

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
April 18, 2011, 8:30 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Leo Bowman
Commissioner James Beaver
Commissioner Shon Small
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kely; 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; Deputy Treasurer Erhiza Rivera; County Engineer Malcolm Bowie; Bryan Perry, Safety Coordinator; DPA Jonathan Young; DPA Ryan Brown; Susan Walker and Valerie Smith, Planning; David Pettey, Sheriff's Office; Eric Hsu, OPD; RJ Lott, Planning; Clark Posey, Planning.

Workshop Agenda

Commissioner Beaver reported on the following meetings: Elected Officials, Revolving Loan Fund meeting, Council of Governments meeting, and meeting with Doug Elliott, Fair Association (they are still interested in renegotiating their lease). Additionally, he spoke to the individual putting on the gun show at the Fairgrounds who said he had a problem with the liability requirements. Commissioner Beaver said he would talk to Melina Wenner and send a letter to him following up on the insurance requirements.

Commissioner Small said the CSEPP exercise went well with a just a few issues. Additionally, he had conversations regarding the money at Dispatch and he would discussing that with Chief Corsi. He asked the Board if it would be attending the PNNL meeting tomorrow and the members said they would be in attendance.

Chairman Bowman said he did not travel to Olympia last week but he provided a report (now out of date). Additionally, he said the Legislature was not done yet and he was trying to find out the status of 1126 (gang issue).

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

Approval of Minutes

The Minutes of April 11, 2011 were approved.

Consent Agenda

MOTION: Commissioner Beaver moved to approve the consent agenda items “a” through “p”. Commissioner Small seconded and upon vote, the Board approved the following:

Board of Equalization

- a. Reappointment of L Pielstick to Board of Equalization

Commissioners

- b. Contract w/Bella’s Office Furniture for Procurement & Installation of Furniture

Fairgrounds

- c. Contract w/Ye Olde Car Club

Juvenile

- d. Payment Authorization to Western States Equipment for Generator Repair
- e. Contract w/City of Benton City for Graffiti Abatement Program

Office of Public Defense

- f. Excess Cases Compensation for S McKinley
- g. Line Item Transfer, Fund No. 0000-101, Dept. 136

Personnel

- h. Training Services Contract w/S Perry

Planning

- i. Appointment of D Crosby to the Planning Commission
- j. Approval of Ordinance Amendments to BCC Title 11.52 & BCC Title 11

Public Works

- k. Easement Agreement for Overpass w/BNSF Railway Company
- l. Personal Services Contract w/CWI Security Services, Inc.

Sheriff

- m. Authorization to Purchase Vehicles from State Contract

Treasurer

- n. Supplemental Interlocal Cooperative Agreement Regarding Southridge Revitalization Area
- o. Surplus of County Property
- p. Professional Services Agreement w/Bid4Assets

The Board briefly recessed, reconvening at 9:03 a.m.

Executive Session – Potential Litigation

The Board went into executive session at 9:03 a.m. for approximately five minutes with DPA Jonathan Young to discuss potential litigation. Also present were Bryan Perry, DPA Ryan Brown, David Sparks, Cami McKenzie, Loretta Smith Kelty, and Captain Al Thompson (via videoconference). The Board came out of executive session at 9:08 a.m. DPA Jonathan Young said the Board took no action.

Executive Session – Potential Litigation

The Board went into executive session at 9:08 a.m. for approximately five minutes with DPA Jonathan Young to discuss potential litigation. Also present were Bryan Perry, DPA Ryan Brown, David Sparks, Cami McKenzie, Loretta Smith Kelty, and Captain Al Thompson (via videoconference). The Board came out of executive session at 9:14 a.m. DPA Jonathan Young said the Board took no action.

Executive Session – Potential Litigation

The Board went into executive session at 9:14 a.m. for approximately five minutes with DPA Jonathan Young to discuss potential litigation. Also present were Bryan Perry, DPA Ryan Brown, David Sparks, Cami McKenzie, Loretta Smith Kelty, and Captain Al Thompson (via videoconference). The Board came out of executive session at 9:17 a.m. DPA Jonathan Young said the Board took no action.

Executive Session – Potential Litigation

The Board went into executive session at 9:17 a.m. for approximately 10 minutes with DPA Jonathan Young to discuss potential litigation. Also present were Bryan Perry, DPA Ryan Brown, David Sparks, Cami McKenzie, Loretta Smith Kelty, and Captain Al Thompson (via videoconference). The Board came out of executive session at 9:23 a.m. DPA Jonathan Young said the Board took no action.

The Board briefly recessed, reconvening at 9:30 a.m.

Barker Ranch Presentation

Michael Crowder, Barker Ranch Manager, gave a Powerpoint presentation on the activities and purpose of Barker Ranch and briefly discussed the following:

- 2,000 acre ranch managed primarily for wetlands, waterfowl and wildlife species, located in W. Richland
- History, including owners and uses (hunting club)
- Partners
- Perpetual WRP (Wetland Reserve Program) Easement (can never be developed and will be managed for wetland and wildlife forever)
- Wetlands (definition and benefits, challenges)
- Department of Ecology - Columbia River Water Management Program Grant
- Horn Rapids Canal Piping Project
- Barker Ranch Events
- Issues for Commissioners (real estate taxation classifications, trail issues, land swap, inclusion in long-term Comprehensive Plan)
- Operations are funded by owners through voluntary capital calls

Public Hearing – Short Plat Vacation – 11-02

Commissioner Small recused himself from the public hearing because he said he was related to the applicant and then left the room.

R.J. Lott said the Planning Department received a request for vacation from Zachery Carpenter of a portion of the 60-foot access easement on Short Plat 753 and proposed a replacement private road easement. Mr. Lott said all interested parties were notified and they had not received any adverse comments, however did receive a comment from DOT that it was in favor of the vacation.

As there was no one present to testify, public testimony was closed.

MOTION: Commissioner Beaver moved to approve the vacation as presented by the staff report with the listed conditions. Chairman Bowman seconded and upon vote, the motion carried.

The Board briefly recessed, reconvening at 10:05 a.m. with Commissioner Small present.

Office of Public Defense - 2010 Annual Report / 2011 Strategic Plan

Eric Hsu, OPD Manager discussed his 2010 annual report and 2011 strategic plan as follows:

2010 Annual Report

- District Court Operations and Financial Update
- Superior Court Operations and Financial Update
- Sexually Violent Predator Cases
- Juvenile Justice
- 2010 Strategic Improvement Plans - Goals/Recommendations/ Achievements
 - Indigency Screening Study
 - In-House Training Program
 - 100% Contract Compliance
 - Direct Billing – Competency Evaluation Expenses
 - Caseload Management
 - Cost Management for Investigative Services
 - New Travel Policy
 - District Court In-Custody Representation Program

2011 Strategic Plan

- Goals
 - Build Community Alliances
 - Gang Intervention and Awareness
 - Investigator/Expert Funding Guidelines and Limits
 - Performance Measures for Contractors
 - In-House Training
 - Solutions for Special Situation Cases

- Hourly Case Accountability

Affordable Housing Funding - Proposed Projects Summary

Ed Thornbrugh said the steering committee met last week and heard proposals for grant applications of the 2060 funds and he was providing recommendations of the committee.

He said the committee budgeted \$500,000 each year for three years and received approximately \$350,000 in applications for 2011. He said one application was denied due to the fact they did not have a business license. He said the committee voted and recommended that the funds not awarded for 2011 would roll forward to 2012 (for a total of \$650,000 for 2012).

The committee made the following recommendations for award:

- Benton-Franklin Human Services – Transitional Living Program - \$47,600
- Domestic Violence Services – Shelter - \$84,514
- Columbia Basin Veterans’ Coalition, Inc. – Transitional Living House - \$30,000
- Housing Authority of City of Pasco and Franklin County – Cullum House - \$33,965
- Kennewick Housing Authority – New Apartment Complex - \$151,658

Chairman Bowman asked if the application from “Friends Place” that was denied could be reconsidered if they received their business license.

Mr. Thornbrugh said they received a letter to reconsider and he wanted to meet with them and bring back a recommendation to the Board to either reconvene the steering committee or assist them in submitting an application for 2012.

Chairman Bowman said he would be in favor of helping them in 2011 if it was possible. Commissioner Beaver said there was a timing problem and they were trying to get squared away and he was in favor of getting creative to see if they could find a solution.

Mr. Thornbrugh said if the Board agreed with the recommendations, he would prepare the grant agreements and bring them back for Board approval.

MOTION: Commissioner Beaver moved to direct Mr. Thornburgh to prepare the grant contracts as recommended. Commissioner Small seconded and made a friendly amendment to have Mr. Thornburgh review the other application and the Board agreed with the amendment. Upon vote, the motion carried unanimously.

Unscheduled Visitors

Wayne Vertz, Tri-City Area Tea Party, Kennewick, provided a copy of information regarding Agenda 21 and said he wanted the Board to be aware of it. Chairman Bowman said he would provide the information to the Planning Department and the Board agreed.

Commissioner Beaver said he wanted to thank Marilu Flores for clerking her first Board of Commissioner meeting and said she did a good job.

Claim for Damages

CC 2011-13: Received on April 8, 2011 from Jesus Cobian Benitez, Norma Dominguez Robles, and Emily Cobian Dominguez

Vouchers

Check Date: 04/15/2011
Warrant #: 232234-232256
Direct Deposit #: 63300-63500
Total all funds: \$113,637.89

Check Date: 04/15/2011
Payroll Draw Deductions
Taxes #: 10111044
Total all funds: \$31,908.33

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

Resolutions

- 11.246 Reappointment of L Pielstick to Board of Equalization
- 11.247 Contract w/Bella's Office Furniture for Procurement & Installation of Furniture
- 11.248 Contract w/Ye Olde Car Club
- 11.249 Payment Authorization to Western States Equipment for Generator Repair
- 11.250 Contract w/City of Benton City for Graffiti Abatement Program
- 11.251 Excess Cases Compensation for S McKinley
- 11.252 Line Item Transfer, Fund No. 0000-101, Dept. 136
- 11.253 Training Services Contract w/S Perry
- 11.254 Appointment of D Crosby to the Planning Commission
- 11.255 Approval of Ordinance Amendments Regarding Registration of Child Daycare Facilities
- 11.256 Approval of Ordinance Relating to Zoning; Community Center Residential District
- 11.257 Approval of Ordinance Relating to Zoning; Adding RL-1 District
- 11.258 Approval of Ordinance Relating to Zoning; Adding the RL-5 District
- 11.259 Approval of Ordinance Relating to Zoning; Adding the RL-20 District
- 11.260 Easement Agreement for Overpass w/BNSF Railway Company
- 11.261 Personal Services Contract w/CWI Security Services, Inc.
- 11.262 Authorization to Purchase Vehicles from State Contract
- 11.263 Supplemental Interlocal Cooperative Agreement Regarding Southridge Revitalization Area
- 11.264 Surplus of County Property – Purchase of Ford Pickup
- 11.265 Professional Services Agreement w/Bid-4-Assets

There being no further business before the Board, the meeting adjourned at approximately 11:00 a.m.

Clerk of the Board

Chairman