

April 11,
2011

THE BOARD OF
BENTON COUNTY
COMMISSIONERS
AGENDA PACKET

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Monday, April 04, 2011 8:30 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Leo Bowman
Commissioner James Beaver, Absent
Commissioner Shon Small
County Administrator David Sparks
Alt. Clerk of the Board Marilu Flores

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Adam Fyall, Community Development Coordinator; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; Human Services Manager Ed Thornbrugh; Public Works Engineer Malcohm Bowie; Jonathan Young, DPA

Workshop Agenda

Chairman Bowman reported on the 1126 Gang Bill and how there has been little progress made and it is unknown where this bill is going to end up at this point in time.

Chairman Bowman discussed a past Red Mountain grant and how said grant was used. Chairman Bowman indicated that he would be meeting with Adam Fyall, David Sparks and Mike Shuttleworth today to discuss the Red Mountain Master Plan and implementation thereof. Chairman Bowman would like to discuss what is happening on Red Mountain now that the plan is completed and how it is going to be implemented now taking into affect current zoning ordinances.

Chairman Bowman gave on update on Legislative measures and provided board members with an informational packet on current status of bills in Olympia and reported that the marijuana bill (5073) was not going to be enforced by local health departments, but actually the State Health Department.

Commissioner Small briefly discussed the 911 tax passed by our Board in 2010 and that it was his understanding that the state is intending to use taxes collected for other purposes other than what it was originally intended to be used. Commissioner Small is working with Benton County Emergency Services in drafting a letter to the legislature regarding the tax.

Commissioner Small met with Deb Heintz from the Prosser Economic Development Association and reported on what great plans Ms. Heintz has in increasing economic development in Prosser. There will now be two additional monthly PEDDA meetings each month.

Commissioner Small reported on his meeting with Benton County Emergency Services and his discussions regarding the overage in the amount of \$500,000 designated to 800 megahertz and indicated that no determination had been made regarding any refunds due the County and/or Cities. He also discussed a future BDA tower purchase due for replacement in the Sheriff's Office.

The Board briefly recessed, reconvening at 9:00 a.m. for the regular session.

Approval of Minutes

The Minutes of March 28, 2011 were approved.

Review Agenda

Chairman Bowman requested items "j" (Award of Bituminous Surface Treatment to Granite Northwest, Inc.); "o" (Standardization for Duty Weapons); and "p" (Line Item Transfer, Fund No. 0000-101, Department 121) be pulled.

Consent Agenda

MOTION: Commissioner Small moved to approve the consent agenda items pulling items "j", "o", and "p". Chairman Bowman seconded and upon vote, the Board approved the following:

Commissioners

- a. Letter to City of Richland Regarding Benton County Emergency Services
- b. Letter to City of Kennewick Regarding Steptoe Extension

Facilities

- c. Blanket Service Agreement w/Industrial Equipment Solutions, Inc. for Door Repairs
- d. Change Order No. 1 w/Siefken & Sons for TI Project

Fairgrounds

- e. Letter to Central Premix

Human Services

- f. Line Item Transfer, Fund No. 0108-101, Dept. 560
- g. Line Item Transfer, Fund No. 0108-101, Dept. 560

Public Works

- h. Amended Task Assignment w/WA State Dept of Transportation for Clodfelter Road
- i. Amended Task Assignment w/WA State Dept of Transportation for Locust Grove Road
- k. Line Item Transfer, Fund No. 0155-101, Dept. 000

Sheriff

- l. Salary Request Statement
- m. Salary Request Statement
- n. Line Item Transfer, Fund No. 0000-101, Dept. 120
- q. Authorization for Tire Purchases From the State Contract

The Board briefly recessed, reconvening at 9:05 a.m.

Executive Session

The Board went into executive session with DPA Jonathan Young and Sheriff Steve Keane via satellite at the Justice Center, Kennewick, WA at 9:05 am for approximately 10 minutes to discuss current litigation. Also present were David Sparks, Loretta Smith Kelty, Melina Wenner and Marilu Flores. The Board came out of executive session at 9:10 am and Mr. Young said no decisions were made.

Melina Wenner presented a resolution for approval regarding Benton County settlement offer to Mr. Mark Clark.

MOTION: Commissioner Small moved to approve the recommended resolution regarding the settlement offer of thirty-five thousand dollars (\$35,000) to Plaintiff Mark Clark for the global resolution of all claims among the parties, conditioned upon execution of a mutually agreeable Settlement Agreement and Release requiring dismissal of, and release in full, of all claims between the parties. Chairman Bowman seconded and upon vote, the motion carried unanimously.

Unscheduled Visitors

There were no unscheduled visitors.

Vouchers

Check Date:	04/01/2011
Warrant #:	31284 – 31453
Total all funds:	\$1,247,701.62

Total amounts approved by fund can be reviewed in the Benton County Auditor's Office.

Resolutions

- 11 224 Blanket Service Agreement w/Industrial Equipment Solutions, Inc. for Door Repairs
- 11 225 Change Order No. 1 w/Siefken & Sons for TI Project
- 11 226 Line Item Transfer, Fund No. 0108-101, Dept. 560
- 11 227 Line Item Transfer, Fund No. 0108-101, Dept. 560
- 11 228 Amended Task Assignment w/WA State Dept of Transportation for Clodfelter Road
- 11 229 Amended Task Assignment w/WA State Dept of Transportation for Locust Grove Road
- 11 230 Line Item Transfer, Fund No. 0155-101, Dept. 000
- 11 231 Line Item Transfer, Fund No. 0000-101, Dept. 120
- 11 232 Authorization for Tire Purchases From the State Contract
- 11 233 Approval of Benton County Settlement Offer to Mark Clark

There being no further business before the Board, the meeting adjourned at approximately 9:11 am.

Clerk of the Board

Chairman

Q

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	<u>04/11/2011</u>	Execute Contract	<u>X</u>	Consent Agenda	<u>X</u>
Subject:	<u>Comstor Agr.</u>	Pass Resolution	<u> </u>	Public Hearing	<u> </u>
Prepared by:	<u>B. Chilton</u>	Pass Ordinance	<u> </u>	1st Discussion	<u> </u>
Reviewed by:	<u> </u>	Pass Motion	<u> </u>	2nd Discussion	<u> </u>
		Other	<u> </u>	Other	<u> </u>

BACKGROUND INFORMATION

The Benton County Auditor and Comstor Information Management, Inc. have had an ongoing maintenance agreement for the two (2) Minolta reader printers (serial numbers 35017448 and 365683) owned by the Auditor, whereby Comstor Information Services provides maintenance and repair services, as outlined in the Maintenance Agreements.

SUMMARY

The current maintenance agreements expire on 04/30/11 and new agreements need to be executed.

RECOMMENDATION

We request that a resolution be signed authorizing the Chairman of the Board to sign the two agreements.

FISCAL IMPACT

Reader Printer #1 – One Year Maintenance -- \$2140.88, plus tax
Reader Printer #2 – One Year Maintenance -- \$2517.80, plus tax

Paid for the Auditor's O & M budget.

MOTION

Chairman of the Board, Leo Bowman, shall be authorized to sign the two (2) maintenance agreements for Minolta Reader Printers, Serial Numbers 35017448 and 365683, between the Benton County Auditor, and Comstor Information Management, Inc.

COPY

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE TWO (2) MAINTENANCE AGREEMENTS WITH COMSTOR INFORMATION MANAGEMENT, INC.,

WHEREAS, the Benton County Auditor and Comstor Information Management, Inc. have an ongoing maintenance agreement for the two (2) Minolta reader printers (serial numbers 3610920 and 365683) owned by the Auditor whereby Comstor Information Services provides maintenance and repair services, as outlined in the Maintenance Agreements; and

WHEREAS, the current maintenance agreements expire on 04/30/11 and new agreements need to be executed,

BE IT RESOLVED that Leo Bowman, Chairman of the Board of Benton County Commissioners, is hereby authorized to sign the two (2) MAINTENANCE AGREEMENTS for the Minolta Reader Printers, Serial Numbers 35017448 and 365683 for the period of 05/01/11 through 04/30/12.

Dated this _____ day of _____, 2011.

Chairman of the Board

Member

Member

Constituting the Board of County
Commissioners of Benton County,
Washington

Attest: _____
Clerk of the Board

b

<u>AGENDA ITEM</u>	<u>ACTION NEEDED</u>	<u>DISCUSSION TYPE</u>
Meeting Date: 11 Apr 2011 Subject: HDPa letter Memo Date: 04 Apr 2011 Prepared By: AJF Reviewed By:	Execute Contract Pass Resolution Pass Ordinance Pass Motion X Other	Consent Agenda X Public Hearing 1st Discussion 2nd Discussion Other

SUMMARY & BACKGROUND

A response to the Historic Downtown Prosser Association per their request, which is also attached.

FISCAL IMPACT

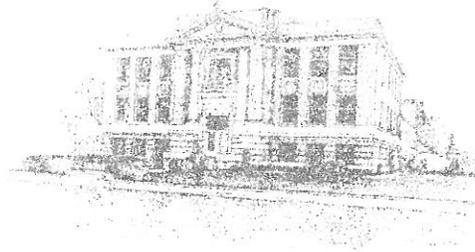
None.

Leo Bowman
District 1
Shon Small
District 2
James Beaver
District 3

Board of County Commissioners BENTON COUNTY

David Sparks
County Administrator

Loretta Smith Kelty
Deputy County Administrator



04 April 2011

Alisa Groenen, Executive Director
Historic Downtown Prosser Association
1230 Bennett Avenue
Prosser, Washington 99350

Re: Main Street Certification Celebration

Dear Ms. Groenen:

First, we extend our congratulations to the Historic Downtown Prosser Association and the entire Prosser community for your efforts in securing "Main Street USA" certification. We know that achieving this certification is a long process requiring coordination and commitment from many partners in the community. It is an exclusive club, as Prosser joins a list of only a dozen Main Street certified communities in the state of Washington. We are proud that Benton County also becomes the first county in the state to have two Main Street communities, as Prosser joins Kennewick with that distinction.

In your letter of March 23, 2011 you enquired about the use of the Courthouse steps and grounds as the centerpiece for your Main Street Certification Celebration on Tuesday, May 17. You also asked about the possibility of closing the portion of Dudley Avenue that fronts the north side of the Courthouse campus. To the former, we are happy to work with you to facilitate your event. We will work with our Facilities personnel to have the site prepared for the Celebration. To your question about the closure of Dudley Avenue, this is a matter you will have to take-up with the City of Prosser. Benton County has no opposition to this closure, and we will ask our employees that normally park on Dudley to seek-out other locations to park that day.

Again, congratulations on your Main Street certification, and thank you for all of your hard work.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

Leo Bowman, Chairman

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>		
Meeting Date: <u>4/11/11</u>	Execute Contract	_____	Consent Agenda <u>X</u>
	Pass Resolution	<u>X</u>	Public Hearing _____
	Pass Ordinance	_____	1st Discussion _____
Subject: Atomic City Roller Girls	Pass Motion	_____	2nd Discussion _____
Prepared by: cmb _____	Other	_____	Other _____
Reviewed by: <u>Isk</u>			

BACKGROUND INFORMATION

Attached for Board review is the Lease Agreement with the Atomic City Roller Girls. The Lease Agreement has been reviewed and approved as to form by the Prosecuting Attorney's office.

Atomic City Roller Girls have a current practice Lease Agreement with the Benton County Fairgrounds which is renewed quarterly.

SUMMARY

The Lease Agreement attached will be for their next quarter of practice dates April-July, 2011 held in Building 2.

RECOMMENDATION

The Deputy County Administrator and Fair Grounds Office Manager recommend approval of the Lease Agreement with the Atomic City Roller Girls.

FISCAL IMPACT

Compensation potentially represents a greater than 50% discount of the normal rental rate for the facilities being leased.

MOTION

Move the Lease Agreement with the Atomic City Roller Girls be approved.

RESOLUTION

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY,
WASHINGTON**

**IN THE MATTER OF APPROVING THE LEASE AGREEMENT BETWEEN THE
BENTON COUNTY FAIRGROUNDS AND THE ATOMIC CITY ROLLER GIRLS.**

WHEREAS, the Atomic City Roller Girls will provide the Benton County Fairgrounds \$1563.25 for use of the Fairgrounds April through July 2011 in Building 2, to hold weekly practices; and

WHEREAS, the Atomic City Roller Girls have a current weekly practice Lease Agreement with the Benton County Fairgrounds that is renewed quarterly; and

WHEREAS, compensation potentially represents a greater than 50% discount of the normal rental rate for the facilities being leased, and per Resolution 07-870, the agreement must be approved by the Board of Benton County Commissioners; and

WHEREAS, the Benton County Deputy Administrator and Fairgrounds Office Manager recommends the Atomic City Roller Girls Lease Agreement be approved; **NOW THEREFORE**,

BE IT RESOLVED by the Board of Benton County Commissioners, Benton County, Washington, that the Lease Agreement with the Atomic City Roller Girls shall be granted; and

BE IT FURTHER RESOLVED that the Board authorizes the Chairman of the Board to sign the Lease Agreement with the Atomic City Roller Girls.

Dated this _____ day of _____ 2011.

Chairman of the Board

Member

Member

Attest: _____
Clerk of the Board

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

BENTON COUNTY FAIRGROUNDS

1500 South Oak Street, Bldg #20
Kennewick, WA 99337
(509) 586-9211 ext 200

LEASE AGREEMENT

TODAY'S DATE: **March 22, 2011**

LEASE AGREEMENT NUMBER: **39.11**

EVENT DATE(S): **April 4, 11, 18, 25, May 2, 9, 16, 23, 30, June 6, 13, 20, 27, July 4, 11, 18, 25, 2011.**

NUMBER OF DAYS: **17**

BUILDING(S) / AREA: **Building 2**

LESSEE: **Atomic City Rollergirls**

MAILING ADDRESS: **1761 George Washington Way, Richland, WA 99352**

CONTACT: **Julissa Valdez, President**

CELLULAR PHONE: **509-460-2826**

TIME OF THE EVENT: **6-10 pm each Tuesday and Thursday**

TYPE OF EVENT: **Flat track roller skating practices**

ESTIMATED ATTENDANCE: **15**

SELLING TICKETS: YES NO

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: Subject: <u>Mental Health Advisory Board</u> <u>Appointment</u> Prepared by: Maria Loera, Sr. Secretary-DHS Reviewed by: Ed Thornbrugh, Administrator-DHS	Execute Contract _____ Pass Resolution <u> X </u> Pass Ordinance _____ Pass Motion _____ Other _____	Consent Agenda <u> X </u> Public Hearing _____ 1st Discussion _____ 2nd Discussion _____ Other _____

BACKGROUND INFORMATION

The Benton-Franklin Department of Human Services Mental Health Advisory Board consists of nine members appointed by the Board of Commissioners for Benton and Franklin Counties. Greg Hess the member being recommended for appointment has expressed interest and willingness to be appointed, and the appointment has been approved by the Mental Health Advisory Board.

SUMMARY

Joint Resolution recommending appointment for Greg Hess to the Mental Health Advisory Board.

RECOMMENDATION

Sign the attached proposed Joint Resolution to appoint one member to the Mental Health Advisory Board.

FISCAL IMPACT

None

MOTION

To approve signing the proposed Joint Resolution to appoint Greg Hess to the Mental Health Advisory Board a term ending on December 31, 2012.



 Signature

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

BEFORE THE BOARDS OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON, AND FRANKLIN COUNTY, WASHINGTON;

RE: IN THE MATTER OF APPOINTMENT TO THE MENTAL HEALTH ADVISORY BOARD TO REPRESENT BENTON AND FRANKLIN COUNTIES

WHEREAS, Benton County Resolution #90-77 and Franklin County Resolution #90-36 created the Benton-Franklin Counties Mental Health Advisory Board; and

WHEREAS, said Joint Resolution provided for Board composition of nine members appointed by the Boards of Commissioners of Benton and Franklin Counties; and

WHEREAS, a vacancy exists on the Mental Health Advisory Board with the resignation of John Evans whose term would have expired on December 31, 2012; and

WHEREAS, Greg Hess has demonstrated interest and indicated willingness to accept appointment to the Mental Health Advisory Board; and

WHEREAS, the Mental Health Advisory Board recommends this appointment, NOW THEREFORE,

BE IT RESOLVED, the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be, and they hereby are, authorized to sign, on behalf of their respective county the appointment to the Benton-Franklin Counties Mental Health Advisory Board for Greg Hess, 3109 S. Rainier St., Kennewick, WA 99337, to a term which will expire on December 31, 2012.

Dated this.....day of, 2011

Dated this.....day of, 2011

Chairman of Board

Chairman of Board

Member

Member

Member
Constituting the Board of County
Commissioners of Benton County, Washington

Member
Constituting the Board of County
Commissioners of Franklin County, Washington

Attest: _____
Clerk of the Board

Attest: _____
Clerk of the Board

Originals: Benton & Franklin County Commissioners
Human Services, G. Hess

Loera

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date:	Execute Contract _____	Consent Agenda <u> X </u>
Subject:	Pass Resolution <u> X </u>	Public Hearing _____
Mental Health Advisory Board	Pass Ordinance _____	1st Discussion _____
Appointment	Pass Motion _____	2nd Discussion _____
Prepared by:	Other _____	Other _____
Maria Loera, Sr. Secretary-DHS		
Reviewed by:		
Ed Thornbrugh, Administrator-DHS		

BACKGROUND INFORMATION

The Benton-Franklin Department of Human Services Mental Health Advisory Board consists of nine members appointed by the Board of Commissioners for Benton and Franklin Counties. Debbie Gottschalk the member being recommended for appointment has expressed interest and willingness to be appointed, and the appointment has been approved by the Mental Health Advisory Board.

SUMMARY

Joint Resolution recommending appointment for Debbie Gottschalk to the Mental Health Advisory Board.

RECOMMENDATION

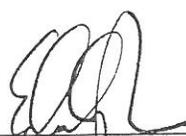
Sign the attached proposed Joint Resolution to appoint one member to the Mental Health Advisory Board.

FISCAL IMPACT

None

MOTION

To approve signing the proposed Joint Resolution to appoint Debbie Gottschalk to the Mental Health Advisory Board a term ending on December 31, 2013.



 Signature

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

BEFORE THE BOARDS OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON, AND FRANKLIN COUNTY, WASHINGTON;

RE: IN THE MATTER OF APPOINTMENT TO THE MENTAL HEALTH ADVISORY BOARD TO REPRESENT BENTON AND FRANKLIN COUNTIES

WHEREAS, Benton County Resolution #90-77 and Franklin County Resolution #90-36 created the Benton-Franklin Counties Mental Health Advisory Board; and

WHEREAS, said Joint Resolution provided for Board composition of nine members appointed by the Boards of Commissioners of Benton and Franklin Counties; and

WHEREAS, a vacancy exists on the Mental Health Advisory Board for Patti Davis whose term expired on December 31, 2010; and

WHEREAS, Debbie Gottschalk has demonstrated interest and indicated willingness to accept appointment to the Mental Health Advisory Board; and

WHEREAS, the Mental Health Advisory Board recommends this appointment, **NOW THEREFORE**,

BE IT RESOLVED, the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be, and they hereby are, authorized to sign, on behalf of their respective county the appointment to the Benton-Franklin Counties Mental Health Advisory Board for Debbie Gottschalk, 1919 W. Bonneville St., Pasco, WA 99301, to a term which will expire on December 31, 2013.

Dated this.....day of, 2011

Dated this.....day of, 2011

Chairman of Board

Chairman of Board

Member

Member

Member
Constituting the Board of County
Commissioners of Benton County, Washington

Member
Constituting the Board of County
Commissioners of Franklin County, Washington

Attest: _____
Clerk of the Board

Attest: _____
Clerk of the Board

Originals: Benton & Franklin County Commissioners
Human Services, D. Gottschalk

Loera

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

BEFORE THE BOARDS OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON, AND FRANKLIN COUNTY, WASHINGTON;

RE: IN THE MATTER OF APPOINTMENT TO THE MENTAL HEALTH ADVISORY BOARD TO REPRESENT BENTON AND FRANKLIN COUNTIES

WHEREAS, Benton County Resolution #90-77 and Franklin County Resolution #90-36 created the Benton-Franklin Counties Mental Health Advisory Board; and

WHEREAS, said Joint Resolution provided for Board composition of nine members appointed by the Boards of Commissioners of Benton and Franklin Counties; and

WHEREAS, a vacancy exists on the Mental Health Advisory Board for Shon Small whose term expired on December 31, 2010; and

WHEREAS, Lisa Hamilton has demonstrated interest and indicated willingness to accept appointment to the Mental Health Advisory Board; and

WHEREAS, the Mental Health Advisory Board recommends this appointment, NOW THEREFORE,

BE IT RESOLVED, the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be, and they hereby are, authorized to sign, on behalf of their respective county the appointment to the Benton-Franklin Counties Mental Health Advisory Board for Lisa Hamilton, 4505 Saint Paul Court., Pasco, WA 99301, to a term which will expire on December 31, 2013.

Dated this.....day of, 2011

Dated this.....day of, 2011

Chairman of Board

Chairman of Board

Member

Member

Member
Constituting the Board of County
Commissioners of Benton County, Washington

Member
Constituting the Board of County
Commissioners of Franklin County, Washington

Attest: _____
Clerk of the Board

Attest: _____
Clerk of the Board

Originals: Benton & Franklin County Commissioners
Human Services, L. Hamilton

Loera

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	Execute Contract	_____	Consent Agenda	__X__
Subject:	Pass Resolution	__X__	Public Hearing	_____
Mental Health Advisory Board	Pass Ordinance	_____	1st Discussion	_____
Appointment	Pass Motion	_____	2nd Discussion	_____
Prepared by:	Other	_____	Other	_____
Maria Loera, Sr. Secretary-DHS				
Reviewed by:				
Ed Thornbrugh, Administrator-DHS				

BACKGROUND INFORMATION

The Benton-Franklin Department of Human Services Mental Health Advisory Board consists of nine members appointed by the Board of Commissioners for Benton and Franklin Counties. Thomas F. Hall the member being recommended for appointment has expressed interest and willingness to be appointed, and the appointment has been approved by the Mental Health Advisory Board.

SUMMARY

Joint Resolution recommending appointment for Thomas F. Hall to the Mental Health Advisory Board.

RECOMMENDATION

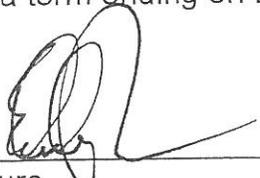
Sign the attached proposed Joint Resolution to appoint one member to the Mental Health Advisory Board.

FISCAL IMPACT

None

MOTION

To approve signing the proposed Joint Resolution to appoint Thomas F. Hall to the Mental Health Advisory Board a term ending on December 31, 2012.



 Signature

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

BEFORE THE BOARDS OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON, AND FRANKLIN COUNTY, WASHINGTON;

RE: **IN THE MATTER OF APPOINTMENT TO THE MENTAL HEALTH ADVISORY BOARD TO REPRESENT BENTON AND FRANKLIN COUNTIES**

WHEREAS, Benton County Resolution #90-77 and Franklin County Resolution #90-36 created the Benton-Franklin Counties Mental Health Advisory Board; and

WHEREAS, said Joint Resolution provided for Board composition of nine members appointed by the Boards of Commissioners of Benton and Franklin Counties; and

WHEREAS, a vacancy exists on the Mental Health Advisory Board with the resignation of Melody Otness whose term would have expired on December 31, 2012; and

WHEREAS, Thomas F. Hall has demonstrated interest and indicated willingness to accept appointment to the Mental Health Advisory Board; and

WHEREAS, the Mental Health Advisory Board recommends this appointment, NOW THEREFORE,

BE IT RESOLVED, the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be, and they hereby are, authorized to sign, on behalf of their respective county the appointment to the Benton-Franklin Counties Mental Health Advisory Board for Thomas F. Hall, 1266 Monrean Loop, Richland, WA 99352, to a term which will expire on December 31, 2012.

Dated this.....day of, 2011

Dated this.....day of, 2011

Chairman of Board

Chairman of Board

Member

Member

Member
Constituting the Board of County
Commissioners of Benton County, Washington

Member
Constituting the Board of County
Commissioners of Franklin County, Washington

Attest: _____
Clerk of the Board

Attest: _____
Clerk of the Board

Originals: Benton & Franklin County Commissioners
Human Services, T. Hall

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>			
Meeting Date: Subject: Mental Health Advisory Board Appointment Prepared by: Maria Loera, Sr. Secretary-DHS Reviewed by: Ed Thornbrugh, Administrator-DHS	Execute Contract _____ Pass Resolution <u> X </u> _____ Pass Ordinance _____ Pass Motion _____ Other _____		Consent Agenda <u> X </u> _____ Public Hearing _____ 1st Discussion _____ 2nd Discussion _____ Other _____	

BACKGROUND INFORMATION

The Benton-Franklin Department of Human Services Mental Health Advisory Board consists of nine members appointed by the Board of Commissioners for Benton and Franklin Counties. Tom Adams the member being recommended for appointment has expressed interest and willingness to be appointed, and the appointment has been approved by the Mental Health Advisory Board.

SUMMARY

Joint Resolution recommending appointment for Tom Adams to the Mental Health Advisory Board.

RECOMMENDATION

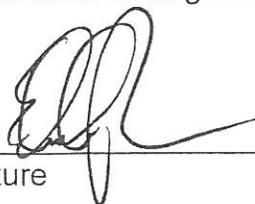
Sign the attached proposed Joint Resolution to appoint one member to the Mental Health Advisory Board.

FISCAL IMPACT

None

MOTION

To approve signing the proposed Joint Resolution to appoint Tom Adams to the Mental Health Advisory Board a term ending on December 31, 2011.



Signature

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

BEFORE THE BOARDS OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON, AND FRANKLIN COUNTY, WASHINGTON;

RE: IN THE MATTER OF APPOINTMENT TO THE MENTAL HEALTH ADVISORY BOARD TO REPRESENT BENTON AND FRANKLIN COUNTIES

WHEREAS, Benton County Resolution #90-77 and Franklin County Resolution #90-36 created the Benton-Franklin Counties Mental Health Advisory Board; and

WHEREAS, said Joint Resolution provided for Board composition of nine members appointed by the Boards of Commissioners of Benton and Franklin Counties; and

WHEREAS, a vacancy exists on the Mental Health Advisory Board with the resignation of James Renner whose term would have expired on December 31, 2011; and

WHEREAS, Tom Adams has demonstrated interest and indicated willingness to accept appointment to the Mental Health Advisory Board; and

WHEREAS, the Mental Health Advisory Board recommends this appointment, NOW THEREFORE,

BE IT RESOLVED, the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be, and they hereby are, authorized to sign, on behalf of their respective county the appointment to the Benton-Franklin Counties Mental Health Advisory Board for Tom Adams, 1600 S. Kent St., Kennewick, WA 99337, to a term which will expire on December 31, 2011.

Dated this.....day of, 2011

Dated this.....day of, 2011

Chairman of Board

Chairman of Board

Member

Member

Member
Constituting the Board of County
Commissioners of Benton County, Washington

Member
Constituting the Board of County
Commissioners of Franklin County, Washington

Attest: _____
Clerk of the Board

Attest: _____
Clerk of the Board

Originals: Benton & Franklin County Commissioners
Human Services, T. Adams

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>		
Meeting Date: Subject: Server Purchase from WSAC/NASPO Contract No. T10- MST-297 Prepared by: Maria Loera, Sr. Secretary-DHS Reviewed by: Ed Thornbrugh, Administrator-DHS	Execute Contract <u> X </u> Pass Resolution <u> X </u> Pass Ordinance _____ Pass Motion _____ Other _____		Consent Agenda <u> X </u> Public Hearing _____ 1st Discussion _____ 2nd Discussion _____ Other _____

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BACKGROUND INFORMATION

Benton-Franklin Counties Department of Human Services is in need of replacing two (2) servers that have exceeded their life expectancy; the State of Washington Western States Contracting Alliance/National Association of State Procurement Officials (WSAC/NASPO) Contract No. T10-MST-297 allows for the purchase of servers.

SUMMARY

Award: Purchase price not to exceed \$21,330.00, including W.S.S.T.
Funding Source: N/A

RECOMMENDATION

- Sign the resolution to accept the proposed purchase

FISCAL IMPACT

There is no impact on the current expense budget. All revenues and expenditures are from the Fund 0108-101 Human Services Budget.

MOTION

To approve signing the resolution, and to authorized the Chair to sign on behalf of the Board.

Signature 

JOINT RESOLUTION

Benton County Resolution No. _____

Franklin County Resolution No. _____

BEFORE THE BOARDS OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON AND FRANKLIN COUNTY, WASHINGTON;

RE: IN THE MATTER OF EXECUTION OF THE PURCHASE OF TWO (2) HP PROLIANT SERVERS FROM STATE OF WASHINGTON WESTERN STATES CONTRACTING ALLIANCE /NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS (WSAC/NASPO) CONTRACT NO. T10-MST-297 FOR THE BENTON-FRANKLIN COUNTIES DEPARTMENT OF HUMAN SERVICES INFORMATION TECHNOLOGY ROOM

WHEREAS, Benton-Franklin Counties Department of Human Services is in need of replacing two (2) servers that have exceeded their life expectancy; and

WHEREAS, the State of Washington (WSAC/NASPO) Contract No. T10-MST-297 allows for the purchase of servers; and

WHEREAS, the purchase price including W.S.S.T. for two (2) HP ProLiant Servers per State of Washington (WSAC/NASPO) Contract No. T10-MST-297 shall not exceed \$21,330.00; and

WHEREAS, the Boards of Benton and Franklin County Commissioners approved the 2011-12 Department of Human Services Budget which includes the purchase of servers; **NOW, THEREFORE**

BE IT RESOLVED that the Boards of Benton and Franklin County Commissioners hereby authorize the Benton-Franklin Counties Department of Human Services to purchase two (2) HP ProLiant Servers; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be, and they hereby are, authorizes Benton-Franklin Counties Department of Human Services to purchase two (2) HP ProLiant Servers, and to sign the resolution to purchase said servers in behalf of the Boards of Benton and Franklin County Commissioners.

Dated this . . . day of, 2011.

Dated this day of, 2011.

Chair

Chair

Chair, Pro Tem

Chair, Pro Tem

Member
Constituting the Board of County
Commissioners of Benton County, Washington

Member
Constituting the Board of County
Commissioners of Franklin County, Washington

Attest:
Clerk of the Board

Attest:
Clerk of the Board

**BENTON COUNTY
BOARD OF COUNTY COMMISSIONERS
Agenda Request Summary**

f

<u>Type of Action Requested</u>	<u>Classification</u>
<input type="checkbox"/> Execute contract <input checked="" type="checkbox"/> Pass resolution <input type="checkbox"/> Pass ordinance <input type="checkbox"/> Pass motion <input type="checkbox"/> Other (describe)	<input checked="" type="checkbox"/> Consent agenda <input type="checkbox"/> Public hearing <input type="checkbox"/> 1 st discussion <input type="checkbox"/> 2 nd discussion <input type="checkbox"/> Other
Requested meeting date: Presentation length: Presenting elected office/department: Public Defense Prepared by: Eric Hsu Reviewed by:	

BACKGROUND INFORMATION

District Court public defender Stacey McKinley ("Attorney") was assigned 10 cases in excess of her 2010 contractual case cap of 360 cases. This actual caseload was verified by the Office of Public Defense utilizing a combination of data submitted by attorney, received by the court, and researched using Judicial Information Systems ("JIS"). This process has delayed the processing of Attorney's claim for overage, but has resulted in 100% confidence in the fact that her caseload was indeed 11 cases over her cap.

SUMMARY

District Court public defender Stacey McKinley was assigned 11 cases in excess of her case cap and should be compensated for those cases.

RECOMMENDATION

Pass resolution authorizing attorney Stacey McKinley to be compensated in the amount of \$1,864.05 for being assigned 11 cases in excess of her contractual case cap in 2010

ANTICIPATED FISCAL IMPACT

\$1,864.05, but will come out of designated District Court budget for 2011

RESOLUTION
BENTON COUNTY RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

**IN THE MATTER OF COMPENSATING ATTORNEY STACEY MCKINLEY FOR CASES
ASSIGNED TO HER IN EXCESS OF HER CONTRACTUAL CASE CAP FOR 2010**

WHEREAS, attorney Stacey McKinley (“Attorney”) provided indigent defense services to Benton County for District Court cases in 2010 by way of contract; and

WHEREAS, Attorney’s contract provided for a maximum of 360 cases to be assigned to her; and

WHEREAS, despite the best efforts of the Office of Public Defense and District Court administration to fine tune the assignment of cases to Attorney and limit it to 360 for the year, Attorney was actually assigned 371 cases for 2010; and

WHEREAS, Office of Public Defense staff has, utilizing a combination of court supplied data, attorney supplied data and data contained within Judicial Information Systems (“JIS”) managed by the Washington State Administrative Office of the Courts, confirmed that Attorney has indeed been assigned 371 cases for 2010 (and this verification process has taken the last couple of months); and

WHEREAS, it is appropriate to compensate Attorney in the amount of \$169.05 per case for overage cases, equivalent to the per-case compensation for the 360 cases that are contemplated by the contract;

NOW THEREFORE, BE IT RESOLVED THAT Attorney Stacey McKinley be compensated in the amount of \$169 per case for the 11 cases she was assigned in 2010 in excess of her contractual case cap for the year, for a total compensation of \$1,864.50.

Dated this day of, 20

Chairman of the Board

Chairman Pro-Tem

**Member
Constituting the Board of County
Commissioners, Benton County
Washington**

Attest:
Clerk of the Board

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**BENTON COUNTY
BOARD OF COUNTY COMMISSIONERS
Agenda Request Summary**

<u>Type of Action Requested</u>	<u>Classification</u>
<input type="checkbox"/> Execute contract	<input checked="" type="checkbox"/> Consent agenda
<input checked="" type="checkbox"/> Pass resolution	<input type="checkbox"/> Public hearing
<input type="checkbox"/> Pass ordinance	<input type="checkbox"/> 1 st discussion
<input type="checkbox"/> Pass motion	<input type="checkbox"/> 2 nd discussion
<input type="checkbox"/> Other (describe)	<input type="checkbox"/> Other

Requested meeting date:
Presentation length:
Presenting elected office/department: **Public Defense**
Prepared by: **Eric Hsu**
Reviewed by:

BACKGROUND INFORMATION

District Court public defender Dawn Hickman ("Attorney") was assigned 1 case in excess of her 2010 contractual case cap of 360 cases. This actual caseload was verified by the Office of Public Defense utilizing a combination of data submitted by attorney, received by the court, and researched using Judicial Information Systems ("JIS"). This process has delayed the processing of Attorney's claim for overage, but has resulted in 100% confidence in the fact that her caseload was indeed 1 case over her cap.

SUMMARY

District Court public defender Dawn Hickman was assigned 1 case in excess of her case cap and should be compensated for this case.

RECOMMENDATION

Pass resolution authorizing attorney Dawn Hickman to be compensated in the amount of \$169 for being assigned 1 case in excess of her contractual case cap in 2010

ANTICIPATED FISCAL IMPACT

\$169, but will come out of designated District Court budget for 2011

RESOLUTION
BENTON COUNTY RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

**IN THE MATTER OF COMPENSATING ATTORNEY DAWN HICKMAN FOR CASE ASSIGNED
TO HER IN EXCESS OF HER CONTRACTUAL CASE CAP FOR 2010**

WHEREAS, attorney Dawn Hickman (“Attorney”) provided indigent defense services to Benton County for District Court cases in 2010 by way of contract; and

WHEREAS, Attorney’s contract provided for a maximum of 360 cases to be assigned to her; and

WHEREAS, despite the best efforts of the Office of Public Defense and District Court administration to fine tune the assignment of cases to Attorney and limit it to 360 for the year, Attorney was actually assigned 361 cases for 2010; and

WHEREAS, Office of Public Defense staff has, utilizing a combination of court supplied data, attorney supplied data and data contained within Judicial Information Systems (“JIS”) managed by the Washington State Administrative Office of the Courts, confirmed that Attorney has indeed been assigned 361 cases for 2010 (and this verification process has taken the last couple of months); and

WHEREAS, it is appropriate to compensate Attorney in the amount of \$169 per case for overage cases, equivalent to the per-case compensation for the 360 cases that are contemplated by the contract;

NOW THEREFORE, BE IT RESOLVED THAT Attorney Dawn Hickman be compensated in the amount of \$169 per case for the 10 cases she was assigned in 2010 in excess of her contractual case cap for the year, for a total compensation of \$169.

Dated this day of, 20

Chairman of the Board

Chairman Pro-Tem

**Member
Constituting the Board of County
Commissioners, Benton County
Washington**

Attest:
Clerk of the Board

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: 4/11/11 Subject: UEBT Agreement – Juvenile Detention Prepared by: <u>M. Wenner</u>	Execute Contract Pass Resolution <u> X </u> Pass Ordinance Pass Motion Other	Consent Agenda <u> X </u> Public Hearing 1st Discussion 2nd Discussion Other

BACKGROUND INFORMATION

See resolution.

SUMMARY

Please sign resolution.

RECOMMENDATION

Please sign the resolution and original Acceptance of Trust Agreement for UEBT.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE UNITED EMPLOYEES BENEFIT TRUST (UEBT) ACCEPTANCE OF TRUST AGREEMENT FOR THE JUVENILE DETENTION UNION, AFSCME LOCAL 839.

WHEREAS, the effective date of this agreement is January 1, 2011; and

BE IT RESOLVED that the Chairman of the Board of Benton County Commissioners is hereby authorized to sign the UEBT Acceptance of Trust Agreement for the Juvenile Detention union.

Dated thisday of 20

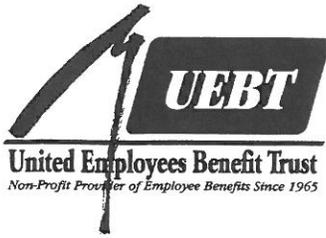
Chairman of the Board

Chairman Pro Tem

Member

Attest.
Clerk of the Board
cc: Personnel, Payroll

Constituting the Board of County
Commissioners of Benton County,
Washington



ACCEPTANCE OF TRUST AGREEMENT (REPRESENTED GROUP)

THE UNDERSIGNED acknowledges receipt of the Trust Agreement of the United Employees Benefit Trust (formerly the United Teamsters Welfare Trust), entitled "United Teamsters Welfare Trust Agreement and Declaration of Trust" (hereinafter referred to as the Trust Agreement) and the Certificate of Benefits of the Trust. The undersigned Employer or Union, by execution of this Acceptance Agreement, consents to and accepts the terms, conditions and provisions of the Trust Agreement and Certificate of Benefits, in each case as currently constituted or hereafter amended. This acceptance shall be considered effective and operative upon written acceptance by the Administrator of the United Employees Benefit Trust endorsed hereon. Accordingly, the undersigned Employer or Union agrees that the Trustees named in the Trust Agreement and Declaration of Trust are and shall be his or its representative, and said Employer or Union consents to be bound by the acts of said Trustees, successor trustees, and alternate trustees, pursuant to the provisions of said Trust Agreement.

The undersigned Employer agrees, during the life of this Agreement, to remit 100% of the premium set by the Trustees for each and every medical or related benefit plan identified in each and every collective bargaining agreement between the undersigned Employer and the Union providing for contributions to the Trust.

The Employer further agrees to remit premiums for 100% of the employees in the bargaining units established by each and every collective bargaining agreement providing for contributions to the Trust, except that no premium need be paid for an employee who has opted for Employer sponsored coverage through an HMO as authorized by state law.

This Acceptance of Trust Agreement shall terminate and become inoperative as to any and all action taken by the Trustees thereafter from and after the date when said Employer or Union has no collective bargaining agreement to which he or it is a party providing for payments into the United Employees Benefit Trust, provided that this Acceptance of Trust Agreement shall remain in effect during successive collective bargaining agreements, notwithstanding any hiatus between said agreements.

The undersigned as signatory hereto, and on behalf of its employees and/or members agrees that acceptance by the Trust of this Agreement does not confer any equitable or legal interest in present or future corpus or income of the Trust; and further, the undersigned as signatory hereto, and on behalf of its employees and/or members waives any equitable or legal claim which it may have to any Trust funds of whatever description, including but not limited to, present or future reserves or an increase in reserves, if and when said signatory discontinues further contributions to the Trust (in the case of a signatory employer); or (in the case of a signatory union) a signatory employer ceases to make contributions on behalf of employees represented by said union.

The undersigned Employer agrees to continue to contribute to the Trust for the employees covered by its current Collective Bargaining Agreement for the term of the Agreement; provided that the Employer's obligations pursuant to this sentence shall cease on the termination date of the current or successor collective bargaining agreement; or three years from the effective date of said collective bargaining agreement, whichever occurs earlier.

The parties hereto agree that damages caused the Trust by any breach of the Employer's obligations set forth in the preceding paragraph would be difficult to calculate. Accordingly the undersigned Employer agrees to pay liquidated damages in the event of breach in the amount of 10% of the total monthly contributions the Trust would have received but for the breach, plus the Trust's reasonable attorney fees and costs incurred in any lawsuit to enforce the obligations set forth in this and the preceding paragraph. The Trustees in their sole discretion shall decide whether or not to enforce the preceding paragraph.

Benton County (Juvenile Detention)
Employer

(Signature)

PO Box 470
Prosser WA 99350

Name and Title

Date

Teamsters Local 839
Union

(Signature)

1103 W Sylvester ST STE 1
Pasco WA 99301

(Name and Title)

Date

Franklin County (Juvenile Detention)
Employer

(Signature)

1016 N 4th

(Name and Title)

Number of Employees: **15**

Date

Effective Date: **January 1, 2011**

Acceptance of the United Employees Benefit Trust by the above named Employer or Union is hereby acknowledged and approved.

THE TRUSTEES OF UNITED EMPLOYEES BENEFIT TRUST

Date: _____

By: _____
Administrator

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	4/11/2011	Execute Contract	_____	Consent Agenda	<u> X </u>
Subject:	Rescind	Pass Resolution	<u> X </u>	Public Hearing	_____
	Resolution 09	Pass Ordinance	_____	1st Discussion	_____
	254	Pass Motion	_____	2nd Discussion	_____
		Other	_____	Other	_____

BACKGROUND INFORMATION

As a result of the economic state facing Benton County, Washington State, and the nation, the Board of Benton County Commissioners hereby halts approval of all new county and/or bi-county non-bargaining positions and all position reclassifications until further notice.

SUMMARY

Same as above.

RECOMMENDATION

Pass resolution rescinding Resolution 09 254.

FISCAL IMPACT

N/A

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF RESCINDING RESOLUTION 09 254 ESTABLISHING PROCEDURES AND GUIDELINES FOR REQUESTING, EVALUATING, AND APPROVING COUNTY AND BI-COUNTY NON-BARGAINING POSITIONS, AND LIMITING RECLASSIFICATIONS

WHEREAS, on April 20, 2009, per Resolution 09 254, the Board of Benton County Commissioners established procedures and guidelines for requesting, evaluating, and approving county and bi-county non-bargaining positions and limiting reclassifications; and

WHEREAS, the Board of Benton County Commissioners continues to recognize the current economic state facing Benton County, Washington State, and the nation; and

WHEREAS, as a result of the economic state facing Benton County, Washington State, and the nation, the Board of Benton County Commissioners hereby halts approval of new county and/or bi-county non-bargaining positions and position reclassifications until further notice; **NOW THEREFORE**,

BE IT RESOLVED, that the Board of Benton County of Commissioners rescinds Resolution 09 254; and

BE IT FURTHER RESOLVED, that the Board of Benton County Commissioners hereby halts approval of all position reclassification until further notice.

Dated this day of, 20....

Chairman of the Board

Chairman Pro-Tem

Member

Constituting the Board of County
Commissioners of Benton County,
Washington

Attest:
Clerk of the Board

j

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>		
Meeting Date: <u>4/11/11</u>	Execute Contract	<u> </u>	Consent Agenda <u> X </u>
Subject: <u>Board appt</u>	Pass Resolution	<u> X </u>	Public Hearing <u> </u>
Prepared by: <u>Frank Wolf</u>	Pass Ordinance	<u> </u>	1st Discussion <u> </u>
Reviewed by: <u>Frank Wolf</u>	Pass Motion	<u> </u>	2nd Discussion <u> </u>
	Other	<u> </u>	Other <u> </u>

BACKGROUND INFORMATION

The terms of two board members, Archie den Hoed and Jeff Lunden, on the Horticultural Pest and Disease Board have expired.

SUMMARY

Both Archie den Hoed and Jeff Lunden have declared a willingness and desire to be reappointed to the Horticultural Pest and Disease Board.

RECOMMENDATION

Reappoint Archie den Hoed and Jeff Lunden to the Horticultural Pest and Disease Board for two year terms.

FISCAL IMPACT

Ensure growers in Benton County have unrestricted trade in national and international markets.

MOTION

Reappoint Archie den Hoed and Jeff Lunden to the Horticultural Pest and Disease Board for two year terms.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF APPOINTMENT TO THE BENTON COUNTY HORTICULTURAL PEST AND DISEASE BOARD

WHEREAS, Archie den Hoed and Jeff Lunden have declared a willingness and a desire to be reappointed to the Board **NOW THEREFORE,**

BE IT RESOLVED the Board of Benton County Commissioners, Benton County, Washington hereby reappoint Archie den Hoed, 63801 N Griffin Road Grandview, WA 98930 and Jeff Lunden, 50102 N Whan Road Benton City, WA 99320, to the Horticultural Pest and Disease Board, said two year term ending March 31, 2013.

Dated this day of, 20

Chairman of the Board

Chairman Pro-Tem

Member

Attest:
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

cc:

RESOLUTION

K

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY ROADS RE: EXECUTION OF CONTRACT FOR THE BUSINESS OF PROVIDING COLLECTION AND TRANSPORT OF HOUSEHOLD HAZARDOUS WASTE FROM BENTON COUNTY

WHEREAS, by resolution 11-219 dated March 28, 2011 award of the business of providing collection and transport of household hazardous waste from Benton County was awarded to BURLINGTON ENVIRONMENTAL, LLC, Kent, Washington; NOW, THEREFORE,

BE IT RESOLVED that the contract with BURLINGTON ENVIRONMENTAL, LLC, be and hereby is approved; and

BE IT FURTHER RESOLVED that the Board of County Commissioners shall sign said contract on behalf of Benton County.

Dated this 11th day of April, 2011.

Chairman of the Board.

Chairman Pro-Tem.

Member.

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington.
SWS
RBD:LJM:dlh

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: <u>April 11, 2011</u>	Execute Agreement	<u>X</u>
Subject: <u>Execution of Contract - HHW Collection</u>	Pass Resolution	<u>X</u>
Prepared by: dlh	Pass Ordinance	<u> </u>
Reviewed by: SWB	Pass Motion	<u> </u>
	Other	<u> </u>
	Consent Agenda	<u>X</u>
	Public Hearing	<u> </u>
	1st Discussion	<u> </u>
	2nd Discussion	<u> </u>
	Other	<u> </u>

BACKGROUND INFORMATION

On March 28, 2011, the Board approved the award of the business of providing collection and transport of household hazardous waste from Benton County to BURLINGTON ENVIRONMENTAL, LLC, Kent, Washington. The Contract has been signed by Burlington Environmental, and approved as to form by the Benton County Prosecuting Attorney.

RECOMMENDATION

Approve the execution of contract for providing collection and transport of household hazardous waste from Benton County to BURLINGTON ENVIRONMENTAL, LLC, Kent, Washington.

FISCAL IMPACT

The cost of providing collection and transport of household hazardous waste will be funded through Department of Ecology Coordinated Prevention Grant funds and matching local funds.

**PERSONAL SERVICES CONTRACT
TERMS AND CONDITIONS**

THIS CONTRACT is made and entered into by and between BENTON COUNTY, a political subdivision, with its principal offices at 620 Market Street, Prosser, WA 99350 (hereinafter "COUNTY"), and BURLINGTON ENVIRONMENTAL LLC, a subsidiary of PSC Environmental Services, LLC, with its principal offices at 18000 72nd Ave S., Suite 217, Kent, WA, (hereinafter "CONTRACTOR").

In consideration of the mutual benefits and covenants contained herein, the parties agree as follows:

1. CONTRACT DOCUMENTS

This Contract consists of the following documents [This Section should list any exhibits and/or attachments used]:

- a. Exhibit A, Scope of Work; and
- b. Exhibit B, Compensation & Price Quote.

2. DURATION OF CONTRACT

The term of this Contract shall begin **immediately upon execution by the COUNTY**, and shall expire on **December 31, 2011**. The CONTRACTOR shall complete all work by the time(s) specified herein, or if no such time is otherwise specified, no later than the expiration date.

3. SERVICES PROVIDED

The CONTRACTOR shall perform the following services:

- a. A detailed description of the services to be performed by the CONTRACTOR is set forth in Exhibit "A, Scope of Work", which is attached hereto and incorporated herein by reference.
- b. The CONTRACTOR agrees to provide its own labor and materials. Unless otherwise provided in this Contract, no material, labor, or facilities will be furnished by the COUNTY.
- c. The CONTRACTOR shall perform the work specified in this Contract according to standard industry practice.
- d. The CONTRACTOR shall complete its work in a timely manner and in accordance with the schedule agreed by the parties.

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>	
Meeting Date:	<u>4/11/11</u>	Execute Contract	<u> x </u>
Subject:	<u>Jail Physician Services</u>	Pass Resolution	<u> x </u>
Prepared by:	<u>Dave Pettey</u>	Pass Ordinance	<u> </u>
Reviewed by:	<u>Keith Mercer</u>	Pass Motion	<u> </u>
	<u>Jonathan Young</u>	Other	<u> </u>
		Consent Agenda	<u> x </u>
		Public Hearing	<u> </u>
		1st Discussion	<u> </u>
		2nd Discussion	<u> </u>
		Other	<u> </u>

BACKGROUND INFORMATION

The jail physician services contract was previously with Dr. W. Thomas Cooper that was most recently extended through 2011 via resolution 10-823. Dr. Cooper has requested that the contract be terminated as of April 11, 2011. The Sheriff's Office immediately started seeking for a new physician for the jail when they received this notification from Dr. W. Thomas Cooper.

SUMMARY

The Benton County Jail is required to offer physician services to inmates through contracting physicians. This resolution (and attached contract) will make available a physician that will provide these services.

The Benton County Sheriff's Office submitted a Request for Qualifications to the Tri-City Herald (ads were run on Wednesday, March 2 and Sunday, March 6) and received a response from the following Medical Organization:

- Quality Choice Correctional Healthcare, New Rochelle, NY

The Sheriff's Office also solicited Requests for Qualifications from the following local Doctors:

- Dr. Brooks Watson II, MD-MBA, Richland, WA
- Dr. Christina Mota-Martinez, DO, Richland, WA
- Correctional Healthcare Management, Greenwood Village, CO
- Dr. Kenneth Breeden, DO, Richland, WA
- Dr. John Intravartolo, Kennewick, WA
- Lourdes Health Network, Richland, WA

Dr. Brooks Watson II, MD-MBA was found to have the experience and qualifications desired by the Sheriff's Office for this position.

RECOMMENDATION

The Sheriff's Office has interviewed and reviewed the qualifications and cost of various area physicians and recommends entering into a contract with Dr. Brooks Watson II, MD-MBA for the remainder of the 2011 calendar year.

FISCAL IMPACT

The contract states that Dr. Brooks Watson II, MD-MBA will be compensated in the amount not to exceed \$83,000 for the period of April 11, 2011 thru December 31, 2011.

MOTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AWARDING THE PERSONAL SERVICE CONTRACT TO DR. BROOKS WATSON II MD-MBA, FOR FURNISHING INMATE PHYSICIAN SERVICES FOR THE BENTON COUNTY JAIL FACILITY LOCATED IN KENNEWICK, WA

WHEREAS, per resolution 09-814, "...that contracts for non-public works services the county need not advertise or follow a formal competitive bidding procedure, but shall instead evaluate and utilize the procedures it deems best under the individual circumstances in order to obtain services of the highest quality at the lowest cost"; and

WHEREAS, the Benton County Jail is required to offer physician services to inmates through contracting physicians to provide such services; and

WHEREAS, the Sheriff's Office prepared a Request for Qualifications, placed an ad in the Tri-City Herald on Wednesday, March 2, 2011 and Sunday, March 6, 2011, and received a response from the following organization; and

- Quality Choice Correctional Healthcare, New Rochelle, NY

WHEREAS, the Sheriff's Office also solicited Requests for Qualifications from the following local doctors and organizations; and

- Dr. Brooks Watson II, MD-MBA, Richland, WA
- Dr. Christina Mota-Martinez, DO, Richland, WA
- Correctional Healthcare Management, Greenwood Village, CO
- Dr. Kenneth Breeden, DO, Richland, WA – did not respond
- Dr. John Intravartolo, Kennewick, WA – did not respond
- Lourdes Health Network, Richland, WA – did not respond

WHEREAS, the Sheriff's Office interviewed the following individuals and organizations; and

- Dr. Brooks Watson II, MD-MBA, Richland, WA
- Dr. Christina Mota-Martinez, DO, Richland, WA
- Correctional Healthcare Management, Greenwood Village, CO

WHEREAS, Dr. Brooks Watson II, MD-MBA was found to have the experience and qualifications desired by the Sheriff's Office for this position; and

WHEREAS, the Sheriff's Office recommends entering into a contract with Dr. Brooks Watson II for the remainder of the 2011 calendar year; **NOW THEREFORE**

BE IT RESOLVED, by the Board of Benton County Commissioners, Benton County, Washington, the Board concurs with the Sheriff's Office recommendation and hereby awards the personal service contract to provide inmate physician services at the Benton County Jail to Dr. Brooks Watson II MD-MBA, in the amount not to exceed \$83,000 pursuant to the specific terms of payment and performance as set forth fully in the professional service contract between Benton County and Dr. Watson; and

BE IT FURTHER RESOLVED the term of the attached contract commences April 11, 2011 and expires on December 31, 2011.

Dated this _____ day of _____, 2011.

Chairman of the Board

Member

Member

Constituting the Board of Commissioners
of Benton County, Washington.

Attest.....
Clerk of the Board

**PROFESSIONAL SERVICES CONTRACT
TERMS AND CONDITIONS**

THIS CONTRACT is made and entered into by and between BENTON COUNTY, a political subdivision, with its principal offices at 620 Market Street, Prosser, WA 99350 (hereinafter "COUNTY"), and Dr. Brooks Watson II, MD-MBA with his principal offices at 1728 Manchester Street, Richland, WA (hereinafter "CONTRACTOR").

In consideration of the mutual benefits and covenants contained herein, the parties agree as follows:

1. CONTRACT DOCUMENTS

This Contract consists of the following documents

- a. Terms and Conditions (this document)
- b. Exhibit A - Compensation Rates

2. DURATION OF CONTRACT

The term of this Contract shall begin April 11, 2011 and shall expire on December 31, 2011. The CONTRACTOR shall complete all work by the time(s) specified herein, or if no such time is otherwise specified, no later than the expiration date.

3. SERVICES PROVIDED

The CONTRACTOR shall perform the following services:

- a. Provide professional direction and coordination of medical care in the Benton County Jail. Provide all necessary and emergency medical care for inmates in the Benton County Jail through a combination of direct care, delegated tasks to jail nursing staff and/or through coordination of services with other specialized health professionals as dictated by legal requirements, professional standards and best practices within the applicable medical community.
- b. Conduct sick call/clinic on a regularly scheduled basis as necessary to respond to all inmate medical complaints in a timely manner (estimated: 40-60 patients per week but actual patient load may vary).
- c. Coordinate medical care in the jail, working collaboratively and cooperatively with RN's, LPN's and the Medical Captain.

9:05 am

City of West Richland Economic Development

- Adam Fyall, Benton Co. Sustainable Dev. Coordinator
- Mayor Donna Noski, City of W. Richland
- Ruth Swain, W. Richland Economic Dev. Director
- Jerod Shelby, CEO, Shelby SuperCars, LLC
- Junus Khan, Shelby SuperCars, LLC

New Economic Development Opportunity in Benton County

Presentation by the City of West Richland and Jerod Shelby

Project Overview: Community Economic Revitalization Board (CERB) ~ Shelby SuperCars, LLC

In 2010, Benton County Commissioners provided a letter of support for the City of West Richland's CERB application, stating that "providing sustainable growth and viable economic development in Benton County is critical to the diversification of our regional economy, and vital to serving the citizens of Benton County as well as all of Washington State."

The City has been actively and proactively working with Benton County, Benton Rural Electric Association, TRIDEC, Benton Franklin Council of Governments, Port of Kennewick, Tri-Cities Visitor and Convention Bureau, and others to support economic development in Benton County. The City of West Richland has extremely limited financial resources, very minimal sales tax revenue, no interstate access, virtually no hotel-motel sales tax, and very few day-time jobs within the city. 90% of employed West Richland residents leave the city to commute to work. Our city is actively working to help support the Benton County economy while also generating new sources of revenue to provide services and new jobs for Benton County residents residing within city boundaries.

Project: Light Industrial Manufacturing Expansion

This project will include land, infrastructure improvements (city) and construction of a new auto manufacturing facility (SSC).

- The project will aid Benton County and the city in protecting existing living wage jobs, creating new ones, and will help keep this manufacturer within Benton County and the State of Washington.
- The project will help to "kick-start" additional industrial development within Benton County and would substantially leverage both public and private investment.
- New jobs and spending, along with property tax, sales tax, and other economic impacts will be associated with this expansion.

Community Economic Revitalization Board (CERB)

The Community Economic Revitalization Board (CERB) of the State of Washington offers various state-funded loans and grant programs in support of the creation of new jobs and economic development.

- Benton County has secured CERB funding in the past for economic development projects.
- One CERB program includes very low interest loans/grants that support new industrial development and the creation of new jobs.
- CERB stipulates that jobs created by the project must exceed the average Benton County wage, and are intended to preserve existing jobs and/or create new ones.
- CERB programs can substantially reduce the risk of initiating development, by leveraging CERB funds, regional matching partnership funds, and private sector investment to create new jobs.
- In 2011 the CERB board unanimously approved a "pre-contract" for this project with special conditions that must be met by July, 2011. These conditions include securing private investment, securing matching support from regional economic development partners, along with permits and environmental review.

Project Capital Investments in land, infrastructure improvements, and facilities

- State funds will be matched at an approximate ratio of 2 to 1.
- CERB funds: approximately \$830,000
- Private sector investment for facilities and equipment: \$1.5 million (plus equipment)
- Required local match \$92,000
- Project Management and facilitation: City of West Richland

Proposed matching partners

Benton Rural Electric Association ~ Benton County ~ Port of Kennewick ~ TRIDEC ~ Other sources

Financial Return to Benton County – Economic Development and Diversification

- 54 estimated jobs created/retained within 5 years. Future potential of up to 200 jobs
- Median county wage \$20.11 ~ SSC median hourly wage \$39.78
- New and retained jobs will help employ some of the 8400 unemployed workers in Benton County (January 2011), offering the opportunity of family-wage jobs for Benton County citizens
- Manufacturing industry: This project supports collaborative innovation in a manufacturing cluster which is a strategic goal of diversifying the regional economy by Benton County, TRIDEC, Benton Franklin Council of Governments, and numerous other economic development associations
- \$3.05 million local on-site investment
- \$1.04 million in added Tri-City business revenues
- \$53 million direct and indirect annual gross business income is projected to be generated in the local economy
- \$13.5 million additional tourism income will be generated by car enthusiasts, international visitors, educational tours, and United States investors
- As many as 160 additional jobs could be generated by the "multiplier effects" of SSC, including support industries, tourism and other industry jobs¹
- A minimum of \$38,800 in annual property taxes to state and local jurisdictions
- \$294,700 in one-time sales taxes during first 5 years, and \$1.8 million annual thereafter due to anticipated direct worker spending and multiplier effects.²

Background: Shelby SuperCars, LLC

- Shelby SuperCars, LLC (SSC), was founded by Jerod Shelby in 1999. Mr. Shelby is a University of Washington graduate, having grown up in the Tri-Cities region.
- SSC's current manufacturing operation is headquartered in the city of West Richland, with production components manufactured and/or completed in other parts of the state, Arizona, and California.
- Mr. Shelby wishes to locate all of his production facilities under one roof, while expanding his manufacturing capacity and hiring new employees.
- In addition, he plans future expansions of his auto manufacturing company, as well as production and commercialization of his patented electric drive train (with the potential to retrofit existing gas engine fleets and trucks with a clean "green" energy source).
- SSC was created with the company goal of creating a world class automotive manufacturer. Seven years of development culminated in 2007 with the production of the Ultimate Aero. A major step in accomplishing the company goal was made on September 13th 2007 when the Ultimate Aero became the World's Fastest Production Car as verified by Guinness World Records™. Prior to founding SSC, Mr. Shelby was a co-founder of a new start up medical device company, AIT, and was a founding stockholder.
- Mr. Shelby introduced revolutionary new design concepts that necessitated the authoring of 7 U.S. patents and made the early Optical Sonography™ imaging systems a viable diagnostic tool.
- Mr. Shelby was key to designing the operating characteristics of the holographic recording and reconstruction apparatus, documentation, and the authoring of patents. Mr. Shelby was responsible for the installation and coordination of the patient/clinical trials at Johns Hopkins University in Baltimore, Maryland, Virginia Mason Clinic in Seattle, Washington, and at Seoul University in Seoul, South Korea.

Expansion plans and new jobs in Benton County

¹ J Roberson and Company and Paul Dennis, Cascade Planning Group, April 2010.

² Ibid.

- Mr. Shelby's current planned expansion of his auto manufacturing facility is projected to generate 47 new jobs within a 5 year period and potentially up to 200 jobs with future expansions and development of the electric drive train.
- There is extremely limited land within the city of West Richland available for industrial development and the creation of new jobs. This is one of the reasons that the City is collaborating with Benton County to generate a new interchange at Red Mountain.
- This will increase availability of desirable property, will enhance surrounding development, will add tourism and other commerce, bringing visitors from around the world to Benton County.

SSC background

SSC manufactures automobiles which are high performance and internationally known. His customers are located around the world, and SSC desires to locate in a new manufacturing facility which would showcase his cars and other planned products. Mr. Shelby has patented an electric drive train, and in addition to expanding his current auto production capacity, will be pursuing fabrication of an electric drive train which could potentially be retrofitted into existing fleets and trucks, as well as purchased for inclusion in mass-produced automobiles.

Over the past 10 years, SSC has built an ultra-exclusive limited production supercar company. SSC's crowning achievement came in 2007, when the SSC Ultimate Aero earned the official title "World's Fastest Production Car", a title still held until July of 2010. Since then, SSC has received global coverage by the most renowned press, procured dealerships internationally, and has become "legitimized" in the eyes of the discerning automotive community. In 2009, SSC took time to pause and reflect on its relatively brief, intense, and historic past. After the analysis was complete, the plan for the next 8 years was carefully constructed. It was time to take SSC to the next level, to become the premier supercar manufacturer of our time.

SSC was able to secure Jason Castriota as its designer for not just the second generation Ultimate Aero to be released in 2012 but a second higher production lower priced model for 2014. After working for Pininfarina, known for being Ferrari/Maserati's contracted design firm, for 10 years Jason has arguably become the premier supercar designer of the current era. Having designed cars such as the Maserati Birdcage 75, Maserati Gran Turismo, Ferrari 599, Ferrari P4/5, Rolls Royce Hyperion, and Stile Bertone Mantide, his expertise and competency is internationally recognized.

The symmetry of SSC's proven engineering and Jason's undeniable ability to design breathtaking, crowd-favorite automobile designs will generate a final product which will be nothing short of historical. In addition, Jason is contracted to act as brand ambassador for SSC, allowing SSC to gain overnight pedigree and 10 years of Jason's following. The debut of the new generation supercar of the cover of the world's most popular motoring magazine "Top Gear" was met with widespread praise.

An Early start for Shelby

Shelby SuperCars (SSC) founder, Jerod Shelby, got an early start with his enthusiasm for performance vehicles.

When Jerod Shelby was just seven years old, his dad came home with a Sears Fun Kart. He and his brother found themselves in trouble several times for driving their Kart on the streets of Richland, Washington, where they lived. Soon enough they began frequenting a local go kart track on Saturdays when it was closed. They would hop the fence with their kart and, when their dad got off of work, he'd join them. One day they went to the karting place and to their surprise the parking lot was full with cars and trailers. His dad still remembers the jaw-drop look on his sons' faces as they witnessed their first big race. The next week they joined the circuit, and Jerod's success on the track was remarkable.

They began traveling at a young age, competing on the national go kart circuit from March through October. Karting was their family time, and Jerod attributes his closeness with his family to times spent on the road together. He notes that he may have missed out on some school sports but has no regrets.

Jerod credits his competitive mentality to kart racing. He soon learned the key in winning is honing in on the smaller details. Much of the success now seen in SSC comes from giving attention to smaller factors that aid in the creation of the larger picture. His parents selflessly gave a lot of time and money to their sons' go karting dreams, pushing them encouragingly. However, the passion in Jerod to succeed and to constantly raise the bar for himself has been there since the beginning.

A Nissan 240Z was his first car. Taking his knowledge of go karts, and scaling it up to cars, Jerod produced a car with 450-500 hp by adding a small block Chevy. He also designed a whole new suspension system including coilover shocks. A fan of exotic cars, especially Italian and European, the dream to build his version of the perfect car started when he was about 14 years old. Until the S7, domestic exotic cars were few and far between, and Jerod wanted to be one of the first to not only participate in the market, but excel and redefine it as well. SSC stemmed from this very dream.

Standard auto companies design a concept and 3D renderings/sketches, and then try to raise money to finance the production. Next, they make a claim on power and performance and try to match the development of the car to meet those claims. SSC's philosophy differs completely from most companies. Jerod is adamant about creating a finished product before announcing it to the public. He wanted to do his best to produce the ultimate supercar, and in his eyes that is done by pushing current technology to its limits while pioneering complementing technology. An added bonus of reversing the process is that SSC avoids issues that arise due to chasing claims.

Even though it was a grueling process, Jerod describes starting the company as rewarding and completely worth all the effort. The average person cannot even begin to conceive the complexity of designing a car. If he knew ahead of time, how much money, time, and labor went into the process, he doubts he would have gone through with it. In hindsight though, designing a car turned out to be the most rewarding experience of his life.

Testing the Ultimate Aero in NASA's, full-scale wind tunnel ranks high on his list of SSC memories. Jerod said it was an amazing experience not just because of the history of the Langley wind tunnel, but because he was also able to work with six NASA scientists, and was able to test the design he had labored over for so long. This was the first time that his design had been tested in full scale form. Since Jerod stays at the starting point during testing another memorable moment was his only time watching from the middle of the course as the Ultimate Aero drive by at 240 mph during one of their durability tests. Suddenly the Ultimate Aero was not just a dream, but a reality. All his engineering, hard work, and sacrifice finally paid off.

Competing with the likes of Ferrari, Lamborghini, Bugatti, and Koenigsegg who have created a legacy for themselves, Jerod expects that SSC will be a household name in 5 years and in 10 years, infamously known as the small American automotive company that initially gained respect by breaking the top speed record. SSC continues to exponentially accelerate in its development and production of world class supercars and already out performs autos produced by companies who have existed for decades.

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