

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
August 23, 2010, 8:30 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman James Beaver
Commissioner Max E. Benitz, Jr.
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Absent: Commissioner Leo Bowman (excused – on vacation)

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; Facilities Manager Roy Rogers; Human Services Administrator Ed Thornbrugh; Treasurer Duane Davidson; Deputy Treasurer Erhiza Rivera; Planning Manager Mike Shuttleworth; County Engineer Malcolm Bowie; Sue Schuetze, Public Works; Harriet Mercer, Assessor's Office; DPA Ryan Brown.

Workshop Agenda

There were not any items to discuss at the workshop so the Board recessed until 9:00 a.m.

Approval of Minutes

The Minutes of August 16, 2010 were approved.

Consent Agenda

MOTION: Commissioner Benitz moved to approve the consent agenda items “a” through “m”, pulling “j”. Chairman Beaver seconded and upon vote, the Board approved the following:

Auditor

- a. Letter to State Auditor's Office

Central Services

- b. Payment to AI Networks for Data Recovery Services

Commissioners

- c. Appointment of N Moorer to the BF Workforce Development Council

Fairgrounds

- d. Lease Agreement w/Atomic City Roller Girls

Human Services

- e. Addendum Agreement w/Records Management Services, Inc.

Juvenile

- f. Truancy Contract w/Pasco School District

Personnel

- g. Washington Teamsters Welfare Trust Subscription Agreement Representing Corrections
- h. Washington Teamsters Welfare Trust Subscription Agreement Representing Roads Dept.
- i. Teamsters Pension Trust Fund Employer Union Certification for Roads Dept.

Public Works

- k. Approval of Sheet One for Reata Place
- l. Authorization for Public Hearing for Proposed Vacation Right of Way of Christy Road
- m. Approval of Order and Agreement Granting Franchise to Sunheaven Farms

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

Public Hearing – Sundance Water Association Franchise

Sue Schuetze summarized the application received by Sundance Water Association, said they received no comments and the recommendation was to approve the franchise.

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

MOTION: Commissioner Benitz moved to approve the application for franchise filed by Sundance Water Association. Chairman Beaver seconded and upon vote, the motion carried unanimously.

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

Unscheduled Visitors

Nancy D. Hale discussed her concerns with a contractor and the quality of construction of her house.

Treasurer Duane Davidson said Ms. Hale contacted his office after contacting the Assessor to discuss her concern about a contractor issue and quality of work on her house. He said Ms. Hale asked his office to lien her house against her contractor and he informed her they did not have the ability to lien on other people's taxes. He said he informed her she would have to enforce her contract compliance issues in court. Additionally, he instructed his staff to find some resources for her to obtain legal representation and forwarded that information to her. He said he contacted Assessor Barb Wagner and asked her to look at the value of her home again to see if she could offer some relief to reduce her taxes and Barb Wagner personally visited her house and the valuation of her house is under review right now. Mr. Davidson said that Ms. Hale still insisted on visiting with the Commissioners and he still advised her she would need to take legal action to enforce any issues with her contractor.

Chairman Beaver asked Ryan Brown if the Board had in any role in this issue. Mr. Brown said it was an issue between her and her contractor and the Board did not have a role.

Chairman Beaver said there was an expectation from the public that the Board has responsibility for things it could not be involved with. He said that Ms. Hale was already working with the Treasurer and Assessor who had the authority regarding valuation and taxes and the Board did not have a role in this issue.

City of Richland – Tax Increment Financing

David Sparks said after the Board met with the City of Richland last week, Ryan Brown reviewed the proposed interlocal and had a few issues with the language. First, there was a slight difference from last year (last year it was 30% up to \$73,000; the proposal this year is 50% up to \$73,500. Additionally, there was some language regarding the Port's involvement regarding an ending date that needed to be changed.

Gary Ballew said it was their intent that the both the County and Port would contribute 50% of their increment of taxes until such time as the City was paying half of the bond payment. Additionally, he said they missed some language from the previous agreement that needed to be changed.

David Sparks recommended the Board send a letter opting out. Ryan Brown said there was language added in the legislature that added you have to opt out unless you participate 100%.

Commissioner Benitz recommended the Board opt out pending an interlocal that could be agreed on and then get back together with the paperwork. He said he was okay with new financial terms.

Chairman Beaver agreed.

Mr. Ballew said the City did not need to pass the interlocal to apply for state funds and that he would pull the ordinance from tomorrow's agenda.

E-911 Ordinance

Ryan Brown said that he attended a conference call with Commissioner Bowman and WSAC regarding the proposed changes to the E-911 ordinance. He said that Mr. Barber at Emergency Services had indicated there was new language in the legislature that would change how the County could use the money. However, nothing has changed and Mr. Brown recommended pulling out that new section that was not required and that he would prepare the draft ordinance for advertisement.

Commissioner Benitz said the issue was also on the agenda for Thursday at Emergency Services and he would confirm that and get a letter of support from the other entities before going to public hearing.

Claim for Damages

CC 2010-10: Received from Dale Lee on August 23, 2010.

Vouchers

Check Date: 08/20/2010
Warrant #: 16681-16935
Total all funds: \$769,798.26

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

Resolutions

- 10.482 Payment to AI Networks for Data Recovery Services
- 10.483 Appointment of N Moorer to the BF Workforce Development Council
- 10.484 Lease Agreement w/Atomic City Roller Girls
- 10.485 Addendum Agreement w/Records Management Services, Inc.
- 10.486 Truancy Contract w/Pasco School District
- 10.487 Approval of Order and Agreement Granting Franchise to Sunheaven Farms
- 10.488 Washington Teamsters Welfare Trust Subscription Agreement Representing Corrections
- 10.489 Washington Teamsters Welfare Trust Subscription Agreement Representing Roads Dept.
- 10.490 Teamsters Pension Trust Fund Employer Union Certification for Roads Dept.
- 10.491 (This resolution intentionally left blank)
- 10.492 Approval of Sheet One for Reata Place
- 10.493 Authorization for Public Hearing for Proposed Vacation Right of Way of Christy Road

There being no further business before the Board, the meeting adjourned at approximately 9:34 a.m.

Clerk of the Board

Chairman