

April 4,
2011

THE BOARD OF
BENTON COUNTY
COMMISSIONERS
AGENDA PACKET

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Monday, March 28, 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
Alternate 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; Deputy Treasurer Eriza Rivera; County Engineer Malcolm Bowie; Superior Court Administrator Pat Austin; County Clerk Josie Delvin; District Court Administrator Jacki Lahtinen; Sheriff Steven Keane; Central Services Manager Randy Reid; DPA Ryan Brown; DPA Jonathan Young.

Workshop Agenda

Commissioner Small said that he met with the Port of Benton the previous week getting an overview of their services.

Commissioner Beaver reported on his meetings with the Fairgrounds User Group, the Tri Cities Visitor and Convention Bureau and the Health Board. Commissioner Beaver also toured the Jail at the Justice Center with Officer Souza and Teamster representatives.

County Administrator David Sparks commented on the jail bonds and said that he and Loretta Smith Kelty performed an analysis of the 2001 bonds and added that said bonds (callable) could be paid off in December 2011 for \$3.2 million. Mr. Sparks informed the Board that if the County wanted to pay these bonds early (December), work had to be done 60 days prior to December. The Board was in agreement with Mr. Sparks' recommendation for the payoff and directed him to move forward.

Chairman Bowman reported on his trip to Olympia. Commissioner Bowman met with Carl Adrian and Representative Moscoso on the gang bill and indicated that he would be going back to Olympia to continue working the gang issue this week.

Chairman Bowman reported on his meeting with the Department of Transportation regarding Commute Trip Reduction. Chairman Bowman presented the group with information about Tri Cities; specifically Highways 124 and 240 and reviewed the criteria to see whether Benton County qualified for an exemption. Chairman Bowman indicated that Benton County would be getting a letter from Benton Franklin Council of Government removing Benton County from the qualifying list and indicated that Benton County was in good shape. Additionally, he discussed Benton County's other legislative issues to include crime labs and the medical marijuana bill. He said the counties would not be responsible on enforcing such a bill, but the Health Departments would be enforcing; keeping in mind, however, that the Commissioners directly sat on the Health Board. Additionally, he informed the Board that the House had passed their transportation budget.

Chairman Bowman discussed a letter received from the Historic Downtown Prosser Association regarding their Main Street Certification Celebration on May 17th and that they wanted to have their event at the courthouse. Also discussed was their request to close off the street in front of the courthouse steps (Dudley Street). Public Works staff commented that this was within the City's jurisdiction, not the county's and the Commissioners agreed that if the City of Prosser was okay with closing the street, Benton County would not have an issue. Commissioners directed staff to draft a response letter to the Association.

Commissioner Beaver discussed his desire to remove his commissioner parking spot at the Justice Center and recommended that space be used as an employee recognition parking spot. Personnel Department was assigned this project to determine how employees would be nominated for employee parking recognition.

Adam Fyall presented the Board with a draft letter for Board signature recognizing Planning's efforts on the zoning ordinance amendments. The Board agreed to the letter and requested Mr. Fyall prepare it to send out this week.

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

Approval of Minutes

The Minutes of Special Board Meeting of March 16, 2011 were approved.

The Minutes of March 21, 2011 were approved.

Review Agenda

Commissioner Small requested item "r" (Copier Lease Agreement w/IKON) be discussed.

Item "r" (Copier Lease Agreement w/IKON)

Commissioner Small wanted to discuss whether the County as a whole could purchase copiers versus leasing and the last time the County had reviewed that issue. Commissioner Small thought that perhaps the County would save money having some sort of purchasing contract in

place. Chairman Bowman indicated the County had looked at this in the past and that every department had unique needs and that is why it did not work in the past. Chairman Bowman further indicated that perhaps bringing that subject at the next elected officials meeting would be ideal.

Consent Agenda

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

Commissioners

- a. Amended and Restated Employment Agreement w/D Sparks

Facilities

- b. Contract w/Apollo Sheet Metal for Water Line Replacement

Fairgrounds

- c. Lease Agreement w/12-Bar Productions, LLC

Human Services

- d. Contract Amendment, #0963-68016-04, w/WA State, Dept of Social & Health Services

Juvenile

- e. Contract Amendment w/City of Kennewick for Graffiti Abatement
- f. Amended Professional Services Agreement w/K Oldfield for Indigent Legal Representation
- g. Contract Amendment w/Washington Collectors Tri-Cities, Inc.

Public Works

- h. Authorization to Sign Certification of Expenditures for Fish Passage Barrier Removal 2010
- i. Authorization to Sign Certification of Expenditures for Traffic Law Enforcement 2010
- j. Authorization to Sign Certification for Annual Certification 2010
- k. Authorization to Rent Paving Machine from Road Products, Inc.
- l. Supply Contract w/Bleyhl Farm Service, Inc. for Refined Petroleum Products
- m. Authorization for County Engineer to Approve Change Orders
- n. Authorization for Public Hearing for Company 79 Franchise
- o. Agreement Amendment No. 2 w/State of Washington Department of Ecology
- p. Award of Contract to Burlington Environmental LLC to Transport Hazardous Waste

Sheriff

- q. Agreement w/South Correctional Entity (SCORE) for Use of Jail Facilities
- r. Copier Lease Agreement w/IKON

Sustainable Development

- s. Service Agreement w/Tri-City Development Council

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

Trial Court Improvement

Pat Austin, Josie Delvin & Jacki Lahtinen presented the 2011- 2012 planned expenditure requests for the Trial Court Improvement monies.

Jacki Lahtinen informed the Board that the Trial Court Improvement Committee had reviewed the 2011 – 2012 expenditure requests and agreed the expenditures were in compliance with the Trial Court Improvement Fund guidelines as outlined by the Washington Administrative Office of the Courts.

Ms. Lahtinen further informed the Board that said expenditures would be used for reader boards; monitors for electronic schedule postings; monitors for Clerk, District Court and Superior Court schedules; I-Pads computer devices; Wi-Fi access; installment of jury program; IDS upgrade; sound system upgrades in courtrooms; microphone and listening devices; headsets & transmitters; travel and training; Liberty licenses; scanners, printers and computers; security cameras; repairs to sound system and audio visual equipment and more specifically as outlined by the resolution as presented.

Commissioner Small asked whether the training fund was for both District Court and Superior Court.

Chairman Bowman raised his concern on licenses for Liberty web. He wondered whether thought had been given on replacement and maintenance costs and hoped that there was consideration given to the trial court improvement fund paying for any replacement and maintenance costs. Clerk Josie Delvin indicated that they were working with Randy Reid for those costs.

MOTION: Commissioner Small moved to approve the recommended expenditures from the Trial Court Improvement Fund in the matter of authorizing purchases as identified on the letter from the Trial Court Improvement Fund Committee for expenditures totaling \$198,740 utilizing the funds from the Benton County Trial Court Improvement Fund. Commissioner Beaver seconded and upon vote, the motion carried unanimously.

Executive Session

The Board went into executive session with DPA Jonathan Young and Sheriff Steve Keane at 9:19 a.m. for approximately 15 minutes to discuss current litigation. Also present were Ryan Brown, David Sparks, Loretta Smith Kelty, Melina Wenner, Cami McKenzie and Marilu Flores. The Board came out of executive session at 9:34 am and requested to go back into executive session for an additional 5 minutes to continue discussion. The Board came out of executive session at 9:39 am and requested an additional 10 minutes. The Board came out of executive session at 9:45 am and Mr. Young said no decisions were made.

Unscheduled Visitors

There were no unscheduled visitors.

Vouchers

Check Date: 3/25/2011

Warrant #: 30135-31265

Taxes #: 010103111, 010103112, 050103111

Total all funds: \$1,306,869.11

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

Resolutions

- 11-204 Amended and Restated Employment Agreement w/D Sparks
- 11-205 Contract w/Apollo Sheet Metal for Water Line Replacement
- 11-206 Lease Agreement w/12-Bar Productions, LLC
- 11-207 Contract Amendment, #0963-68016-04, w/WA State, Dept of Social & Health Services
- 11-208 Contract Amendment w/City of Kennewick for Graffiti Abatement
- 11-209 Amended Professional Services Agreement w/K Oldfield for Indigent Legal Representation
- 11-210 Contract Amendment w/Washington Collectors Tri-Cities, Inc.
- 11-211 Authorization to Sign Certification of Expenditures for Fish Passage Barrier Removal 2010
- 11-212 Authorization to Sign Certification of Expenditures for Traffic Law Enforcement 2010
- 11-213 Authorization to Sign Certification for Annual Certification 2010
- 11-214 Authorization to Rent Paving Machine from Road Products, Inc.
- 11-215 Supply Contract w/Bleyhl Farm Service, Inc. for Refined Petroleum Products
- 11-216 Authorization for County Engineer to Approve Change Orders
- 11-217 Authorization for Public Hearing for Company 79 Franchise
- 11-218 Agreement Amendment No. 2 w/State of Washington Department of Ecology
- 11-219 Award of Contract to Burlington Environmental LLC to Transport Hazardous Waste
- 11-220 Agreement w/South Correctional Entity (SCORE) for Use of Jail Facilities
- 11-221 Copier Lease Agreement w/IKON
- 11-222 Service Agreement w/Tri-City Development Council

There being no further business before the Board, the meeting adjourned at approximately 9:46 am.

Alternate Clerk of the Board

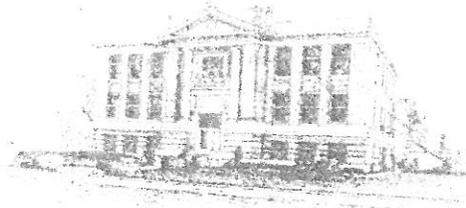
Chairman

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



April 4, 2011

City of Richland
PO Box 190
Richland, WA 99352

RE: Interlocal Agreement for Benton County Emergency Services

Dear Ron Musson:

Benton County is in receipt of the 800 MHz Radio Project Report as of February 28, 2010. This report indicates that not all the requested and deposited \$4 million (\$2 million from Benton County, \$1 million from the City of Richland and \$1 million from the City of Kennewick) was spent. It appears there is roughly \$1.078 million remaining of which \$538,207 is Benton County's unspent portion. During a March 4, 2011 meeting between the County and the City, the County requested status on the 800 MHz Radio Project and what amount remained unspent. Jim Barber reported an estimated \$1 million remained and therefore roughly \$500,000 could be returned to Benton County. It is the County's understanding that all acquisition costs incurred for the 800 MHz Radio Project has been paid.

Benton County, therefore, requests the balance of the funds dedicated for the project be returned with interest. If Benton County Emergency Services believes the return of the funds is not required at this time, we would suggest a meeting to discuss this topic further.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

Leo Bowman, Chairman

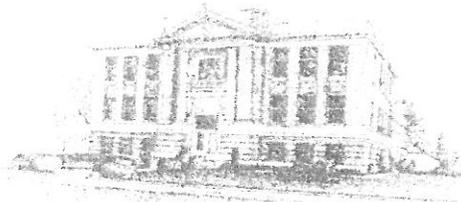
cc: David Sparks, County Administrator
Marie Mosely, Kennewick City Manager
Sherry Biggs, Prosser City Clerk
Julie Richardson, West Richland City Clerk
Stephanie Hoegh, Benton City Clerk
Benton County Fire Districts 1, 2, & 4

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



April 4, 2011

City of Kennewick
Attn. Accounts Payable
PO Box 6108
Kennewick, WA 99336

RE: Steptoe Invoice

Dear Accounts Payable Department:

Benton County is in receipt of an invoice in the amount of \$25,000 for the Steptoe Extension. Although our Capital Improvement Plan (CIP) lists this particular project (since 2005), the funding source was never budgeted. To the best of Steve Becken's, Public Works Administrator of the Roads Department, recollection this particular project has never been discussed in detail or approved by him or anyone in the department.

Our CIP also indicates that the project status was "waiting" until further information could be shared between the County and City of Richland, not Kennewick. At this time, Benton County does not have any documentation or agreement between the County and the City of Kennewick; therefore, we are unable to pay this invoice. If the City of Kennewick has documentation indicating there was a prior agreement between the County and City of Kennewick to fund this particular project, please send this information on to Loretta Smith Kelty, Deputy County Administrator at Loretta.smithkelty@co.benton.wa.us.

Benton County looks forward hearing from your department.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

Leo Bowman, Chairman

cc: Benton County Commissioners
Kennewick City Manager, Marie Mosely
County Administrator, David Sparks
Steve Becken, Public Works

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	<u>FACILITIES</u>
Meeting Date: 4/4/2011	Execute Contract _____	Consent Agenda <u> X </u>
Subject: Blanket Contract	Pass Resolution _____	Public Hearing _____
Prepared by: L. Small	Pass Ordinance _____	1st Discussion _____
Reviewed by: L. Smith Kelty	Pass Motion _____	2nd Discussion _____
	Other _____	Other _____

BACKGROUND INFORMATION

Benton County had a contract with Industrial Equipment Solutions, Inc. to service and repair the sally port roll-up doors at the jail and for the installation and repairs for the garage doors located at the Benton County Fairgrounds; said contracts expired December 31, 2010.

The Facilities Supervisor would like to get a blanket contract in place with Industrial Equipment Solutions, Inc. for installation and repair services necessary on all doors they are qualified to work on for all Benton County locations.

RECOMMENDATION

Approve the attached Resolution and contract and enter into a blanket contract for "as needed" door installation and repair services for all types of doors the Contractor is qualified to install and/or repair for all Benton County locations to include the Benton County Fairgrounds, Benton County Jail, and Benton County Animal Control Facility. Said contract will terminate on December 31, 2012.

FISCAL IMPACT

MOTION

Move to approve the contract between Benton County and Industrial Equipment Solutions, Inc. for "as needed" door installation and repairs for all Benton County locations and authorize the Chairman of the Board to sign said contract.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF A BLANKET SERVICE AGREEMENT FOR "AS NEEDED" DOOR INSTALLATION AND REPAIR WITH INDUSTRIAL EQUIPMENT SOLUTIONS, INC. FOR ALL BENTON COUNTY LOCATIONS

WHEREAS, per resolution 09-811, any public works services or materials involving less than \$25,000, advertisement and competitive bidding may be dispensed, and such contracts may be entered into after direct negotiation and authorization from the Board of Benton County Commissioners; and

WHEREAS, the Facilities Manager recommends a blanket service agreement with Industrial Equipment Solutions, Inc., Naches, WA – Contractors License No. INDUSES984KZ to be put in place for "as needed" door installation and repair, along with other miscellaneous services they are qualified to perform for all locations of Benton County; and

WHEREAS, this blanket contract would allow the Facilities Manager to move forward with services without requiring a contract for each service needed; and

WHEREAS, the prices for said services are in accordance to the agreement and Industrial Equipment Solutions, Inc. price rates attached hereto for an accumulative contract amount not to exceed \$15,000 including WSST per each year this contract is in place; **NOW THEREFORE**

BE IT RESOLVED by the Board of Benton County Commissioners, Benton County, Washington, the Board concurs with the recommendation and hereby awards Industrial Equipment Solutions, Inc. the blanket service agreement for "as needed" door installation and repair services for all Benton County locations; and

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

BE IT FURTHER RESOLVED the term of the attached contract shall commence January 1, 2011 and shall expire on December 31, 2012.

Dated this _____ day of _____, 2011

Chairman of the Board

Member

Member

Attest: _____
Clerk of the Board

**PUBLIC WORKS 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 **INDUSTRIAL EQUIPMENT SOLUTIONS, INC.**, a Washington corporation with its principal offices at 6630 Old Naches Hwy, Naches, WA 98937 (hereinafter "CONTRACTOR").

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

1. CONTRACT DOCUMENTS

This Contract consists of these terms and conditions and the following documents:

- a. Exhibit A - Proposal Rate Sheet dated 2/10/2011
- b. Exhibit B - Washington State Prevailing Wage Rates

2. DURATION OF CONTRACT

The term of this Contract shall commence January 1, 2011 and shall expire on December 31, 2012. In the event price adjustments should change for 2012, these adjustments will only be effective with an executed amendment to this contract. 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 agrees to provide "as needed" installation and/or repair services for all types of doors the CONTRACTOR is qualified to install and/or repair for all Benton County locations, to include the Benton county Fairgrounds, Benton County Jail, and Benton County Animal Control Facility, in accordance with the CONTRACTORS price rates attached hereto as Exhibit A. Work shall be done in a manner consistent with industry standards. In the event that requested work encompasses work that is legally required to be completed by another type of contractor, CONTRACTOR shall inform COUNTY of that fact and shall coordinate with COUNTY to complete the work in conjunction with such other contractor. 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

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<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	<u>FACILITIES</u>
Meeting Date: 4/4/2011	Execute Contract _____	Consent Agenda <u> X </u>
Subject: Change Order	Pass Resolution _____	Public Hearing _____
Prepared by: L. Small	Pass Ordinance _____	1st Discussion _____
Reviewed by: L. Smith Kelty	Pass Motion _____	2nd Discussion _____
	Other _____	Other _____

BACKGROUND INFORMATION

Per Resolution 11-065 dated January 24, 2011 the Board of Benton County Commissioners entered into a contract for the construction of the Benton County Health Building Tenant Improvement (TI) project to Siefken & Sons Construction, Inc., Richland, WA – Contractors License No. SIEFKSC198MZ in the amount of \$228,000.00 plus WSST as lowest responsible bidder; and

A Change Order is necessary to provide and install a solid surface pass-thru at reception counter for handicap requirements per the City of Kennewick; for an increase amount not to exceed \$530.91 plus WSST.

This Change Order also includes the furnishing and installation of fiber & copper backbone from IT Data Room #207 to Room #070A on the first floor, rack mount fiber enclosure, terminations, and testing for an increase amount not to exceed \$3,228.81 plus WSST.

The total amount of Change Order No. One (1) will increase the original contract amount by \$3,759.72 excluding WSST for a new contract amount not to exceed \$231,759.72 plus WSST.

RECOMMENDATION

Approve the attached Resolution and Change Order No. 1 attached hereto.

FISCAL IMPACT

An additional \$3,759.72 plus WSST added to the contract amount.

MOTION

Move to approve Change Order No. One (1) in the amount of \$3,759.72 plus WSST for a new contract amount between Benton County and Siefken & Sons Construction, Inc. not to exceed \$231,759.72 plus WSST, and authorize the Chairman of the Board to sign said Change Order.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF CHANGE ORDER NO. ONE (1) FOR THE CONSTRUCTION OF THE BENTON COUNTY HEALTH DISTRICT BUILDING TENANT IMPROVEMENT (TI) PROJECT LOCATED IN KENNEWICK, WA

WHEREAS, as per Resolution 11-065 dated January 24, 2011 the Board of Benton County Commissioners entered into a contract for the construction of the Benton County Health Building Tenant Improvement (TI) project to Siefken & Sons Construction, Inc., Richland, WA – Contractors License No. SIEFKSC198MZ in the amount of \$228,000.00 plus WSST as lowest responsible bidder; and

WHEREAS, this Change Order No. One (1) is necessary to provide and install a solid surface pass-thru at reception counter for handicap requirements per the City of Kennewick; for an increase amount not to exceed \$530.91 plus WSST; and

WHEREAS, this Change Order also includes the furnishing and installation of fiber & copper backbone from IT Data Room #207 to Room #070A on the first floor, rack mount fiber enclosure, terminations, and testing for an increase amount not to exceed \$3,228.81 plus WSST; and

WHEREAS, the total amount of Change Order No. One (1) will increase the original contract amount by \$3,759.72 excluding WSST for a new contract amount not to exceed \$231,759.72 plus WSST; **NOW, THEREFORE**

BE IT RESOLVED, the Board of Benton County Commissioner, Benton County, Washington hereby approves Change Order No. One (1) in the amount of \$3,759.72 plus WSST for a new contract amount between Benton County and Siefken & Sons Construction, Inc. not to exceed \$231,759.72 plus WSST; and

BE IT FURTHER RESOLVED, the Board hereby authorizes the Chairman of the Board to sign Change Order No. One (1) attached hereto.

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

AIA[®] Document G701[™] – 2001

Change Order

PROJECT (Name and address): Benton Health District 2nd Floor Tenant Improvements 7102 W. Okanogan Place Kennewick, WA 99336	CHANGE ORDER NUMBER: 001 DATE: March 28, 2011	OWNER: <input type="checkbox"/> ARCHITECT: <input type="checkbox"/> CONTRACTOR: <input type="checkbox"/> FIELD: <input type="checkbox"/> OTHER: <input type="checkbox"/>
TO CONTRACTOR (Name and address): Siefken & Sons Construction, Inc. 1305 Mansfield, Suite No. 1 Richland, WA 99352	ARCHITECT'S PROJECT NUMBER: 10-285 CONTRACT DATE: January 10, 2011 Notice to Proceed: January 25, 2011 CONTRACT FOR: General Construction	

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

COP #1: Revised reception counter.	Add: \$ 530.91
COP #2: Additional cabling.	Add: \$3,228.81
	Total Add: \$3,759.72

The original Contract Sum was	\$ 228,000.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 228,000.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 3,759.72
The new Contract Sum including this Change Order will be	\$ 231,759.72

The Contract Time will be unchanged by Zero (0) days.
 The date of Substantial Completion as of the date of this Change Order therefore is April 25, 2011

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive after the contract time, nor does it alter the date of Substantial Completion.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Bernardo-Wills Architects, PC ARCHITECT (Firm name) 153 S. Jefferson Street Spokane, WA 99201 ADDRESS BY (Signature) Brian S. Page, AIA (Typed name) 3/28/2011 DATE	Siefken & Sons Construction, Inc. CONTRACTOR (Firm name) 1305 Mansfield, Suite No. 1, Richland, WA 99352 ADDRESS BY (Signature) Richard Siefken (Typed name) 3-25/2011 DATE	Benton County OWNER (Firm name) 620 Market Street, PO Box 190, Prosser, WA 99350 ADDRESS BY (Signature) Leo M. Bowman (Typed name) DATE
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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

April 4, 2011

Craig Mayfield
General Manager
CPM Development Corporation
PO Box H
Pasco, WA 99302

Re: Fill Material

Dear Mr. Mayfield:

On June 2, 2008, Benton County and CPM Development Corporation (CPM) entered into a Lease Agreement for the purposes of allowing CPM to (a) enter upon and remove sand and gravel from the Matheson Pit (Premises) located at the Benton County Fairgrounds, and (b) operate a rock, sand, and gravel crushing, sorting, and washing operation. Per section 4 of the Lease Agreement, compensation shall be paid by CPM to Benton County at a rate of \$0.45 per cubic yard of material removed from the Premises, subject to the minimum compensation amounts.

It has been brought to the Board of Commissioners' attention that the Fair Association would like to level the infield at the Fairgrounds, which will require fill material. However, since the infield at the Benton County Fairgrounds is under exclusive contract with the Sundowns Training Center, the Fair Association and the Sundowns Training Center will need to mutually agree on this project.

It has also been conveyed to the Board of Commissioners that CPM wishes to donate said fill material to the Fair Association and is requesting that the \$0.45 per cubic yard fee be waived for this specific project. Should the Fair Association and the Sundowns Training Center mutually agree on this project, the Board of Commissioners will waive the \$0.45 per cubic yard fee, up to 10,000 cubic yards of fill material, that CPM pays Benton County for fill material used to level the infield at the Benton County Fairgrounds.

The Board of Commissioners would also like to thank CPM for donating their time and resources for this project.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

Leo Bowman, Chairman

cc: Fair Association
Sundowns Training Center

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	<u>4/4/2011</u>	Execute Contract	_____	Consent Agenda	<u> x </u>
Subject:	<u>Line item</u>	Pass Resolution	<u> x </u>	Public Hearing	_____
	<u>transfer</u>	Pass Ordinance	_____	1st Discussion	_____
Prepared by:	Linda Ivey	Pass Motion	_____	2nd Discussion	_____
Reviewed by:	Ed Thornbrugh	Other	_____	Other	_____

BACKGROUND INFORMATION

Benton-Franklin Counties Department of Human Services Fund 0108.101 Administration Department 560 will be paying Office Rent to the Benton County Commissioners' Office. Funds need to be appropriated from a "Services" line item 0108.101.560.00000.560.110.4501 to an "Interfund" line item 0108.101.560.00000.110.9504.

SUMMARY

Office Rent needs to be appropriated in the 2011-2012 budget from a "Services" line item to an "Interfund" line item.

RECOMMENDATION

Pass the Resolution and Attachment A – Line item transfer

FISCAL IMPACT

None

MOTION

Move that funds shall be transferred as outlined in Attachment A for the Benton-Franklin Department of Human Services to appropriate funds for Office Rent.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN
HUMAN SERVICES FUND NUMBER 0108-101, DEPARTMENT NUMBER 560.

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 _____, _____

Chairman of the Board

Member

Member

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

Attest: _____
Clerk of the Board

cc: Human Services; Auditor; File

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<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	<u>3/25/2011</u>	Execute Contract	_____	Consent Agenda	<u> x </u>
Subject:	<u>Line item transfer</u>	Pass Resolution	<u> x </u>	Public Hearing	_____
Prepared by:	Linda Ivey	Pass Ordinance	_____	1st Discussion	_____
Reviewed by:	Ed Thornbrugh	Pass Motion	_____	2nd Discussion	_____
		Other	_____	Other	_____

BACKGROUND INFORMATION

Benton-Franklin Counties Department of Human Services Fund 0108.101 Administration Department 560 has two non-exempt staff members. The two non-exempt staff members may qualify for overtime if extra hours are worked. Overtime needs to be appropriated in the budget.

SUMMARY

Overtime needs to be appropriated in the 2011-2012 budget in the event overtime is worked by the two non-exempt staff members.

RECOMMENDATION

Pass the Resolution and Attachment A – Line item transfer

FISCAL IMPACT

None

MOTION

Move that funds shall be transferred as outlined in Attachment A for the Benton-Franklin Department of Human Services to appropriate funds for overtime.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN
HUMAN SERVICES FUND NUMBER 0108-101, DEPARTMENT NUMBER 560.

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 _____, _____

Chairman of the Board

Member

Member

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

Attest: _____
Clerk of the Board

cc: Human Services; Auditor; File

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<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: <u>April 4, 2011</u>	Execute Agreement _____ X	Consent Agenda _____ X
Subject: <u>Amended Task Assign.</u>	Pass Resolution _____ X	Public Hearing _____
Prepared by: <u>slc</u>	Pass Ordinance _____	1st Discussion _____
Reviewed by: <u>blt</u>	Pass Motion _____	2nd Discussion _____
	Other _____	Other _____

BACKGROUND INFORMATION

A Task Assignment with the Washington State Department of Transportation (WSDOT) Real Estate Services Office to do appraisal reviews, negotiate with all property owners and acquire the necessary parcels for CE 1778 Clodfelter Road, Bentley to C. Williams project was approved by Resolution 09-097 dated February 2, 2009

There have been delays involving appraisals and extended negotiations.

SUMMARY

WSDOT has submitted an Amended Task Assignment for approval by the County to allow them to increase the account with an additional \$5,000.

RECOMMENDATION

Approve the Chairman to execute said Amended Task Assignment.

FISCAL IMPACT

Estimated Rural Arterial Project Funds of \$4,500.00 and Benton County Funds of \$500.00.

MOTION

Approve as part of the Consent Agenda.

RESOLUTION

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

IN THE MATTER OF PROPERTY ACQUISITIONS, RE: CLODFELTER ROAD, BENTLY
TO C. WILLIAMS, CE 1778 CRP

WHEREAS, by Resolution 09-097 dated February 2, 2009 Benton County contracted with the Washington State Department of Transportation (WSDOT) Real Estate Services Office to perform necessary right of way services for CE 1778 Clodfelter Road, Bently to C. Williams, and

WHEREAS, there have been delays involving appraisals and extended negotiations, and

WHEREAS, WSDOT has prepared an Amended Task Assignment for these services and will continue to operate under the same Administrative Authority approved on February 2, 2009; and

WHEREAS, Public Works is recommending approval of the documents which have been Approved as to Form by the Prosecuting Attorney's Office, NOW, THEREFORE

BE IT RESOLVED that the Amended Task Assignment for appraisal services for Clodfelter Road, Bently to C. Williams be approved for an additional lump sum amount of \$5,000.00; and

BE IT RESOLVED FURTHER that the Chairman of the Board is hereby authorized to sign the Amended Task Assignment on behalf of Benton County.

Dated this 4th day of April 2011.

Chairman

Chairman Pro-Tem

Member

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

BLT:slc

AMENDED TASK ASSIGNMENT

(Pursuant to Paragraph II-A of Governmental Agreement for Aid, GCA - 3230).

PROJECT TITLE: Clodfelter Road, Bently to C.Williams; CE 1778 CRP

TASK DESCRIPTION: Benton County is contracting with the Washington State Department of Transportation, South Central Region, Real Estate Services Office, to do appraisal reviews, negotiate with all property owners and acquire the necessary parcels. This project has 8 parcels with 3 different ownerships. The authority to start work was initiated by Benton County's request for services letter dated December 16, 2008.

The amendment to this Task Assignment is necessary because of delays involving appraisals and extended negotiations. In the past two weeks negotiations have been completed and the transmittal of files should be completed in the next week or two. **However, this account is very close to being overdrawn (\$140.00) and I need to increase the account with an additional \$5,000.00.** Any costs by Real Estate Services in excess of the above referenced estimate, plus 25 percent, will require additional written authorization by Benton County. Note, the actual cost of the land will be in addition to the workforce expenditures.

The following will be provided by **BENTON COUNTY**:

- Updated Title reports and the authority for the State to order any necessary updates.
- An approved, full and half sized set of R/W plans and a set of construction plans, if available.
- Approval for Administrative Settlements over the authorized limits.
- Concurrence and authorization for Review Appraiser's Determination of Value (DV).
- Authorization for the WSDOT to sign Excise Tax Affidavits.
- Payment of settlement amounts to property owners, title clearance fees, recording fees and any third party contractors, such as escrow companies.
- Any necessary condemnation proceedings.
- County will provide the legal descriptions for all parcels in Word format via disc, CD, or E-mail.
- A list of all property owners, with mailing addresses and phone numbers, if available.
- Type of Deeds to be used. Warranty or Quit Claim Deeds. (Quit Claim Deeds were used on previous projects).
- Any Property Management that may be necessary.
- The County will supply enough letterhead for all offers and miscellaneous correspondence.
- The County will provide a letter stating that they will be responsible for perpetuating any public utility easements, road approaches, and smaller items such as mail boxes, affected by the project.

The following will be the responsibility of the **WASHINGTON STATE DEPARTMENT OF TRANSPORTATION**:

- Preparation of Deeds, excluding legal descriptions, and any necessary easements using WSDOT forms. The County will choose the type of Deed to be used, Quit Claim or Warranty.
- Do all Appraisal Reviews and provide Determination of Values (DV's).
- Right of Way acquisition to include all negotiations with property owners, including preparing all offer letters, correspondence, diaries, and vouchers required.
- Clearance of all encumbrances in accordance with the WSDOT R/W manual or as directed by the County.
- Provide Administrative Settlements and document those settlements per the separate Administrative Agreement.
- Project updates as required by the County.

The undersigned agree to the conditions and responsibilities set forth herein and hereby agree to provide these services in the manner described in the before mentioned GCA - 3230 Agreement.

Submitted this _____ day of _____, 2011.

BENTON COUNTY

Chairman, County Commissioners

Approved as to Form:

Reid Hay
Deputy Prosecuting Attorney

Accepted and Approved this _____ day of _____, 2011.

**STATE OF WASHINGTON
DEPARTMENT OF TRANSPORTATION**

**Bill Hicks, Acting Real Estate Services Manager
South Central Region, Authorized Agent**

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: <u>April 4, 2011</u>	Execute Agreement <u>X</u>	Consent Agenda <u>X</u>
Subject: <u>Amended Task Assign.</u>	Pass Resolution <u>X</u>	Public Hearing _____
Prepared by: <u>slc</u>	Pass Ordinance _____	1st Discussion _____
Reviewed by: <u>blt</u>	Pass Motion _____	2nd Discussion _____
	Other _____	Other _____

BACKGROUND INFORMATION

A Task Assignment with the Washington State Department of Transportation (WSDOT) Real Estate Services Office to do appraisal reviews, negotiate with all property owners and acquire the necessary parcels for CE 1838 Locust Grove project was approved by Resolution 09-096 dated February 2, 2009

There have been delays involving appraisals and extended negotiations.

SUMMARY

WSDOT has submitted an Amended Task Assignment for approval by the County to allow them to increase the account with an additional \$1,000.00.

RECOMMENDATION

Approve the Chairman to execute said Amended Task Assignment.

FISCAL IMPACT

Estimated Rural Arterial Project Funds of \$900.00 and Benton County Funds of \$100.00.

MOTION

Approve as part of the Consent Agenda.

RESOLUTION

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

IN THE MATTER OF PROPERTY ACQUISITIONS, RE: LOCUST GROVE ROAD, CE 1838
CRP

WHEREAS, by Resolution 09-096 dated February 2, 2009 Benton County contracted with the Washington State Department of Transportation (WSDOT) Real Estate Services Office to perform necessary right of way services for CE 1838 Locust Grove Road, and

WHEREAS, there have been delays involving appraisals and extended negotiations, and

WHEREAS, WSDOT has prepared an Amended Task Assignment for these services and will continue to operate under the same Administrative Authority approved on February 2, 2009; and

WHEREAS, Public Works is recommending approval of the documents which have been Approved as to Form by the Prosecuting Attorney's Office, NOW, THEREFORE

BE IT RESOLVED that the Amended Task Assignment for appraisal services for Locust Grove Road be approved for an additional lump sum amount of \$1,000.00; and

BE IT RESOLVED FURTHER that the Chairman of the Board is hereby authorized to sign the Amended Task Assignment on behalf of Benton County.

Dated this 4th day of April 2011.

Chairman

Chairman Pro-Tem

Member

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

BLT:slc

AMENDED TASK ASSIGNMENT

(Pursuant to Paragraph II-A of Governmental Agreement for Aid, GCA - 3230).

PROJECT TITLE: Locust Grove Road, C. Williams to Edwards CE 1838 CRP

TASK DESCRIPTION: Benton County is contracting with the Washington State Department of Transportation, South Central Region, Real Estate Services Office, to do appraisal reviews, negotiate with all property owners and acquire the necessary parcels. This project has 3 parcels with 1 ownership. The authority to start work was initiated by Benton County's request for services letter dated December 16, 2008.

The amendment to this Task Assignment is necessary because of delays involving appraisals and extended negotiations. In the past two weeks negotiations have been completed and the transmittal of files should be completed in the next week or two. **However, this account is already slightly overdrawn and I need to increase the account with an additional \$1,000.00.** Any costs by Real Estate Services in excess of the above referenced estimate, plus 25 percent, will require additional written authorization by Benton County. Note, the actual cost of the land will be in addition to the workforce expenditures.

The following will be provided by **BENTON COUNTY:**

- Updated Title reports and the authority for the State to order any necessary updates.
- An approved, full and half sized set of R/W plans and a set of construction plans, if available.
- Approval for Administrative Settlements over the authorized limits.
- Concurrence and authorization for Review Appraiser's Determination of Value (DV).
- Authorization for the WSDOT to sign Excise Tax Affidavits.
- Payment of settlement amounts to property owners, title clearance fees, recording fees and any third party contractors, such as escrow companies.
- Any necessary condemnation proceedings.
- County will provide the legal descriptions for all parcels in Word format via disc, CD, or E-mail.
- A list of all property owners, with mailing addresses and phone numbers, if available.
- Type of Deeds to be used. Warranty or Quit Claim Deeds. (Quit Claim Deeds were used on previous projects).
- Any Property Management that may be necessary.
- The County will supply enough letterhead for all offers and miscellaneous correspondence.
- The County will provide a letter stating that they will be responsible for perpetuating any public utility easements, road approaches, and smaller items such as mail boxes, affected by the project.

The following will be the responsibility of the **WASHINGTON STATE DEPARTMENT OF TRANSPORTATION**:

- Preparation of Deeds, excluding legal descriptions, and any necessary easements using WSDOT forms. The County will choose the type of Deed to be used, Quit Claim or Warranty.
- Do all Appraisal Reviews and provide Determination of Values (DV's).
- Right of Way acquisition to include all negotiations with property owners, including preparing all offer letters, correspondence, diaries, and vouchers required.
- Clearance of all encumbrances in accordance with the WSDOT R/W manual or as directed by the County.
- Provide Administrative Settlements and document those settlements per the separate Administrative Agreement.
- Project updates as required by the County.

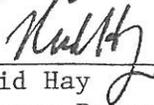
The undersigned agree to the conditions and responsibilities set forth herein and hereby agree to provide these services in the manner described in the before mentioned GCA - 3230 Agreement.

Submitted this _____ day of _____, 2011.

BENTON COUNTY

Chairman, County Commissioners

Approved as to Form:



Reid Hay
Deputy Prosecuting Attorney

Accepted and Approved this _____ day of _____, 2011.

**STATE OF WASHINGTON
DEPARTMENT OF TRANSPORTATION**

**Bill Hicks, Acting Real Estate Services Manager
South Central Region, Authorized Agent**

RESOLUTION

j

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY ROADS RE: BITUMINOUS SURFACE TREATMENT 2011-CE 1941 PRES

WHEREAS, by resolution dated March 7, 2011, award was made to Granite Northwest, Inc., Yakima, Washington for Bituminous Surface Treatment 2011 - CE 1941 PRES; and

WHEREAS, the contract in the amount of \$1,421,421.00 has been executed by Granite Northwest, Inc.; NOW, THEREFORE,

BE IT RESOLVED that the Board hereby authorizes the Chairman of the Board of County Commissioners to sign said contract on behalf of Benton County.

Dated this 4th 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.

SWB:LJM:slh

CONTRACT

THIS CONTRACT, made and entered into this 4th day of April, 2011, between the COUNTY OF BENTON, STATE OF WASHINGTON, (hereinafter "the County") acting through the Board of County Commissioners, under and by virtue of RCW 36, as amended, and GRANITE NORTHWEST, INC., P O Box 50085, Watsonville, CA 95076, (hereinafter "the Contractor").

WITNESSETH:

That in consideration of the terms and conditions contained herein and in the Contract Documents attached hereto and made a part of this agreement, the parties hereto covenant and agree as follows:

I. The Contractor shall furnish all tools, materials, and equipment, and shall do all work described in and in accordance with the attached plans and specifications entitled "Contract Provisions and Plans, C.E. 1941 PRES – Bituminous Surface Treatment 2011," and as described in and in accordance with the State of Washington 2010 Standard Specifications for Road, Bridge, and Municipal Construction adopted by the County, (hereinafter collectively referred to as "the Contract Documents") which are by this reference incorporated herein and made part hereof, and shall perform any changes to the work in accord with the Contract Documents.

The Contractor shall provide and bear the expense of all equipment, work and labor, of any sort whatsoever that may be required for the transfer of materials and for constructing and completing the work provided for in these Contract Documents except those items mentioned therein to be furnished by the County.

II. The County hereby promises and agrees with the Contractor to employ, and does employ the Contractor to provide the materials and to do and cause to be done the above described work and to complete and finish the same in accord with the attached plans and specifications and the terms and conditions herein contained, and hereby contracts to pay for the same according to the attached specifications and the schedule of unit or itemized prices at the time and in the manner and upon the conditions provided for in this contract. The County further agrees to employ the Contractor to perform any alterations in or additions to the work covered by this contract and every part thereof and any force account work that may be ordered and to pay for the same under the terms of this contract and the attached plans and specifications.

III. The Contractor, for himself, and for his heirs, executors, administrators, successors, and assigns, does hereby agree to the full performance of all the covenants herein contained upon the part of the Contractor.

IV. The County agrees to pay to the Contractor, as full and complete compensation for materials and work provided in accordance with the Contract Documents, the sum of \$1,421,421.00, payable as provided in the Contract Documents.

V. It is further provided that no liability shall attach to the County by reason of entering into this contract, except as expressly provided herein.

VI. The Contractor shall hold harmless, indemnify and defend the County, its officers, officials, employees and agents, from and against any and all claims, actions, suits, liability, loss, expenses, damages, and judgments of any nature whatsoever, including reasonable costs and attorney fees thereof, for injury, sickness, disability or death to persons or damage to property or business, caused by or arising out of the Contractor's acts, errors or omissions in the performance of this Contract. Provided, that the Contractor's obligation hereunder shall not extend to injury, sickness, death or damage caused by or arising out of the sole negligence of the County, its officers, officials, employees, or agents.

VII. The Contractor specifically waives the Contractor's immunity under Title 51 RCW (Industrial Insurance statute), and acknowledges that his waiver of immunity was mutually and expressly negotiated by the parties, and expressly agrees that Contractor's promise to indemnify and hold harmless applies to all claims filed by and/or injuries to the Contractor's own employees.

IN WITNESS WHEREOF, the said Contractor has executed this instrument, and the Board of County Commissioners of Benton County, Washington have caused this instrument to be executed by and in the name of the said Board of County Commissioners the day and year first above written.

Executed by the Contractor

COUNTY OF BENTON

Granite Northwest, Inc.

BY: 

Kathleen Schreckengost, Vice President

Chairman, Board of Commissioners

Attest: _____

Clerk of the Board

Date: _____

R E S O L U T I O N

K

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY ROAD FUNDS RE: TRANSFER OF FUNDS WITHIN THE COUNTY SOLID WASTE COLLECTION FUND 0155-101

BE IT RESOLVED by the Board of Benton County Commissioners that funds be transferred between line items as defined in Exhibit A attached hereto.

Dated this 4th 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.

SWB:dlh

BENTON COUNTY

2011 BUDGET

FUND NAME: SOLID WASTE COLLECTION

FUND NO.: 0155-101

TRANSFER FROM:

TRANSFER TO:

ITEM NO	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
1	537.100	4103	Professional Services	75,000.00	537.130	4103	Professional Services	75,000.00
				75,000.00				75,000.00

(1) To transfer \$75,000 from Waste Management Function to the Coordinated Prevention Grant Function to pay for the collection of Household Hazardous Waste using Ecology grant funds.



Prepared by: Larry J. Moser, Financial Administrator

Date: April 4, 2011

Date: _____

Approved:
 Denied:

_____ Chairman

_____ Chairman Pro-Tem

_____ Member

- (1) Transferring \$75,000.00 from Waste Management Function 537.100.4103 (Professional Services) to Coordinated Prevention Grant Function New Line Item 537.130.4103 (Professional Services) to allow payment of professional services from Grant Funds.

There is no adverse affect on the Functions of the SOLID WASTE COLLECTION Fund.

l.

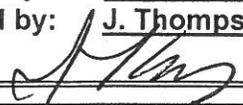
**Salary Request Statement
Sheriff**

m.

Salary Request Statement
Sheriff

2

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>		
Meeting Date:	<u>4-04-11</u>	Execute Contract	_____	Consent Agenda
Subject:	<u>Line Item</u>	Pass Resolution	<u>X</u>	Public Hearing
	<u>transfer to fund</u>	Pass Ordinance	_____	1st Discussion
	<u>Medical staff</u>	Pass Motion	_____	2nd Discussion
	<u>holiday pay</u>	Other	_____	Other
Prepared by:	<u>J. Thompson</u>			
Reviewed by:	<u>J. Thompson</u>			



BACKGROUND INFORMATION

The holiday line item associated with the medical staff of the jail was budgeted per the non-barg policy which did not take in consideration the holiday pay for shift employees. After legal review, it was determined that the medical staff should be paid the additional 8 hrs of holiday pay because they do not have the option to take the day off due to the facility being a 24hr 7 days a week operation.

The correctional institutions portion of the budget holiday line item includes the additional pay for 12 holidays for 2011 when in fact there is only 11 payable holidays because 1/01/2011 was paid out during December 2010 payroll (observed holiday 12/31/10).

SUMMARY

Funds are needed in the holiday line item within the inmate medical portion of the Sheriff Custody budget to cover the costs associated with the holiday pay of the medical staff. This line item transfer along with the additional amount budget for COLA (budget call letter called for 1.5% increase and non-bargs were given 1% for 2011) will cover the medical staff holiday pay for 2011.

RECOMMENDATION

Approve the attached line item transfer allowing for funds to be transferred from the correctional institutions portion of the Sheriff Custody budget to the inmate medical portion of the Sheriff Custody portion of the budget.

FISCAL IMPACT

\$23,774 being moved from the holiday line item in correctional institutions to the holiday line item in the inmate medical potion of the Sheriff Custody budget.

MOTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN
CURRENT EXPENSE FUND NUMBER 0000-101, SHERIFF CUSTODY
DEPARTMENT NUMBER 120.

BE IT RESOLVED, by the Board of Benton County Commissioners, that 2011
funds shall be transferred as outlined in Exhibit "A", attached hereto.

Dated this _____ day of _____, _____

Chairman of the Board

Member

Member

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

Attest: _____
Clerk of the Board

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Dept Nbr:
 Fund Name: Fund Nbr:

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
523.200	1935	Holiday	\$23,774	523.610	1935	Holiday	\$23,774
TOTAL			\$23,774	TOTAL			\$23,774

Explanation:
 The holiday line item associated with the medical staff of the jail was budgeted per the non-barg policy which did not take in consideration the holiday pay for shift employees. After legal review, it was determined that the medical staff should be paid the additional 8 hrs of holiday pay because they do not have the option to take the day off due to the facility being a 24hr 7 days a week operation. The correctional institutions portion of the budget holiday line item includes the additional pay for 12 holidays for 2011 when in fact there is only 11 payable holidays because 1/01/2011 was paid out during December 2010 payroll (observed holiday 12/31/10). This line item transfer along with the additional amount budget for COLA (budget call letter called for 1.5% increase and non-bargs were given 1% for 2011) will cover the medical staff holiday pay for 2011.

Prepared by: Date:

Approved Denied Date: _____

Chairman

Member

Member

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: 4/04/2011	Execute Contract _____	Consent Agenda _____
Subject: Standardization of	Pass Resolution <u>X</u>	Public Hearing _____
duty weapons	Pass Ordinance _____	1st Discussion _____
for BCSO	Pass Motion _____	2nd Discussion _____
Prepared by: Capt. Vannoy	Other _____	Other _____
Reviewed by: J. Thompson <i>J. Thompson</i>		

BACKGROUND INFORMATION

The Benton County Sheriff's Office would like to standardize the duty weapons currently carried by both the Corrections Division and the Law Enforcement Bureau. At this time the Corrections Division carries the Beretta 92 in 9mm. The L.E. Bureau carries the Sig Sauer P226 in .40 S&W.

The Corrections Division is currently issued the Beretta 92 pistol in 9mm caliber. These pistols, in some cases are 18 years old and in need of replacement. The cost of replacing the 59 Beretta's with new Beretta's is approximately \$24-25,000.00.

Smith & Wesson is willing to exchange the old Beretta's for new S&W M&P pistols plus \$125.00 per gun. This will cost \$7,375.00(plus tax). Correction will have to purchase new holsters for the pistols at a cost of \$4,730(plus tax) for a total cost of \$13,109.72 to replace the aging weapons.

The Law Enforcement Bureau is currently issued the Sig Sauer P-226 pistol in .40 S&W caliber. The 65 pistols are currently three years old. The pistols are under a limited warranty and the cost of sending firearms instructors to the Sig Sauer Armorers course is approximately \$500.00 per deputy.

SUMMARY

The advantages of both Divisions standardizing the pistols with the S&W M&P .40 cal. are; logistically, we only have to buy one type of duty and practice ammunition. This ensures the availability of the ammunition needed for training and issue. The S&W pistols have a lifetime guarantee that includes every part of the pistol. Armorers training is free, not only for the pistols, but for the S&W AR-15 rifles that we currently issue-commonality of training. All Sheriff's Office personnel would be trained on the same weapons system. The S&W pistol's grip can be adjusted for different size hands, making the weapon more "user friendly" for females and Officers with smaller hands.

RECOMMENDATION

Authorize the standardization of the pistols used by both Bureaus of the Sheriff's Office and the purchase of the holsters for the new S&W pistols from ADAMSON Police Products based off of the following: Due to the higher trade in value of the Sig Sauer pistols, S&W is willing to exchange the 65 Patrol pistols and the 59 Corrections pistols together (a total of 124 pistols) for 124 S&W M&P .40 cal. pistols at no additional charge, a one for one trade.

FISCAL IMPACT

The cost of new holsters would be \$5,731(plus tax) for Patrol and \$4,730(plus tax) for Corrections for a total of \$11,329.26 which is in the uniform budget for both departments. The uniform budget is where holsters are purchased from because it is required and considered part of the uniform.

OTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE PURCHASE SAFARILAND AND BLACKHAWK HOLSTERS FROM ADAMSON POLICE PRODUCTS FOR THE BENTON COUNTY SHERIFF'S OFFICE

WHEREAS, per resolution 09-812, "if any county department other than Public Works desires to purchase or lease from a vendor on Benton County's vendor list and not advertise and solicit formal sealed bids, it shall secure written quotes from at least three (3) different vendors on the vendor list, unless the product is such that it is not reasonable to obtain three price quotes"; and

WHEREAS, the purchasing of the holsters is part of the standardization of the pistols used by both bureau within the Sheriff's Office; and

WHEREAS, the Benton County Sheriff's Office solicited the following companies to provide a quote for 58 Safariland ALS holster STX tactical finish S&W M&P40 5"; 55 Safariland ALS holster STX tactical finish S&W M&P40 5" with light; 4 Safariland ALS holster STX tactical finish S&W M&P40 4" with light and 14 Blackhawk Serpa holsters S&W M&P; and

Adamson Police Products, Federick, CO (\$11,329.26 including W.S.S.T and shipping)
Larsen Firearms, Pasco, WA (\$11,718.48 including W.S.S.T and shipping)
Chief Supply Corp, Eugene, OR (\$11,965.26 including W.S.S.T and shipping)

WHEREAS, Adamson Police Products has the lowest price for the 58 Safariland ALS holster STX tactical finish S&W M&P40 5"; 55 Safariland ALS holster STX tactical finish S&W M&P40 5" with light; 4 Safariland ALS holster STX tactical finish S&W M&P40 4" with light and 14 Blackhawk Serpa holsters S&W M&P; and

WHEREAS, the Patrol Captain has reviewed the quotes for completeness and recommends Adamson Police Products; **NOW THEREFORE**,

BE IT RESOLVED, by the Board of Benton County Commissioners, Benton County Washington, the Board hereby authorizes the purchase of the 58 Safariland ALS holster STX tactical finish S&W M&P40 5"; 55 Safariland ALS holster STX tactical finish S&W M&P40 5" with light; 4 Safariland ALS holster STX tactical finish S&W M&P40 4" with light and 14 Blackhawk Serpa holsters S&W M&P in the amount of \$11,329.26 including W.S.S.T. with the total amount payable not to exceed \$11,500 including W.S.S.T.

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

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: 4/04/2011	Execute Contract _____	Consent Agenda _____
Subject: Purchase of pistols as part of Standardization of duty weapons	Pass Resolution <u>X</u>	Public Hearing _____
	Pass Ordinance _____	1st Discussion _____
	Pass Motion _____	2nd Discussion _____
	Other _____	Other _____
Prepared by: J. Thompson		
Reviewed by: J. Thompson		

BACKGROUND INFORMATION

The Benton County Sheriff's Office would like to standardize the duty weapons currently carried by both the Corrections Division and the Law Enforcement Bureau. At this time the Corrections Bureau carries the Beretta 92 in 9mm. The L.E. Bureau carries the Sig Sauer P226 in .40 S&W.

An authorization to purchase the holsters for the .40 S&W is on the agenda with detailed information supporting the decision to standardize. The purchase of the holsters is the main cost for the standardization of the duty weapons.

Part of the standardization process includes the purchase of replacement pistols for 3 pistols that were purchased by retirees the latter part of 2010. The fourth pistol is needed as a backup replacement if needed.

SUMMARY

Part of the standardization process includes the purchase of replacement pistols for 3 pistols that were purchased by retirees the latter part of 2010. The fourth pistol is needed as a backup replacement if needed.

RECOMMENDATION

Approve line item transfer moving funds from operating supplies to small item – equipment to allow for proper coding of expenditures.

FISCAL IMPACT

\$1,400 moved from operating supplies to small item – equipment

MOTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN
CURRENT EXPENSE FUND NUMBER 0000-101, SHERIFF PATROL
DEPARTMENT NUMBER 121.

BE IT RESOLVED, by the Board of Benton County Commissioners, that 2011
funds shall be transferred as outlined in Exhibit "A", attached hereto.

Dated this _____ day of _____, _____

Chairman of the Board

Member

Member

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

Attest: _____
Clerk of the Board

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Dept Nbr:
 Fund Name: Fund Nbr:

TRANSFER FROM:

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
521.910	3101	Office Supplies	\$1,400	521.210	3501	Small Item - Equipment	\$1,400
TOTAL			\$1,400	TOTAL			\$1,400

Explanation:

Line item transfer needed to cover the cost of 4 pistols during the standardization of the duty weapons carried by both the Corrections and Law Enforcement Bureau of the Sheriff's Office. Three (3) of the four (4) are to replace pistols that were recently purchased by retirees which were approved by the Board late 2010.

Prepared by: Date:

Approved Denied Date: _____

Chairman

Member

Member

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	<u>April 4, 2011</u>	Execute Contract	_____	Consent Agenda	<u> x </u>
Subject:	Tire purchases from State Contract	Pass Resolution	<u> x </u>	Public Hearing	_____
Prepared by:	David V. C. Petty	Pass Ordinance	_____	1st Discussion	_____
Reviewed by:	Jonathan Young, Keith Mercer	Pass Motion	_____	2nd Discussion	_____
		Other	_____	Other	_____

BACKGROUND INFORMATION

SUMMARY

In the past the Sheriff's Office has purchased Goodyear tires, tubes and tire services for their vehicles from Wingfoot Tires out of Pasco, WA. Wingfoot is an authorized Goodyear dealer listed on State Contract #00108. The current term of the state contract is from 3-1-11 through 2-29-2012 (which is also the final term end date for this state contract).

RECOMMENDATION

The Sheriff's Office would like to purchase Goodyear tires, tubes and tire services for their vehicles off the Washington State Contract No. 00108 from Wingfoot Commercial Tire, Pasco, WA from March 1, 2011 through February 29, 2012.

FISCAL IMPACT

The total purchases will not exceed \$20,000 including WSST for the time period indicated above.

MOTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING PURCHASES OF GOODYEAR TIRES, TUBES, AND TIRE SERVICES OFF THE WASHINGTON STATE CONTRACT NO. 00108 FROM WINGFOOT COMMERCIAL TIRE, PASCO, WA FOR THE BENTON COUNTY SHERIFF'S OFFICE, KENNEWICK, WASHINGTON

WHEREAS, Resolution 09-221 authorized the purchase of Goodyear tires, tubes, and tire services from Wingfoot Commercial Tire, Pasco, WA from the Washington State Contract No. 00108 for the Benton County Sheriff's Office through February 28, 2010; and

WHEREAS, Washington State Contract No. 00108's current term start date has been modified to March 1, 2011 and expires on February 29, 2012; and

WHEREAS, Washington State Contract No. 00108 allows for purchases of Goodyear tires, tubes, and tire services from Wingfoot Commercial Tire, Pasco WA; and

WHEREAS, Benton County Sheriff's Office would like to purchase Goodyear tires, tubes, and tire services off the Washington State Contract No. 00108 from Wingfoot Commercial Tire from March 1, 2011 through February 29, 2012; **NOW THEREFORE**

BE IT RESOLVED, by the Board of Benton County Commissioners, Benton County, Washington, hereby approves purchases of Goodyear tires, tubes, and tire services from Wingfoot Commercial Tire, Pasco WA off the Washington State Contract No. 00108 for a total amount not to exceed \$20,000 including WSST; and

BE IT FURTHER RESOLVED, the Board authorizes the Sheriff or his designee to sign the Purchase Agreements for Goodyear tires, tubes, and tire services from Wingfoot Commercial Tire, Pasco WA off the Washington State Contract No. 00108; and

BE IT FURTHER RESOLVED, the Sheriff or his designees are authorized to make and sign said Purchase Agreements for the period commencing on March 1, 2011 and expiring on February 29, 2012.

Dated this _____ day of _____, 2011

Chairman of the Board

Member

Member

Attest: _____
Clerk of the Board

9:05 AM

**EXECUTIVE SESSION – Current
Litigation**

J Young & Sheriff Keane