

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
August 1, 2011, 8:30 a.m.  
Commissioners' Conference Room  
Benton County Courthouse, Prosser, WA

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

**Benton County Employees Present During All or a Portion of the Meeting:** Deputy Administrator Loretta Smith Kelty; Adam Fyall, Sustainable Development Manager; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Human Services Manager Ed Thornbrugh; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; County Engineer Malcolm Bowie; Clerk Josie Delvin; District Court Administrator Jacki Lahtinen; Erhiza Rivera and Nick Kooiker, Treasurer's Office; Bryan Perry, Safety Coordinator; DPA Ryan Brown; Marianne Ophardt, Benton County WSU Extension; Auditor Brenda Chilton; DPA Reid Hay; Central Services Manager Randy Reid; Susan Walker and Valerie Smith, Planning.

#### Workshop Agenda

Commissioner Small reported on his attendance at the Port of Benton presentation and that he was still reviewing the Walter Clore issue. Additionally, he discussed a request to have a fence replaced at the Fairgrounds in the 4-H area (separating the camping area and 4-H arena and/boneyard). Commissioner Beaver said the County was aware of the issue and it was currently under consideration and being reviewed by the Facilities Maintenance Supervisor.

Commissioner Beaver also reported on his attendance at the following meetings: Transit, HAIEF, Workforce Development Council, Health Board, Fairgrounds stakeholders meeting, Visitor & Convention Bureau, and TRIDEC.

Chairman Bowman said he wanted to give David Sparks authority to meet with Ryan Brown to review the Port of Benton and W. Richland requests to see if they could provide appropriate language to give them county money.

Additionally, he said the WSAC Legislative Steering Committee was starting to prepare for the next legislative session and with the Board's concurrence, he would sign up for next year. Commissioner Small said his only concern would be the travel money. Commissioner Beaver said the Board needed to know how much money was required if the Board made another

commitment. Chairman Bowman said he didn't have that answer, however, if the County did not have representation then it should not complain about what happened. Commissioner Small said the Board should lead by example and if Chairman Bowman thought it best, he was agreeable if the money was available. Commissioner Beaver commented that the financial issue should not be a surprise to anyone and the County could stay involved, but maybe at a lesser level. Chairman Bowman said just because he was on the committee didn't mean he had to go; he said he would take a look at the issue and get back to the Board.

#### Health District Letter – Health Officer

Chairman Bowman discussed the letter received from the Health District requesting Dr. Jecha stay on full time and at full pay until December. He said this was not acceptable to him since they now had an executive position in place. He recommended the numbers be presented and Commissioner Beaver set up a board meeting to discuss the issue.

The Board agreed.

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

#### Approval of Minutes

The Minutes of July 25, 2011 were approved.

#### Consent Agenda

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

##### Auditor

- a. Line Item Transfer, Fund No. 0000-101, Dept. 102

##### Board of Equalization

- b. Notice of Approval to Hear Property Tax Appeals

##### Commissioners

- c. Approval of Commissioner Bylaws and Rules of Procedure

##### Facilities

- d. Contract Amendment w/Industrial Equipment Solutions, Inc.

##### Fairgrounds

- e. Lease Agreement w/Columbia Basin Pigeon Club

##### Human Services

- f. Grant Agreement w/Columbia Basin Veterans Coalition's Transitional Facility
- g. Award of 2060 Affordable Housing Funds
- h. Appointment to the Substance Abuse Administrative Board

## **Juvenile**

Memorandum of Agreement w/AFL-CIO Local 3892 Modifying Meal & Rest Periods  
Agreement w/The Confederated Tribes of the Umatilla Indian Reservation

## **Personnel**

- i. Employee of the Month Appointment

## **Public Works**

- j. Authorization for Drywell Installation on Pico Drive
- k. Approval of Southgate Water Company Franchise
- l. Approval of Olsen Brothers Ranches LLC Franchise

## **Sheriff**

- m. Agreement w/City of Kennewick for the Provisions of Work Crews
- n. Personal Services Contract w/Mathews Auto Body for Auto Repair Work

The Board agreed to have Mr. Sparks work with Mr. Brown on disbursing money from rural county funds for West Richland and Port of Benton, divided two ways.

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

## **Franklin County WSU Extension Update**

Marianne Ophardt and Lori Shirfey, Franklin County Director updated the Board on Franklin County WSU Extension as follows:

- Agronomy position filled – now for first time fully staffed in Franklin County
- Pathway to Literacy grant – now closing out
- Community Development and Economic Development – attended some conferences on asset building coalition; because Benton/Franklin did not have a current coalition, it was eliminated from the grant
- Regional meeting think-tank/partnerships; she passed the info along if the Board was interested (there was currently not a southeast district)

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

## **Public Hearing – Whitstran Heights Water Association**

Malcolm Bowie reviewed the application by Whitstran Heights Water Association, recommending approval based upon the six conditions.

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

**MOTION**: Commissioner Beaver moved to approve the franchise agreement subject to the six conditions as requested by the Public Works Department. Commissioner Small seconded and upon vote, the motion carried.

The Board briefly recessed, reconvening at 9:25 a.m.

## **Prosser Economic Development Association**

Deb Heintz gave the quarterly update and briefly discussed the following:

- Membership campaign continued
- Cascade Natural Gas
- Strategic Planning Session – hired a consultant to create a 5-15 year goals/objectives work plan
- Organization Committee – change board meetings
- Business & Retention Committee – met 2<sup>nd</sup> time w/ConAgra – they will not be reopening anytime in the near future; looking at some new lease options for the property
- Project Committee – long-term strategy for Exit 80 and I-82
- The Clore Center – hired a part-time event coordinator for new event pavilion
  - Business trip to New York wine/culinary centers for research;
  - Largest donor now wanted to now spread out donation over 5-year period so they were scrambling to get matching dollars.

The Board briefly recessed, reconvening at 9:40 a.m. for an executive session.

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

The Board went into executive session at 9:41 a.m. with DPA Reid Hay for approximately 10 minutes to discuss potential litigation. Also present were David Sparks, Cami McKenzie, Ryan Brown, Melina Wenner, Bryan Perry, and Malcolm Bowie. The Board came out at 9:51 a.m. Mr. Reid said the Board discussed potential litigation but took no action.

### **Executive Session – Performance of Public Employee**

The Board went into executive session at 9:54 a.m. for approximately 15 minutes to discuss the performance of a public employee. The Board came out at 10:10 a.m. and went back in executive session for another 15 minutes. The Board came out at 10:26 a.m. Chairman Bowman said there were no decisions were made.

### **Claim for Damages**

CC 2011-21: Received on August 1, 2011 from Ric and Adria Berven  
CC 2008-22A: Received on July 27, 2011 from Jesus Cobian Benitez  
Received on July 27, 2011 from Norma Dominguez Robles

### **Vouchers**

Check Date: 07/22/2011  
Warrant #: 38341-38544  
Taxes #: 05010711, 011607112

Total all funds: \$1,010,022.39

Check Date: 07/29/2011

Warrant #: 38787-39024

Taxes #: 01010711

Total all funds: \$1,865,400.59

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

**Resolutions**

- 11-497: Line Item Transfer, Fund No. 0000-101, Dept. 102
- 11-498: Notice of Approval to Hear Property Tax Appeals
- 11-499: Approval of Commissioner Bylaws and Rules of Procedure
- 11-500: Contract Amendment w/Industrial Equipment Solutions, Inc.
- 11-501: Lease Agreement w/Columbia Basin Pigeon Club
- 11-502: Grant Agreement w/Columbia Basin Veterans Coalition's Transitional Facility
- 11-503: Award of 2060 Affordable Housing Funds
- 11-504: Appointment to the Substance Abuse Administrative Board
- 11-505: Memorandum of Agreement w/AFL-CIO Local 3892 Modifying Meal & Rest Periods
- 11-506: Agreement w/The Confederated Tribes of the Umatilla Indian Reservation
- 11-507: Authorization for Drywell Installation on Pico Drive
- 11-508: Approval of Southgate Water Company Franchise
- 11-509: Approval of Olsen Brothers Ranches LLC Franchise
- 11-510: Agreement w/City of Kennewick for the Provisions of Work Crews
- 11-511: Personal Services Contract w/Mathews Auto Body for Auto Repair Work

There being no further business before the Board, the meeting adjourned at approximately 10:26 a.m.

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Clerk of the Board

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Chairman