

**MINUTES**

**BOARD OF BENTON COUNTY COMMISSIONERS**

Regular Board Meeting  
April 6, 2009, 9:00 a.m.  
Commissioners' Conference Room  
Benton County Courthouse, Prosser, WA

**Present:** Chairman Max E. Benitz, Jr. Chairman  
Commissioner Leo Bowman  
Commissioner James Beaver  
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 Kelty; Adam Fyall, Community Development Coordinator; Finance Manager Linda Ivey; Personnel Manager Melina Wenner; Facilities Manager Roy Rogers; Steve Becken, Bryan Thorp, Larry Moser, and Norm Childress, Public Works; Auditor Bobbie Gagner; DPA Ryan Brown; Planning Manager Mike Shuttleworth; Susan Walker, Planning; and DPA Sarah Perry.

**Approval of Minutes**

The Minutes of March 30, 2009 were approved.

**Review Agenda**

Commissioner Beaver requested the Board send a letter to Ken Hohenberg to congratulate him on his award of Tri-Citizen of the Year. The Board agreed.

**Consent Agenda**

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

**Commissioners**

- a. Appointment to the Benton County Public Facilities District
- b. Appointment of an Acting County Engineer for Functions Not Requiring a P.E. License
- c. Line Item Transfer – Fund Number 0157-101
- d. Amendment to Employment Agreement with David Sparks

**Facilities**

- e. Service Contract w/Apollo Sheet Metal, Inc. to Replace Heat Pump

Fairgrounds

- f. Line Item Transfer – Fund Number 0124-101

Human Services

- g. Agreement - Property Management for the Residential Transitional Housing
- h. Amendment to Agreement #0863-38329 with DSHS
- i. Line Item Transfer – Fund Number 0154-101

Office of Public Defense

- j. Modified Indigent Defense Contract w/ Raymond Gene Hui

Personnel

- k. Professional Contract w/ Connie Poulsen for Team Building Workshop

Road/Engineer

- l. Dissolving County Road Improvement District #20
- m. Vacation and Abandonment of Road Right of Way of Riek Road
- n. Plat Roads for Cottonwood Estates
- o. ER&R Purchase of New Pickup Mounted Tool Tray
- p. Agreement w/ WSDOT for Webber Canyon Road Railroad Undercrossing
- q. Consultant Agreement for Right of Way Plans for Webber Canyon Railroad Undercrossing
- r. Approval of Right of Way Values for Clodfelter Road and Locust Grove Road

Sheriff

- s. Authorization to submit Cops Hiring Recovery Program (CHRP) Grant Application Electronically

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

**Bid Opening – Official County Newspaper**

The Board received and opened the following bid for official county newspaper:

Tri-City Herald

Column-inch rate, first insertion, including online: \$17.21 (Mon-Fri); \$17.66 (Sat-Sun)

Column-inch rate, additional insertions: \$15.47 (Mon-Fri); \$15.81 (Sat-Sun)

The Board requested the Clerk to prepare a contract and resolution with the Tri-City Herald.

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

**Six-Year Road Program**

Steve Becken presented the 2010-2015 Road Program for discussion. The Board agreed the program was ready to go to public hearing, with a few minor changes.

The Board also discussed preparing a 10 to 15-year road program that planned for future projects to line up with potential funding. The Board agreed it would discuss the matter further with the Road Department.

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

### **Hanford Land Use Issues**

Mike Shuttleworth, Susan Walker, and Adam Fyall discussed planning issues relating to the Hanford Site. Mr. Shuttleworth said there had been some land use planning by both Benton County and Hanford and presented the relevant documents. Additionally, Ms. Walker stated the County had not adopted a Hanford land use plan in the Benton County Comprehensive Plan but that it would be a sub-area of the plan as Chapter 13 and would slide right into the Comprehensive Plan.

Mr. Shuttleworth said they were looking for direction on whether to start the process for development of the Hanford use plan. Commissioner Bowman said he was in agreement and was also concerned about the issue of responsibility and authority for Benton County and whether the County could do land use planning on Hanford land. Mr. Brown said he had researched that issue previously and would forward the opinion to the Board.

The Board agreed to have Planning start the process and also send a letter to the State stating the County's intent to start developing the land use plan and request funding to help with the process. Chairman Benitz said he also wanted to address the Hanford Fire issues, access to Rattlesnake Mountain, and include TRIDEC, Port of Benton, and the Cities in the process.

The Board briefly recessed, reconvening at 10:00 a.m.

### **Hiring Process for Professional Engineer**

David Sparks discussed contracting for a professional engineer with either Yakima or Franklin County on a temporary basis until the County found someone on a permanent basis. Mr. Sparks stated that Franklin County competed with Benton County on some projects and it might create a conflict and recommended working with Yakima County. The Board agreed that Mr. Sparks could move forward with the process.

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

### **Roza Traffic Update**

Norm Childress provided an update on the Roza traffic study. He said they were currently receiving RFQ's for the consulting services and the selection committee would be meeting to select two or three applicants to interview. After that they would develop with the consultant and the Board a scope of work and budget. Mr. Childress added that once the County had a plan in place, it would fit better into the State's program and the State would counsel the County on what programs were available for further funding.

James Willard said he was following the updates and encouraged the Board to include the neighbors in the process.

The Board briefly recessed, reconvening at 10:20 a.m.

### **Executive Session – Potential Litigation**

The Board went into executive session with DPA Sarah Perry at 10:20 a.m. for approximately 20 minutes to discuss potential litigation. Also present were David Sparks, Cami McKenzie, and DPA Ryan Brown. The Board came out at 10:28 a.m. Ms. Perry stated that no decisions were made, but direction was given.

### **Other Business**

#### **WSAC**

Commissioner Bowman provided reports on WSAC and WSDOT budgets and proposed legislation.

#### **Lobbyist in D.C.**

Commissioner Bowman presented a standard service agreement put together by Mr. Fyall to contract with “Gordon Thomas Honeywell Governmental Affairs” on the Red Mountain federal government legislature. He requested the Board adopt the concept and that he would provide the agreement to the PA’s office for review.

The Board agreed.

### **Claim for Damages**

CC 09-06: Received on March 25, 2009 from Albert Terrell Thurman, Jr.  
CC 09-07: Received on April 2, 2009 from Gilbert Genoway

### **Vouchers**

Check Date: 04/03/2009  
Warrant #: 921578-921801  
Total all funds: \$1,195,825.94

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

### **Resolutions**

9.224 Appointment to the Benton County Public Facilities District  
9.225 Appointment of an Acting County Engineer for Functions Not Requiring a P.E. License  
9.226 Line Item Transfer – Fund Number 0157-101  
9.227 Amendment to Employment Agreement with David Sparks  
9.228 Service Contract w/Apollo Sheet Metal, Inc. to Replace Heat Pump

- 9.229 Line Item Transfer – Fund Number 0124-101
- 9.230 Agreement - Property Management for the Residential Transitional Housing
- 9.231 Amendment to Agreement #0863-38329 with DSHS
- 9.232 Line Item Transfer – Fund Number 0154-101
- 9.233 Modified Indigent Defense Contract w/ Raymond Gene Hui
- 9.234 Professional Contract w/ Connie Poulsen for Team Building Workshop
- 9.235 Dissolving County Road Improvement District #20
- 9.236 Vacation and Abandonment of Road Right of Way of Riek Road
- 9.237 Plat Roads for Cottonwood Estates
- 9.238 ER&R Purchase of New Pickup Mounted Tool Tray
- 9.239 Agreement w/ WSDOT for Webber Canyon Road Railroad Undercrossing
- 9.240 Consultant Agreement for Right of Way Plans for Webber Canyon Railroad Undercrossing
- 9.241 Approval of Right of Way Values for Clodfelter Road and Locust Grove Road
- 9.242 Authorization to submit Cops Hiring Recovery Program (CHRP) Grant Application Electronically

There being no further business before the Board, the meeting adjourned at approximately 10:41 a.m.

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Clerk of the Board

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Chairman