no longer than 60 days without an extension or contract.
3. The jurisdiction housing the inmates agrees to charge their current contract rate, which will be offset by mutual exchanges (prisoner for prisoner).

IN WITNESS WHEREOF, the Parties hereto have executed this Interlocal Agreement, all as of the day signed by the last party.

KITTITAS COUNTY

By Chay  
Title SHERIFF

YAKIMA COUNTY

By [Signature]  
Title Director  
9/20/24

## **ATTACHMENT A MEDICAL ACCEPTABILITY**

The sending County shall determine the medical and mental acceptability of inmates for transport using the following exclusion criteria:

1. Blood or fluid present at an open wound site or bleeding from an open wound.
2. Signs of untreated broken bones or dislocated joints.
3. Any injury or illness requiring immediate or emergency medical treatment.
4. Unconsciousness.
5. Inmates unable to stand and walk under their own power.
6. Wheelchair bound individuals.
7. Signs of alcohol toxicity and signs of current or recent use of any intoxicants.
8. Signs of alcohol and/or drug withdrawal.
9. Bed bound individuals.
10. Individuals with attached IV or requiring IV medications.
11. Individuals requiring the use of oxygen tanks.
12. AMA (Against Medical Advice) from the hospital.
13. Individuals having had major invasive surgery within the last 72 hours. Non-invasive surgery such as oral surgery, laser-eye surgery and minor surgery may be evaluated on a case by case basis.
14. Post-operative persons who have follow up appointments within the next four weeks.
15. Wounds with drainage tubes attached.
16. Persons with permanent catheters.
17. Open and/or oozing bedsores.
18. Individuals requiring nebulizers who cannot obtain one.
19. Persons with Alzheimer's, dementia, or other psychological conditions to the point where the inmate cannot perform activities of daily living ("ADL's") or who do not have the capacity to function safely within a correctional environment.
20. Persons who are diagnosed as developmentally delayed and who do not have the capacity to function safely within a correctional environment or who cannot perform ADL's.
21. Female inmates more than 5 months pregnant, or any female inmate considered a high-risk pregnancy.
22. Persons undergoing chemotherapy and/or radiation treatment.
23. Persons undergoing dialysis.
24. Persons with the following untreated medical conditions:
  - a) Heart disease
  - b) Seizures disorders
  - c) Insulin dependent diabetes
  - d) Cancer
  - e) Asthma
  - f) Psychosis
  - g) HIV Positive or AIDS
25. Persons who are HIV positive or have AIDS and are taking anti-viral medications.
26. Persons taking Methadone, or Suboxone, a substitute for Methadone.

27. Persons with suicidal ideations or gestures within the past 72 hours.
28. Person, if prescribed, has not taken psychotropic medications for at least 72 hours.
29. Persons who have attempted suicide within the last 30 days.
30. Persons who have attempted suicide by overdose or ligature strangulation during current incarceration.
31. Persons displaying a current psychotic episode.
32. Persons requiring CPAP machines as prescribed must be transported with the machine.