

*April 26, 2010*

**THE BOARD OF  
BENTON COUNTY  
COMMISSIONERS  
AGENDA PACKET**

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
April 19, 2010, 8:30 a.m.  
Commissioners' Conference Room  
Benton County Courthouse, Prosser, WA

**Present:** Chairman James Beaver  
Commissioner Leo Bowman  
Commissioner Max E. Benitz, Jr.  
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; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Facilities Manager Roy Rogers; DPA Ryan Brown, Ed Thornbrugh, Human Services; Planning Manager Mike Shuttleworth; Malcolm Bowie, Steve Becken, and Sue Schuetze, Public Works; Treasurer Duane Davidson; DPA Sarah Perry; Erhiza Rivera, Treasurer's Office; Susan Walker, Planning Department.

Workshop Agenda

Park Board Workshop

Chairman Beaver asked about setting a workshop with the Park Board to discuss their plans and what they were trying to get done. The Board agreed.

Red Mountain Interchange

Commissioner Bowman provided a copy of the new brochure related to the Interchange with updated timelines and the Phase II to be completed by the State.

Letter from Judith Gidley

Commissioner Bowman said he wanted staff to review the letter from Judith Gidley regarding grant funding and the Board agreed.

Human Services Administration/Crisis Location

Commissioner Bowman discussed the issue of relocating the Human Services administration and Crisis Response. Chairman Beaver agreed it was time to have a bi-county meeting to get the issue started.

Commissioner Benitz said that David Sparks and Fred Bowen were reviewing the list of applicants for the Human Services position so that issue could be discussed during a bi-county meeting as well. Additionally, he said the location and space needs were being reviewed and the initial review looked very positive.

#### LaClinica

Ed Thornbrugh introduced Carl Walters, LaClinica CEO and Mr. Walters introduced his team of supervisors.

The Board recessed, reconvening at 9:00 a.m.

#### Approval of Minutes

The Minutes of April 12, 2010 were approved.

#### Consent Agenda

**MOTION:** Commissioner Bowman moved to approve the consent agenda items "a" through "p". Commissioner Benitz seconded and upon vote, the Board approved the following:

#### Assessor

- a. Salary Request Statement

#### Board of Equalization

- b. Reappointment of Dale Olander to the Board of Equalization Board

#### Commissioners

- c. Contract w/Bernardo Wills Architects
- d. Line Item Transfer, Fund No. 0305-101, Dept. 000
- e. Line Item Transfer, Fund No. 0000-101, Dept. 115

#### Facilities

- f. Contract w/Straight Flush, Inc.

#### Fairgrounds

- g. Line Item Transfer, Fund No. 0124-101, Dept. 000

#### Human Services

- h. Amendment, #09/10-PREV-BFSAC-01, w/Benton Franklin Substance Abuse Coalition
- i. Amendment, #09/10-PREV-VISTA-01 w/Vista Youth Center
- j. Amendment, #09/11-SA-NECC-01, w/Nueva Esperanza Counseling Center
- k. Amendment, #09/11-SA-EDS-01, w/Educational Service District 123
- l. Amendment, #09/10-PREV-ESD-01, w/Educational Service District 123

#### Personnel

- m. Benton County Policy on Disability and Accommodation Request/Grievance Procedures

#### Prosecuting Attorney

- n. Collective Bargaining Agreement for Juvenile Clerical

#### Public Works

- o. Bituminous Surface Treatment 2010
- p. Public Hearing Authorization for Sundown Estates Franchise

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

**Public Hearing – AgriNorthwest Franchise Application**

Sue Schuetze stated that AgriNorthwest filed a petition to continue a nonexclusive franchise for electrical and water lines system and facilities within all of unincorporated Benton County right of way. She said that based upon current franchise requirements, her office recommended approval of the request subject to the listed conditions.

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

**MOTION:** Commissioner Bowman moved to approve the franchise application as presented with conditions. Commissioner Benitz seconded and upon vote, the motion carried unanimously.

The Board briefly recessed, reconvening at 9:10 a.m.

**Public Hearing – Badger Mountain Irrigation District Franchise Application**

Sue Schuetze stated her office received an application from Badger Mountain Irrigation District to continue their nonexclusive franchise for a water system and facilities in various sections in the unincorporated Benton County road right of way. She said the recommendation was to approve the request subject to the conditions.

**Proponent**

Brad Anderson, Badger Mountain Irrigation District Manager, said he had been involved in the franchise since 1986 and decided to show up and see how the process worked. He said in the rare event of a pipe break, this franchise allowed them to go in and make necessary repairs.

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

**MOTION:** Commissioner Benitz moved to approve the franchise application as presented with conditions. Commissioner Bowman seconded and upon vote, the motion carried unanimously.

**Continued Public Hearing – Hunts Plat**

Steve Becken and Sue Schuetze stated that Mr. and Mrs. Heath were attempting to get an access easement and the neighbor had agreed to grant an easement to the landlocked parcel. Additionally, they were attempting to put in a fire truck turnaround and the City of Richland was requesting a surveyor be hired so the sewer line could be found. Mr. Becken recommended the public hearing be continued an additional 30 days.

The Board continued the public hearing to 9:05 a.m. on Monday, May 17, 2010.

The Board briefly recessed, reconvening at 9:20 a.m.

### **EPIC Center Building Update**

Loretta Smith Kelty and Ryan Brown presented a proposed letter to EPIC regarding notice of noncompliance. Commissioner Bowman requested the letter be changed to include language that the Board was saddened by the loss of the youth facility due to funding cuts.

**MOTION:** Commissioner Bowman moved to authorize the Board to sign the letter, with the suggested changes in the opening paragraph. Commissioner Benitz seconded and upon and upon vote, the motion carried unanimously.

### **Executive Session – Pending Litigation**

The Board went into executive session at 9:26 a.m. for approximately 10 minutes with DPA Ryan Brown to discuss pending litigation. Also present were Mike Shuttleworth, Susan Walker, Melina Wenner, Loretta Smith Kelty, David Sparks, and Cami McKenzie. The Board came out of executive session at 9:34 a.m. Mr. Brown stated the Board discussed pending litigation but no action was taken.

The Board briefly recessed, reconvening at 9:37 a.m.

### **Executive Session – Union Negotiations**

The Board went into executive at 9:37 a.m. with DPA Sarah Perry and DPA Ryan Brown for approximately 15 minutes to discuss union negotiations. Also present were David Sparks, Cami McKenzie, Steve Becken, Malcolm Bowie, Melina Wenner, and Loretta Smith Kelty. The Board came out at 9:50 a.m. Ms. Perry stated the Board discussed union negotiations and took no action.

**MOTION:** Commissioner Bowman moved to approve 2010-2012 Collective Bargaining Agreement Between Benton County and Local 874HC, Representing Courthouse Employees. Commissioner Benitz seconded and upon vote, the motion carried unanimously.

### **Unscheduled Visitors**

Bob Hawks and Russell Shervin (Teamsters) and Brad Taylor, Road Department, requested to speak to the Board about the union negotiation process.

DPA Ryan Brown read in part the negotiation “ground rules” that were agreed to and signed by the parties and said the Board was not going to negotiate the union contract with them.

Bob Hawks said they were not here to bargain, but just want to say what direction they were interested in going.

Brad Taylor said the union had submitted a new proposal to the County and said they were asking the Board to support that proposal.

Ryan Brown again expressed his concern about the individuals trying to negotiate with the Board. Bob Hawks said if there was a concern about the process, the remedy would be through PERC and he asked that Mr. Taylor be allowed to continue.

Commissioner Bowman said in his years on the Board, this had never happened before. He stated he assumed the proposal made by the union was honest and sincere but did not believe it was appropriate or necessary to discuss in this open form and believed the ground rules should be adhered to in spirit and principle.

Bob Hawks said he considered the ground rules null and void along with the proposal because the Union voted them down. Again, he said they were not there to negotiate.

Commissioner Benitz said he believed it was best to negotiate through the appointed personnel and they wanted to get the issue resolved.

Chairman Beaver said he concurred with his colleagues that all negotiations were done with the negotiating team. Mr. Hawks asked whether the Board was interested in what the employees thought. Chairman Beaver said they were interested in what the employees thought every day, however, he thought it was ironic it was happening during negotiations. He said the Board was going to honor the ground rules in good faith.

### Vouchers

Check Date: 04/15/2010  
Taxes #: 10110045  
Total all funds: \$35,097.86

Check Date: 04/15/2010  
Warrant #: 230305-230332  
Direct Deposit #: 53411-53614  
Total all funds: \$114,239.82

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

### Resolutions

10-229	Reappointment of Dale Olander to the Board of Equalization Board
10-230	Contract w/Bernardo Wills Architects
10-231	Line Item Transfer, Fund No. 0305-101, Dept. 000
10-232	Line Item Transfer, Fund No. 0000-101, Dept. 115
10-233	Contract w/Straight Flush, Inc.
10-234	Line Item Transfer, Fund No. 0124-101, Dept. 000

- 10-235 Amendment, #09/10-PREV-BFSAC-01, w/Benton Franklin Substance Abuse Coalition
- 10-236 Amendment, #09/11-SA-NECC-01, w/Nueva Esperanza Counseling Center
- 10-237 Amendment, #09/11-SA-EDS-01, w/Educational Service District 123
- 10-238 Amendment, #09/10-PREV-ESD-01, w/Educational Service District 123
- 10-239 Benton County Policy on Disability and Accommodation Request/Grievance Procedures
- 10-240 Amendment, #09/10-PREV-VISTA-01 w/Vista Youth Center
- 10-241 Collective Bargaining Agreement for Juvenile Clerical
- 10-242 Bituminous Surface Treatment 2010
- 10-243 Public Hearing Authorization for Sundown Estates Franchise
- 10-244 Approval of Collective Bargaining Agreement Between Benton County and Local 874HC, Representing Courthouse Employees

There being no further business before the Board, the meeting adjourned at approximately 10:00 a.m.

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Chairman

a

# RESOLUTION

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

**IN THE MATTER OF AWARDING BID FOR CONTRACT FOR OFFICIAL COUNTY NEWSPAPER FOR THE YEAR JULY 1, 2010 THROUGH JUNE 30, 2011**

**WHEREAS**, on April 5, 2010 bids were received and opened by the Board of Benton County Commissioners for the contract for official county newspaper commencing July 1, 2010 and ending June 30, 2011; and

**WHEREAS**, two bids were received as follows:

Tri City Herald, Kennewick, WA

Column-inch rate, first insertion:		
including online:	\$17.21 (Mon – Fri),	\$17.66 (Sat. & Sun)
Column-inch rate, subsequent		
insertions:	\$15.47 (Mon. – Fri),	\$15.81 (Sat. & Sun)

Prosser Record-Bulletin, Prosser, WA

Column-inch rate, first insertion:	\$8.00
Column-inch rate, subsequent	
insertions:	\$7.50

Electronic

Column-inch rate, first insertion:	\$7.00
Column-inch rate, subsequent	
insertions:	\$6.50

**WHEREAS**, RCW 36.72.075 states that the "county legislative authority shall let the contract to the best and lowest responsible bidder, giving consideration to the question of circulation in awarding the contract, with a view to giving publication of notices the widest publicity"; and

**WHEREAS**, after consideration, the Board has determined the Tri-City Herald's circulation offers the widest publicity and publishes seven days a week, allowing more flexibility when legal notices are published;

**NOW, THEREFORE, BE IT RESOLVED** the Board of Benton County Commissioners hereby awards the contract for official county newspaper for July 1, 2010 through June 30, 2011, to the Tri-City Herald, Kennewick, WA, in accordance with the provisions of RCW 36.72, for the bid amount identified above and authorizes the Chairman to sign the attached contract.

Dated this ..... day of ....., 2010.

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Chairman Pro Tem

\_\_\_\_\_  
Member

Attest: .....  
Clerk of the Board

Constituting the Board of County  
Commissioners of Benton County,  
Washington

**CONTRACT FOR  
OFFICIAL COUNTY NEWSPAPER**

This Agreement is made by and between Benton County, a political subdivision of the State of Washington ("County"), and the Tri-City Herald ("Herald").

**WITNESSETH:**

WHEREAS, pursuant to the provisions of RCW 36.72.075, the County advertised for bid proposals from interested qualified legal newspapers to serve as the official county newspaper for the term of one year; and

WHEREAS, the Herald is a legal newspaper published in Kennewick, Benton County, Washington, by McClatchy Newspapers, and did submit a bid proposal; and

NOW, THEREFORE, in consideration of the terms and conditions set forth below, the parties agree as follows:

1. The Herald shall serve as the official newspaper of Benton County for the term of one year, beginning on July 1, 2010, and ending on June 30, 2011.

2. All county officers shall cause all legal notices and delinquent tax lists to be advertised in the Herald.

3. The Herald shall set all legal notices submitted in single column 6-point solid type unless otherwise indicated.

4. The County shall pay the Herald \$17.21 per column inch for the first insertion and \$15.47 per column inch for subsequent insertions for the days Monday through Friday and shall pay \$17.66 per column inch for the first insertion and \$15.81 per column inch for subsequent insertions for the days Saturday and Sunday. Herald legal number and date notations on the bottom two lines shall not be included in column-inch measurements.

5. The Herald shall furnish, without further cost, the required number of Affidavits of Publication, not to exceed six, to all county officers submitting legal notices and delinquent tax lists for publication. The affidavits shall be furnished to the officer before the date of hearing set within the legal notice.

6. The Herald shall furnish a bond payable to the county in the sum of Five Hundred Dollars (\$500.00), and conditioned that the Herald shall correctly and faithfully perform the covenants of this agreement.

7. The Herald warrants that it meets the qualifications of a legal newspaper as set forth under Chapter 65.16, RCW, and agrees to immediately notify the County if at anytime it ceases to meet such qualifications. In such case, the County may immediately terminate this agreement by mailing written notice.

Date: \_\_\_\_\_

Date \_\_\_\_\_

BENTON COUNTY, WASHINGTON

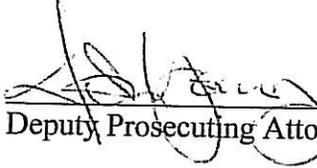
TRI-CITY HERALD

\_\_\_\_\_  
Chairman

By: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of the Board

Approved as to form:

  
\_\_\_\_\_  
Deputy Prosecuting Attorney

b

# RESOLUTION

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

**WHEREAS**, Benton County is a community that includes 27,911 citizens aged 60 years old or older; and

**WHEREAS**, the older adults in Benton County are among our most "treasured resources," united by historical experiences, strengthened by diversity, and interpreting events through varied perspectives and backgrounds to bring wisdom and insight to our community; and

**WHEREAS**, increasing numbers of adults are reaching retirement age and remaining strong and active longer than ever before; and

**WHEREAS**, the older adults in Benton County deserve recognition for the contributions they have made and will continue to make to the culture, economy, and character of our community and our nation; and

**WHEREAS**, our community can provide that recognition and respect by improving the quality of life for older Americans by:

- Increasing their opportunities to remain active and engaged in community life;
- Providing individualized services and support systems to maintain the dignity, independence, and self-determination of older Americans as they age;
- Combating ageist attitudes by honoring their past, present, and future contributions; **NOW THEREFORE**,

**BE IT HEREBY RESOLVED** the Board of Commissioners of Benton County do hereby proclaims May, 2010 to be Older Americans Month. We urge every citizen to take time this month to honor our older adults and the professionals, family members, and volunteers who care for many of them. Our recognition and involvement of older Americans can enrich our entire community's quality of life.

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

<u>AGENDA ITEM</u>	<u>ACTION NEEDED</u>	<u>DISCUSSION TYPE</u>
<b>Meeting Date: 26 Apr 2010</b> <b>Subject: Port support letters</b> <b>Memo Date: 16 Apr 2010</b> <b>Prepared By: AJF</b> <b>Reviewed By: LSK</b>	<b>Execute Contract</b> <b>Pass Resolution</b> <b>Pass Ordinance</b> <b>Pass Motion</b> <b>Other</b>	<b>Consent Agenda X</b> <b>Public Hearing</b> <b>1st Discussion</b> <b>2nd Discussion</b> <b>Other</b>

**SUMMARY & BACKGROUND**

I have prepared two, nearly identical letters at the request of the Port of Kennewick. I have also attached a note to me from Tana Bader Inglima at the Port, as she explains the purpose better than I can. She also provided rough drafts of the letters which I modified a little.

**FISCAL IMPACT**

None.

# # #

Leo Bowman  
District 1  
Max Benitz, Jr.  
District 2  
James Beaver  
District 3

**Board of County Commissioners  
BENTON COUNTY**

David Sparks  
County Administrator

Loretta Smith Kelty  
Deputy County Administrator

April 26, 2009

Tim Arntzen, Executive Director  
Port of Kennewick  
350 Clover Island Drive – Suite 200  
Kennewick, Washington 99336

**Re: Clover Island Shoreline Improvement Project –  
East Causeway RCO / ALEA Application**

Dear Mr. Arntzen:

On behalf of the Board of Commissioners, I am writing to communicate our support of your efforts to obtain a Recreation and Conservation Funding Board "ALEA" grant for habitat improvements, bank stabilization, and public restroom facility on Clover Island.

Benton County recognizes the importance of environmental enhancement and public access projects such as the Clover Island West Causeway Shoreline Improvement Project. We appreciate the Port of Kennewick's goals of creating improved conditions favorable to young salmon, adding native plantings, and constructing public safety facilities on Clover Island.

Thank you for your efforts to improve the natural environment and public health and safety amenities for people who are biking, birding, skating, jogging, and engaging in river recreation. This project will surely prove a catalyst for renewed interest in the Columbia River and improved understanding of the river as critical habitat.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

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Jim Beaver, Chair

Leo Bowman  
District 1  
Max Benitz, Jr.  
District 2  
James Beaver  
District 3

**Board of County Commissioners  
BENTON COUNTY**

David Sparks  
County Administrator

Loretta Smith Kelty  
Deputy County Administrator

April 26, 2009

Tim Arntzen, Executive Director  
Port of Kennewick  
350 Clover Island Drive – Suite 200  
Kennewick, Washington 99336

**Re: Clover Island Shoreline Improvement Project –  
North Shoreline RCO / ALEA Application**

Dear Mr. Arntzen:

On behalf of the Board of Commissioners, I am writing to communicate our support of your efforts to obtain a Recreation and Conservation Funding Board "ALEA" grant for habitat improvements, bank stabilization, and public recreational pathways on Clover Island.

Benton County recognizes the importance of environmental enhancement and public access projects such as the Clover Island West Causeway Shoreline Improvement Project. We appreciate the Port of Kennewick's goals of creating improved conditions favorable to young salmon, adding native plantings, constructing public safety facilities, and developing secure, stable, barrier-free public access to the Columbia River on Clover Island.

Thank you for your efforts to improve the natural environment and public health and safety amenities for people who are biking, birding, skating, jogging, and engaging in river recreation. This project will surely prove a catalyst for renewed interest in the Columbia River, and a stimulus to the economic future of our community.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Jim Beaver, Chair

d

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE PERSONAL SERVICES CONTRACT BETWEEN BENTON COUNTY AND INTER-CITY LEGAL PROCESSING & MESSENGER SERVICE FOR PROCESS SERVICE AND DELIVERY OF DOCUMENTS TO ATTORNEYS, BUSINESSES, AND INDIVIDUALS IN BENTON COUNTY

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, Benton County had a contract with Inter-City Legal Processing & Messenger Service for process service and delivery of documents to attorneys, businesses, and individuals in Benton County for 2009 via Resolution 09-017; and

WHEREAS, the Finance Manager and the Deputy County Administrator recommend entering into another contract for 2010; **NOW THEREFORE**

**BE IT RESOLVED**, by the Board of Benton County Commissioners, Benton County, Washington, the Board concurs with the Finance Manager and Deputy County Administrator's recommendation and hereby awards the personal service contract to Inter-City Processing & Messenger Service in an amount not to exceed \$30,000.00; and

**BE IT FURTHER RESOLVED** that the Board is authorized to sign the attached personal service contract; and

**BE IT FURTHER RESOLVED** the term of the attached contract commences January 6, 2010 and expires on December 31, 2010.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of Commissioners  
of Benton County, Washington.

Attest.....  
Clerk of the Board

Orig: Commissioner's Office  
cc: Auditor, R. Ozuna, Clerk, PA, Personnel, OPD, Co-op ext

Prepared by: K. Mercer

AGENDA ITEM =====	TYPE OF ACTION NEEDED =====	
Meeting Date: April 26, 2010 Subject: Inter-City Contract Prepared By: Keith Mercer Reviewed By: L. Smith Kely	Execute Contract <u>xxx</u> Pass Resolution Pass Ordinance Pass Motion Other	Consent Agenda <u>  X</u> Public Hearing 1st Discussion 2nd Discussion Other

**SUMMARY & BACKGROUND INFORMATION**

Benton County had a contract with Inter-City Legal Processing & Messenger Service for process service and delivery of documents to attorneys, businesses, and individuals in Benton County for 2009 via Resolution 09-017. The departments are pleased with the service Inter-City has provided and wish to enter into a new contract for 2010.

The Clerk's Office has not signed off on the contract due to Josie Delvin being out of the office. However, she will sign the document when she returns on April 29, 2010.

**FISCAL IMPACT**

Refer to Exhibit B of the contract for the rate sheet

**MOTION**

**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 **INTER-CITY LEGAL PROCESSING & MESSENGER SERVICE**, with its principal offices at 518 W. Shoshone, Pasco, WA 99301, (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;**
- b. **Exhibit A, Scope of Work;** and
- c. **Exhibit B, Compensation.**

**2. DURATION OF CONTRACT**

- a. The term of this Contract shall begin January 6, 2010 and shall expire December 31, 2010. 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 for in the Contract, no material, labor, or facilities will be furnished by the COUNTY.
- c. The CONTRACTOR shall perform the work specified in the 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.

e

# RESOLUTION

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

**IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE CONTRACT BETWEEN BENTON COUNTY AND CH<sub>2</sub>O, INC FOR WATER TREATMENT SERVICES AT THE BENTON COUNTY JUSTICE CENTER AND THE BENTON COUNTY COURTHOUSE**

**WHEREAS**, Benton County has contracted with CH<sub>2</sub>O, Inc. for the last three years, and then years before that previously known as Valley Water Technologies, Inc. for water treatment services at the Benton County Justice Center and Benton County Courthouse; and

**WHEREAS**, the previous contract between Benton County and CH<sub>2</sub>O, Inc. commenced January 1, 2007 and expired December 31, 2009; and

**WHEREAS**, the Benton County Facilities Manager solicited and received a proposal from CH<sub>2</sub>O, Inc. for as needed water treatment services at said locations in accordance with Exhibit B attached hereto for a total contract amount not to exceed \$25,000 excluding WSST per each year the contract is in place, including a maximum increase of 5% no more than once per calendar year for manufactured chemicals; and

**WHEREAS**, Benton County Facilities Manager is very pleased with CH<sub>2</sub>O, Inc. services and recommends entering into a four (4) year contract for said services, **NOW, THEREFORE**

**BE IT RESOLVED** the Board of Benton County Commissioners, Benton County, Washington hereby concurs with the recommendation and approves the contract between Benton County and CH<sub>2</sub>O, Inc. for a total contract amount not to exceed \$25,000 excluding WSST per each year the contract is in place; and

**BE IT FURTHER RESOLVED** the Board hereby authorizes the Chairman of the Board to sign the services agreement attached hereto; and

**BE IT FURTHER RESOLVED** said contract shall expire December 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

**PERSONAL SERVICES CONTRACT  
TERMS AND CONDITIONS**

THIS CONTRACT is made and entered into by and between BENTON COUNTY, a political subdivision of the State of Washington, with its principal offices at 620 Market Street, Prosser, WA 99350 (hereinafter "COUNTY"), and CH<sub>2</sub>O, Inc., a corporation authorized to do business in the State of Washington with its principal offices at 8820 Old Highway 99 SE, Olympia, WA 98501 (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. Exhibit A - Water Treatment Scope
- b. Exhibit B - Contractors 2010 through 2013 price list

2. DURATION OF CONTRACT

The term of this Contract shall begin January 1, 2010 and shall expire on December 31, 2013.

3. SERVICES PROVIDED

The CONTRACTOR shall perform the following services:

- a. The CONTRACTOR agrees to provide the County with water treatment supplies and services for the locations of the Benton County Justice Center, 7122 W Okanogan Place, Bldg A, Kennewick WA and the Benton County Courthouse, 620 Market Place, Prosser, WA; all in accordance with the Water Treatment Scope of Work attached as Exhibit A and the price list attached hereto Exhibit B with a maximum increase of 5% no more than once per calendar year.
- 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.

f

# RESOLUTION

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

**IN THE MATTER OF APPROVING THE PURCHASE AND INSTALLATION OF TWO (2) CLIMATE MASTER HEAT PUMP SYSTEM LOCATED AT THE BENTON COUNTY COURTHOUSE**

**WHEREAS**, the Benton County Facilities Manager solicited quotes for the purchase and complete installation of two Climate Master water source heat pumps to replace the existing units, 1-24 & 2-21; with heat pump 2-21 being upsized to 18K btu to accommodate the heat load in the room; and

**WHEREAS**, the following companies were solicited from the Benton County Small Works Roster and provided the following quotes:

- Total Energy Management, Inc. – TOTALEM10N - \$8,175.00 excl. WSST
- Bruce Heating & Air-Conditioning – BRUCEHA976B8 - \$8,288.00 excl. WSST
- Campbell & Company, Inc. – MCAMPCI963RA - \$8,950.00 excl. WSST
- Apollo Sheet Metal, Inc.- APOLLSM187MK - \$13,966.00 excl. WSST

**WHEREAS**, the Facilities Manager reviewed the quotes and recommends awarding said services to Total Energy Management, Inc. for an amount of \$8,175.00 excl. WSST as the lowest responsible bidder; and

**WHEREAS**, per Resolution 09-669 dated October 5, 2009 the Board of Benton County Commissioners approved the blanket contract with Total Energy Management, Inc. for an amount not to exceed \$10,000 including WSST; and

**WHEREAS**, Facilities Manager recommends utilizing the current blanket contract that is in place and moving forward with said services with Total Energy Management, Inc. in the amount of \$8,175.00 plus WSST.

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

# RESOLUTION

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

**IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BENTON COUNTY COMMISSIONERS TO SIGN THE AGREEMENT BETWEEN BENTON COUNTY AND APOLLO SHEET METAL, INC FOR THE EMERGENCY INSTALLATION OF THE HVAC CONTROLLER LOCATED AT THE BENTON COUNTY COURTHOUSE**

**WHEREAS**, per Resolution 10-082 dated February 8, 2010 the Board of Benton County Commissioners declared the replacement of the HVAC Controller an emergency and authorized personnel to move forward with the appropriate contract documents with Apollo Sheet Metal, Inc. for an amount of \$10,369.00 excluding WSST; **NOW, THEREFORE**

**BE IT RESOLVED** the Board of Benton County Commissioners hereby authorizes the Chairman of the Board to sign the attached agreement between Benton County and Apollo Sheet Metal, Inc for said services for a total contract amount not to exceed \$13,000.00 excluding WSST.

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

PERSONAL SERVICES CONTRACT  
TERMS AND CONDITIONS

RECEIVED

APR 16 2010

APOLLO SHEET METAL, INC.

THIS CONTRACT is made and entered into by and between BENTON COUNTY, a political subdivision of the State of Washington, with its principal offices at 620 Market Street, Prosser, WA 99350 (hereinafter "COUNTY"), and APOLLO SHEET METAL, INC. a corporation authorized to do business in the State of Washington with its principal offices at 1201 West Columbia Drive, Kennewick, WA 99336 (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. Exhibit A - Contractor's Proposal Dated January 12, 2010
- b. Exhibit B - Washington State Prevailing Wage Rates for Public Works Contracts Effective 9/2/09

2. DURATION OF CONTRACT

The term of this Contract shall begin January 12, 2010 and shall terminate April 30, 2010. 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:

The CONTRACTOR agrees to furnish and install all necessary labor and materials to replace the NCM350 controller with a NAE55 controller at the Prosser Courthouse, all in accordance with their proposal dated January 12, 2010, scope option 1, and referenced herein as Exhibit A.

In the event that requested work requires, under State or local law, the issuance of a building permit, CONTRACTOR shall be responsible for procuring such building permit and arranging for inspection and certification of the work. CONTRACTOR may bill COUNTY for the full cost of the permit and any labor time for any of its employees involved in the permitting process, but may not charge any additional processing or other fees that it does not actually incur. The CONTRACTOR agrees to provide its own labor and materials. Unless otherwise provided in this Contract, no



# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

**IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN HUMAN SERVICES EXPENSE FUND NO. 0108-101, DEPARTMENT 564, MENTAL HEALTH CONTRACTS.**

**BE IT RESOLVED** by the Board of Benton County Commissioners, that funds shall be transferred as outlined in Exhibit "A," attached hereto.

Dated this ..... day of ....., 2010.

\_\_\_\_\_  
Chairman of the Board.

\_\_\_\_\_  
Chairman Pro Tem.

\_\_\_\_\_  
Member.

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

Attest: .....  
Clerk of the Board

cc: Human Services; Auditor's Office; file

Ivey

BENTON COUNTY LINE ITEM TRANSFER

DEPARTMENT: HUMAN SERVICES DEPARTMENT NO. 564

FUND NAME: HUMAN SERVICES FUND NO. 0108-101  
 TRANSFER FROM: \_\_\_\_\_ TRANSFER TO: \_\_\_\_\_

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
564.260	4161	Direct Services	38,000	9102	Legal Services	38,000	

Explanation:

To transfer funding from Direct Services to Interfund Legal Services. James Bell's legal service fees for ITA costs originally budgeted to be paid directly by Human Services. The services are paid by the Office of Public Defense who will in turn voucher the Department of Human Services.

Prepared by: Linda Ivey

Date: April 14, 2010

Approved  Denied

Date: \_\_\_\_\_

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

## BENTON AND FRANKLIN COUNTIES ACTION SUMMARY COVER SHEET

AGENDA ITEM	TYPE OF ACTION NEEDED	
Agreement #09/11-SA-LCC-01	<input checked="" type="checkbox"/> Execute Contract <input checked="" type="checkbox"/> Pass Resolution <input type="checkbox"/> Pass Ordinance <input type="checkbox"/> Pass Motion <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Consent Agenda <input type="checkbox"/> Public Hearing <input type="checkbox"/> 1 <sup>st</sup> Discussion <input type="checkbox"/> 2 <sup>nd</sup> discussion <input type="checkbox"/> Other
Prepared By: Carol Carey		

### BACKGROUND INFORMATION

The Department of Human Services (DHS) would like to amend the agreement contract with Lourdes Counseling Center for substance abuse treatment services for the 2009-11 biennium. This amendment incorporates provisions for Employee Education about False Claims Recovery and waives the Tobacco-Free Facilities and Ground provisions

### SUMMARY

**Award:** Consideration is fee for services provided

**Period:** October 1, 2009 to June 30, 2011

**Funding Source:** Division of Alcohol and Substance Abuse

### RECOMMENDATION

- Sign the resolution to accept the proposed agreement.
- Approve the proposed agreement by signing all the copies where indicated.

### FISCAL IMPACT

Funding for the services described in this Agreement is provided by the Division of Alcohol and Substance Abuse. **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 Amendment #09/11-SA-LCC-01 with Lourdes Counseling Center and authorize the Chair to sign on behalf of the Board.

# JOINT RESOLUTION

Benton County Resolution No. \_\_\_\_\_

Franklin County Resolution No. \_\_\_\_\_

BEFORE THE BOARD OF COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES,  
WASHINGTON:

**IN THE MATTER OF EXECUTION OF AMENDMENT #09/11-SA-LCC-01 BETWEEN  
LOURDES COUNSELING CENTER AND BENTON AND FRANKLIN COUNTIES'  
DEPARTMENT OF HUMAN SERVICES, and**

**WHEREAS**, It is the purpose of this Amendment is to incorporate provisions for Employee Education about False Claims Recovery and to waive the Tobacco-Free Facilities and Ground provisions. All other provisions set out in the underlying Agreement remain in full force and effect; and

**WHEREAS**, the consideration of the Amendment is fee for service, and

**WHEREAS**, the Agreement is effective October 1, 2009 and remains effective until June 30, 2011, NOW THEREFORE,

**BE IT RESOLVED** that the Boards of Benton and Franklin County Commissioners hereby accept the proposed agreement; and

**BE IT FURTHER RESOLVED** that the Chairs of Benton and Franklin County Commissioners are hereby authorized to sign amendment #09/11-SA-LCC-01 on behalf of the Board of Benton and Franklin County Commissioners.

Dated this . . . day of . . . . ., 2010

Dated this . . . day of . . . . ., 2010

\_\_\_\_\_  
Chair, Benton County Commissioners

\_\_\_\_\_  
Chair, Franklin County Commissioners

\_\_\_\_\_  
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

Carey

**BENTON AND FRANKLIN COUNTIES  
ACTION SUMMARY COVER SHEET**

K

AGENDA ITEM	TYPE OF ACTION NEEDED	
Contract # S08-46108-816 with the Department of Commerce	<input checked="" 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 <sup>st</sup> Discussion
	<input type="checkbox"/> Pass Motion	<input type="checkbox"/> 2 <sup>nd</sup> discussion
	<input type="checkbox"/> Other	<input type="checkbox"/> Other
Prepared By: Carol Carey		

**BACKGROUND INFORMATION**

This contract with the Department of Commerce is an Interagency Data Sharing Agreement to fund counties to comply with state requirements to provide Homeless Management Information System (HMIS) data to the Washington State Department of Commerce.

**SUMMARY**

**Award:** Consideration is not to exceed \$80,000.00.  
**Period:** Two years from the date of execution  
**Funding Source:** Department of Commerce

**RECOMMENDATION**

- Sign the resolution to accept the proposed contract.
- Approve the proposed agreement by signing all the copies where indicated.

**FISCAL IMPACT**

Funding for the services described in this Contract is provided by the Department of Commerce. **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 Contract #S08-46108-816 with the Department of Commerce and authorize the Chair to sign on behalf of the Board.

# JOINT RESOLUTION

Benton County Resolution No. \_\_\_\_\_

Franklin County Resolution No. \_\_\_\_\_

BEFORE THE BOARD OF COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES,  
WASHINGTON:

**IN THE MATTER OF EXECUTION OF A CONTRACT WITH THE DEPARTMENT OF COMMERCE FOR DATA SHARING AND BENTON AND FRANKLIN COUNTIES' DEPARTMENT OF HUMAN SERVICES, and**

**WHEREAS**, the Department of Commerce would like to contract with the Benton and Franklin Counties' Department of Human Services to fund the counties to comply with state requirements to provide Homeless Management Information System (HMIS) data to the Washington State Department of Commerce; and

**WHEREAS**, services shall commence upon execution of contract and will expire two years after execution, NOW THEREFORE,

**BE IT RESOLVED** that the Boards of Benton and Franklin County Commissioners hereby accept the proposed Contract, and

**BE IT FURTHER RESOLVED** that the Chairs of Benton and Franklin County Commissioners are hereby authorized to sign on behalf of the Board of Benton and Franklin County Commissioners.

Dated this . . . day of . . . . ., 2010

Dated this . . . day of . . . . ., 2010

\_\_\_\_\_  
Chair, Benton Co. Commissioners

\_\_\_\_\_  
Chair, Franklin Co. Commissioners

\_\_\_\_\_  
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

cc: Human Services, Franklin County, Benton County

Carey

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: 04/26/10 Subject: Amendment to Contract Prepared by: B.Perry	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**

Amendment includes additional training course from the American Red Cross. The additional course, 4 hour AIDS Training, is a requirement for Juvenile Detention and Crisis Response counselors to receive accreditation.

**RECOMMENDATION**

Having been reviewed by Melina Wenner, Personnel/Risk Manager, and Sarah Perry, Senior Civil Deputy Prosecutor, I recommend the agreement be signed.

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD OF BENTON COUNTY COMMISSIONERS TO SIGN THE PERSONAL SERVICES CONTRACT AMENDMENT BETWEEN THE BENTON-FRANKLIN CHAPTER OF THE AMERICAN RED CROSS AND BENTON COUNTY FOR ADDITIONAL TRAINING TO INCLUDE THE FOUR (4) HOUR AIDS TRAINING AND CERTIFICATION.

BE IT RESOLVED that the Chairman of the Board of Benton County Commissioners is hereby authorized to sign the attached Personal Services Contract Amendment for the Four (4) Hour AIDS Training and Certification for Benton County.

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: Personnel, Auditor

## PERSONAL SERVICES CONTRACT AMENDMENT

**THIS CONTRACT AMENDMENT** is made and entered into by and between **BENTON COUNTY**, a political subdivision, with its principle offices located at 620 Market Street, Prosser, WASHINGTON hereinafter called "COUNTY" and **THE AMERICAN RED CROSS A FEDERALLY CHARTERED INSTRUMENTALITY OF THE UNITED STATES OF AMERICA WITH ITS CORPORATE AND POLITICAL BODY IN THE DISTRICT OF COLUMBIA, AND DOING BUSINESS IN BENTON COUNTY AS THE BENTON-FRANKLIN CHAPTER OF THE AMERICAN RED CROSS**, hereinafter called "CONTRACTOR".

**WHEREAS**, the parties entered into a Personal Services Contract dated December 14, 2009, Benton County Resolution No. 09-855 (the "CONTRACT") to provide First Aid, CPR, and AED training services to Benton County employees; and

**WHEREAS**, in addition to the training services arranged by way of the CONTRACT, the COUNTY also needs an instructor to provide a four (4)-hour AIDS course on one or more dates; and

**WHEREAS**, the four-hour AIDS course is not within the scope of services provided by the CONTRACT, but is a service that CONTRACTOR offers; and

**WHEREAS**, the COUNTY wishes to amend the CONTRACT to include a four-hour AIDS course at a rate of \$15.00 per student; **NOW, THEREFORE**

**BE IT RESOLVED** in consideration of the mutual benefits and covenants contained herein and in the CONTRACT, the parties agree to amend the CONTRACT as follows:

1. Section 3 of the CONTRACT shall be amended to read as follows:

### **3. SERVICES PROVIDED**

*The CONTRACTOR shall perform the following services:*

- a. Instruction and certifications for Standard First Aid and CPR/AED Adult refresher and initial training for Benton County employees at Benton County job sites.*
- b. Instruction and certifications for a four-hour AIDS course for Benton County employees at Benton County job sites .*
- c. 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.*

Orig.: File

cc: Auditors; R. Ozuna; Benton-Franklin Chapter of the American Red Cross

m

RESOLUTION NO. \_\_\_\_\_

County Engineer Project No. 1913 PRES  
Arterial  Access

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF BENTON COUNTY, WASHINGTON  
IN THE MATTER OF COUNTY ROADS, RE: BITUMINOUS SURFACE TREATMENT 2010

IT IS HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, That it is their intention  
to improve County roads by application of Bituminous Surface Treatment according to the contract awarded  
March 29, 2010 to Granite Northwest, Inc., Yakima, Washington.

Length of Project: \_\_\_\_\_ miles; Width of Roadbed: varies ft.; Surface: varies ft.; Pavement: varies ft.  
Type and depth of surfacing: Bituminous Surface Treatment  
Bridge  Irrigation Crossings  Length \_\_\_\_\_ ft.; Width \_\_\_\_\_ ft.  
Estimated date of beginning: May 3, 2010; Estimated date of completion: August 31, 2010

BE IT FURTHER RESOLVED, That for the foregoing proper county road purpose there is hereby appropriated  
sums in the following detail:

	<u>County Road Fund</u>	<u>City of Kennewick</u>		<u>Total</u>
Road Preserv.				\$0.00
Mat. from Stkple	120,000.00	30,000.00		\$150,000.00
Day Labor				\$0.00
Contract	1,792,523.55	395,664.45		\$2,188,188.00
Const. Engr.	49,476.45	5,335.55		\$54,812.00
Contingencies	50,000.00	5,000.00		\$55,000.00
Total	2,012,000.00	436,000.00	0.00	\$2,448,000.00

The county road purpose herein described is HEREBY DECLARED to be a public necessity and the County Road  
Engineer is HEREBY ORDERED AND AUTHORIZED to report and proceed thereon as by law provided.

BE IT FURTHER RESOLVED that this purpose be performed by contract in accordance with the State of  
Washington Standard Specifications for Road, Bridge, and Municipal Construction, as adopted by this Board.

ADOPTED this 26th day of April, 2010.

(SEAL)

Attest:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Chairman Pro-Tem

\_\_\_\_\_  
Member  
Constituting the Board of County Commissioners  
of Benton County, Washington.

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>	
Meeting Date:	<u>April 26, 2010</u>	Execute Agreement	_____
Subject:	<u>Revision to 2010 1-Year Road Program</u>	Pass Resolution	<u>XX</u>
Prepared by:	<u>slc</u>	Pass Ordinance	_____
Reviewed by:	<u>SWB</u>	Pass Motion	_____
		Other	_____
		Consent Agenda	<u>XX</u>
		Public Hearing	_____
		1st Discussion	_____
		2nd Discussion	_____
		Other	_____

**BACKGROUND INFORMATION**

On November 16, 2009, the 2010 Annual Road Program was approved by the Board of Commissioners. Included in that Program was "Emergent Money", which was intended to be used for projects that "emerged" as needing funding during the year. Apricot Road from Griffin Road to Wilgus Road is gravel. The rest of Apricot Road is paved. This gravel section requires maintenance by the County road crews, necessitating the transport of a County blade to this location. By paving this section of Apricot Road, it will save the County road crews time spent transporting the blade and performing maintenance.

**SUMMARY**

The Road Department plans to use "Emergent Money" from the 2010 Annual Road Program to fund the paving of the gravel segment of Apricot Road.

**RECOMMENDATION**

The County Engineer recommends approval of the use of "Emergent Money" from the 2010 Annual Road Program to fund this emergent project.

**FISCAL IMPACT**

The project is estimated to cost \$25,000.00 and the work will be performed by county road personnel. There is \$200,000 in "Emergent Money" in the 2010 Annual Road Program.

**MOTION**

Approve this resolution as part of the consent agenda.

R E S O L U T I O N

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF BENTON COUNTY ROADS RE: BENTON COUNTY 2010 ANNUAL ROAD PROGRAM

WHEREAS, by resolution dated November 16, 2009, the Board of Benton County Commissioners adopted the 2010 Annual Road Program; and

WHEREAS, money was set aside for "Emergent Projects" in the Road Program; and

WHEREAS, one (1) mile of Apricot Road is gravel and needs to be paved; and

WHEREAS, a revision to the 2010 Annual Road Program is needed to allow the use of "Emergent Project" money for this paving project; and

WHEREAS, the Benton County Engineer recommends the revision to the One-Year Road Program for 2010, it appearing to be in the best public interest; NOW, THEREFORE,

BE IT HEREBY RESOLVED, by the Board of Benton County Commissioners, that the 2010 Annual Road Program is hereby revised to allow "Emergent Project" money to be used for paving that segment of Apricot Road.

Dated this 26th day of April, 2010.

\_\_\_\_\_  
Chairman of the Board.

\_\_\_\_\_  
Chairman Pro-Tem.

\_\_\_\_\_  
Member.

Attest: \_\_\_\_\_  
Clerk of the Board

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

SWB:slc

# RESOLUTION



BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FRANCHISES RE: RESCINDING RESOLUTION #10-243 SETTING A PUBLIC HEARING FOR SUNDOWN ESTATES FOR A FRANCHISE TO CONTINUE A WATER SYSTEM AND FACILITIES IN COUNTY ROAD RIGHT OF WAY,

WHEREAS, Sundown Estates, has applied to continue a franchise to place water system and facilities in county road right of way,

WHEREAS, the date shown on the resolution was incorrect NOW, THEREFORE,

BE IT RESOLVED that a Public Hearing on the application for franchise be held on Monday, May 10, 2010 at 9:05 a.m. Local Time, in the Board of County Commissioners Meeting Room, Benton County Courthouse, 620 Market Street, Prosser, Washington.

Dated this 26<sup>th</sup> day of April 2010.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Chairman Pro-Tem

\_\_\_\_\_  
Member

Constituting the Board of County  
Commissioners of Benton County,  
Washington

Attest: \_\_\_\_\_  
Clerk of the Board

SWB:lss

**P**

No documentation Available

g.

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

**IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN LAW ENFORCEMENT CONTRACT AMMENDMENT BETWEEN THE U.S. ARMY CORPS OF ENGINEERS AND THE BENTON COUNTY SHERIFF'S OFFICE.**

**WHEREAS**, the Benton County Sheriff's Office has agreed to be contracted by the U. S. Army Corps of Engineers to provide additional law enforcement services within the areas of the John Day Project within Benton County; and

**WHEREAS**, Resolution 08 482 authorized contract W9127N-08-P0183 for 2008 with the options to extend on an annual basis through April 30, 2013; and

**WHEREAS**, Resolution 09-220 executed the First Option for the period of May 1, 2009 thru April 30, 2010; and

**WHEREAS**, The Benton County Sheriff's Office and Corps of Engineers (CORPS) wish to execute the Second Option of the contract for the period of May 1, 2010 thru April 30, 2011 **NOW THEREFORE**,

**BE IT RESOLVED**, by the Board of Benton County Commissioners approve and hereby authorize the Chairman of the Board to sign the attached contract amendment for W9127N-08-P-0183, with the U. S. Army Corps of Engineers and Benton County to authorize the Benton County Sheriff's Office to furnish law enforcement from May 1, 2010 through April 30, 2011 for the primary period of performance of May 14, 2010 through September 5, 2010 at the John Day Project.

Dated this 26 day of April, 2010.

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

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

Attest: \_\_\_\_\_

J.Thompson

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE	PAGE OF PAGES	
				J	1	3
2. AMENDMENT/MODIFICATION NO. P00003	3. EFFECTIVE DATE 16-Apr-2010	4. REQUISITION/PURCHASE REQ. NO. W65QKZ80710019		5. PROJECT NO. (If applicable)		
6. ISSUED BY US ARMY CORPS OF ENGINEERS 333 SW FIRST AVE PORTLAND OR 97204-3495	CODE W9127N	7. ADMINISTERED BY (If other than item 6) US ARMY CORPS OF ENGINEERS CONNIE KRUEGER (503) 808-4603 PORTLAND OR		CODE	W9127N	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) BENTON COUNTY SHERIFF'S OFFICE CAPTAIN STEVE KEANE 7122 W. OKANOGAN PLACE, BLDG A KENNEWICK WA 99336-2431				9A. AMENDMENT OF SOLICITATION NO.		
				9B. DATED (SEE ITEM 11)		
				X	10A. MOD. OF CONTRACT/ORDER NO. W9127N-08-P-0183	
				X	10B. DATED (SEE ITEM 13) 01-May-2008	
CODE 371G3	FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS						
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of offer <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.						
12. ACCOUNTING AND APPROPRIATION DATA (If required) See Schedule						
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.						
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.						
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).						
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:						
X D. OTHER (Specify type of modification and authority) FAR 52.217-9 Option to Extend the Term of the Contract						
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.						
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) Modification Control Number: g2ctsc1k10440 Unilateral Modification - See next page for details						
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.						
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) KATHLEEN D SEITZ / CONTRACT SPECIALIST TEL: 503-808-4628 EMAIL: kathleen.d.seitz@us.army.mil		
15B. CONTRACTOR/OFFEROR  (Signature of person authorized to sign)		15C. DATE SIGNED	16B. UNITED STATES OF AMERICA BY <i>Kathleen D. Seitz</i> (Signature of Contracting Officer)		16C. DATE SIGNED 19-Apr-2010	

# RESOLUTION

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BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE BOARD TO SIGN THE AGREEMENT BETWEEN BENTON COUNTY AND WATCH SYSTEMS LLC. FOR MAILING OF SEX OFFENDER NOTIFICATIONS, CURRENT EXPENSE FUND NUMBER 0000-101, SHERIFF PATROL DEPARTMENT 121.

**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 Sheriff Office utilizes a software program called Offender Watch, which is a system of Watch Systems LLC that manages the location of registered sex offenders; and

**WHEREAS**, the system was provided through the Washington Association of Police Chiefs and Sheriff's at no cost to the County; and

**WHEREAS**, the Sheriff's Office recommends expanding the services the Offender Watch program provides by entering into a contract with Watch Systems LLC. for the mailing of registered sex offender notifications; **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 Watch Systems LLC. in an amount not to exceed \$50,000.00 including WSST; and

**BE IT FURTHER RESOLVED** the term of the attached personal service contract commences March 1, 2010 and expires on March 1, 2014.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2010

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Attest: \_\_\_\_\_  
Clerk of the Board

**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 WATCH SYSTEMS, LLC, with its principal offices at 516 E. Rutland St. Covington, LA 70433, (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. **Exhibit A, Scope of Work;**

**2. DURATION OF CONTRACT**

The term of this Contract shall begin **March 1, 2010**, and shall expire on **March 1, 2014**. 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.
- e. The CONTRACTOR shall confer with the COUNTY from time to time during the progress of the work. The CONTRACTOR shall prepare and present status reports and other

## 1<sup>st</sup> Qtr-2010 Update to Benton County Commissioners

### Closure of ConAgra

- Community Resource Fair – 27 participating agencies
- Meetings with ConAgra
- Columbia Basin WorkSource partnership for Prosser Job Fair

### Vista & AASTA

- Maintenance
- Roy Gephart, speaker

### HDPA

- Main Street Tax Incentive Program
- Save Main Street - transfer to Preservation & Archeology Dept.

### Clare Center

- Received approval letter for further consideration
- Deficiency letter requests additional agency information
- Phase II Outdoor Event Facility architect selected; going to bid, anticipated completion date set for September

### Signage

- Presented to Planning Commission on Feb. 16<sup>th</sup> – 1<sup>st</sup> review
- New ordinances going through public process
- Sign consultant review - March 19<sup>th</sup>

### Grant Writer Program

- Partner Dollars - \$243,356/Awarded \$1.7m/Pending \$2m
- USDA Meeting

### Future Growth Discussions

- Met with City & County regarding 3<sup>rd</sup> Interchange & Frontage Road north of I-82.
- Obtained addresses for those parcels north of I-82 between Gap & east of Hinzerling.
- Future meeting with property stakeholders.

### Events:

- Doc Hastings, Guest Speaker at Annual Meeting – March 29<sup>th</sup>
- Washington State Transportation Commission Meeting – April 20<sup>th</sup>
- Job Fair – May 20<sup>th</sup>
- Prosser EDA May 5th Board Meeting at Columbia Crest

**WORKSource**  
& Columbia Basin

**PROSSER**  
ECONOMIC DEVELOPMENT ASSOC.  
THE DIRECTION YOU'LL WANT TO GROW

**Prosser Job Fair**  
**Thursday, May 20, 2010**  
**1PM-5PM**

*Due to Increased Interest*

**New Location**  
**Housel Middle School**  
**2001 Highland Drive,**  
**Prosser WA**

**Come visit local businesses and explore potential job opportunities.**

**Open To The Public—Free Admission**

**For more info**  
**Prosser Economic Development Association**  
**509-786-3600 or [info@prosser.org](mailto:info@prosser.org)**

WorkSource Columbia Basin is an equal opportunity partnership of organizations that provide employment and training services.  
Auxiliary aids and services are available upon request to persons with disabilities



9:25

**From:** Scott Revell <SRevell@kid.org>  
**To:** 'Commissioners' <Commissioners@co.benton.wa.us>  
**Date:** 4/13/2010 1:41 PM  
**Subject:** RE: KID Presentation

RECEIVED

APR 13 2010

BENTON COUNTY  
COMMISSIONERS

Thank you!

-----Original Message-----

**From:** Commissioners [mailto:Commissioners@co.benton.wa.us]  
**Sent:** Tuesday, April 13, 2010 1:36 PM  
**To:** Scott Revell  
**Subject:** KID Presentation

Scott:

You are scheduled before the Board of County Commissioners on Monday, April 26th at 9:25 am for 20 minutes. Said meeting will take place at the Benton County Courthouse, Commissioners Conference Room - 3rd floor, 620 Market St., in Prosser.

Also, if you are planning on submitting board packets for your presentation prior to the meeting, those packets are due in our office by 5 pm Wednesday, April 21st and we would need a total of 5 packets.

Feel free to contact me should you have any questions.