

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



To view items in detail, please  
click on **highlighted** area.

## AGENDA BOARD OF BENTON COUNTY COMMISSIONERS Regular Board Meeting Tuesday, August 23, 2011 Benton County Courthouse, Prosser, WA

9:00 AM

**Call to Order**

**Approval of Minutes**

❖ **August 16, 2011**

**Review Agenda**

**Consent Agenda**

**Board of Equalization**

a. Line Item Transfer, Fund No. 0000-101, Dept. 103

**Commissioners**

b. Travel Approval Request

c. Line Item Transfer, Fund No. 0000-101, Dept. 137

**Facilities**

d. Blanket Service Contract w/Cascade Fire Protection Co.

**Human Services**

e. Blanket Service Contract w/Sierra Electric, Inc.

f. Blanket Service Contract w/Apollo Heating & Air Conditioning

g. Line Item Transfer, Fund No. 0152-101, Dept. 000

**Juvenile**

h. Consolidated Contract Continuation w/State of WA, DSHS, Juvenile Rehabilitation Admin.

i. Truancy Contract w/Kiona-Benton School District

**Public Works**

j. Franchise Authorization for Whitstran Heights Water Association

k. Traffic Control Authorization on Grosscup Road

**Sheriff**

l. Authorization to Purchase Military/Marine Binoculars

m. Authorization to Purchase Surefire Flashlight Kits with Holders

n. Authorization to Purchase Insight Technologies Hand Held Thermal Scopes

o. Adoption of Ordinance Relating to Fee Schedule; Rescinding Resolution 05-519

p. Line Item Transfer, Fund No. 0000-101, Dept. 118

q. Line Item Transfer, Fund No. 0000-101, Dept. 120

r. Line Item Transfer, Fund No. 0000-101, Dept. 121

s. Line Item Transfer, Fund No. 0000-101, Dept. 121

t. Line Item Transfer, Fund No. 0126-101, Dept. 000

u. Line Item Transfer, Fund No. 0126-101, Dept. 000

**Treasurer**

v. Master Agreement w/Manatron, Inc. for Licensed Software, Hardware & Services

**9:05 AM      Scheduled Business**

**Kennewick Irrigation District** Presentation on Cost of Service Rate Study – Charles Freeman

**Various Zoning Amendments** – M Shuttleworth

**Unscheduled Visitors**

**Board Assignment Update**

**Draft**

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Tuesday, August 16, 2011, 9:00 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; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; County Engineer Malcolm Bowie; Treasurer Duane Davidson; Central Services Manager Randy Reid; Susan Walker, Valerie Smith, and Clark Posey, Planning Department.

Approval of Minutes

The Minutes of August 9, 2011 were approved.

Consent Agenda

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

Commissioners

- a. Interlocal Cooperation Agreement w/City of Richland Relating to Revitalization Area for Industry, Science and Education
- b. Property Surplus and Authorization for Private Negotiation

Facilities

- c. Authorization for Request for Proposals for OPT 022 Control System Upgrade

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

## **Public Hearings – Comprehensive Plan Amendments**

### **CPA 11-01**

Ms. Walker said this was a request by Barker Ranch, LTD to change the land use designation from Rural Lands Five Acre (RL-5) to Open Space Conservation (OS-C). She said the Planning Commission and Planning staff recommended approval.

### **Testimony**

Michael Crowder, Barker Ranch manager, spoke in favor. He also thanked Adam Fyall and Susan Walker for their help during the process. He said he also wanted to discuss the proposed land swap (separate issue) and Chairman Bowman said that Mr. Fyall could bring back that issue and the appropriate time.

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

**MOTION:** Commissioner Beaver moved to approve CPA 11-01 and adopt the Planning Commission's findings of fact. Commissioner Small seconded and upon vote, the motion carried.

### **CPA 11-02**

Requested by Public Works to add two proposed road projects (extension of Locust Grove Road between Clodfelter and Edwards and extension of Coffin Road between Nine Canyon and Meals). She said the Planning Commission and Planning staff recommended approval.

Malcolm Bowie said this completed the transportation mapping as adopted in the Six-Year Road program and agreed it contributed to upgrading the "farm to market roads".

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

**MOTION:** Commissioner Small moved to approve CPA 11-02 and adopt the Planning Commission's findings of fact. Commissioner Beaver seconded and upon vote, the motion carried.

### **CPA 11-04**

Ms. Walker said these were proposed housekeeping amendments to update and improve information in the plan and its maps. Ms. Walker also identified a few word changes and minor edits to the map since the last workshop.

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

**MOTION:** Commissioner Small moved to approve CPA 11-04 and adopt the Planning Commission recommendations and findings as their own. Commissioner Beaver seconded and upon vote, the motion carried unanimously.

### **Preliminary Plat SUB 11-01**

Mr. Posey presented the proposed preliminary plat of Dove Ridge and said the Planning Commission recommended approval as presented with conditions.

**MOTION**: Commissioner Small moved to approve the preliminary plat of Dove Ridge SUB 11-01 and adopt the Planning Commission's findings with conditions. Commissioner Beaver seconded and upon vote, the motion carried unanimously.

### **Unscheduled Visitors**

Michael Crowder, Barker Ranch, discussed the trail connectivity with Barker Ranch and said they were still looking forward to the land swap with the City of Richland. Mr. Fyall said originally there was going to be an agreement with the cities and he was not sure why it had not moved forward. He suggested the Board send a letter to the cities. The Board requested Mr. Fyall draft a letter and bring back a recommendation.

### **Board Assignment Update**

Commissioner Small said he had been receiving a lot of positive feedback regarding departments, including a call thanking Mr. Posey and the Planning Department and a call thanking Steve Brown and Code Enforcement Department.

Chairman Bowman said the County now had a brochure to hand out at the fair booth and thanked the county employees for their assistance. He also reported on the following: Congressman Hastings' new transportation staff person would be visiting the area on Wednesday and had requested a tour of Red Mountain; provided a draft list of projects proposed by the Council of Governments to be spent on RTPO money and asked the Board to review (he suggested they might want to consider starting a fund to be used for future projects); provided a draft of regional/state road improvements projects as proposed by the Local Good Roads Association for the Board to review and comment.

### **Distinguished Budget Award**

Keith Mercer presented the plaque that Benton County received for "Distinguished Budget Award". Mr. Sparks said it showed that Benton County was taking care of its finances and the award would continue to assist with its bond rating.

### **Claim for Damages**

CC 2011-22: Received on August 10, 2011 from Daniel Kingma

CC 2011-23: Received on August 15, 2011 from Duane Travis

## **Vouchers**

Check Date: 07/01/2011  
Warrant #: 37181-37432  
Total all funds: \$5,554.21

Check Date: 08/05/2011  
Warrant #: 232701-232817  
Direct Deposit #: 66050-66642  
Total all funds: \$2,129,291.64

Check Date: 08/05/2011  
Warrant #: 39380-39402  
Taxes #: 10111081-10111086  
Total all funds: \$1,904,730.92

Check Date: 08/12/2011  
Warrant #: 39555-39792  
Total all funds: \$822,482.37

Check Date: 08/15/2011  
Warrant #: 232818-232841  
Direct Deposit #: 66648-66848  
Total all funds: \$114,908.72

Check Date: 08/15/2011  
Taxes #: 10111087  
Total all funds: \$32,265.16

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

## **Resolutions**

- 11-520 Interlocal Cooperation Agreement w/City of Richland Relating to Revitalization Area for Industry, Science and Education
- 11-521 Property Surplus and Authorization for Private Negotiation
- 11-522 Authorization for Request for Proposals for OPT 022 Control System Upgrade
- 11-523 Approval of CPA 11-01 – Barker Ranch Property
- 11-524 Approval of CPA 11-02 – Public Works Dept.
- 11-525 Approval of CPA 11-04 – Planning Staff
- 11-526 Approval of Preliminary Plat Application of Dove Ridge; File SUB 11-01

There being no further business before the Board, the meeting adjourned at approximately 9:50 a.m.

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Clerk of the Board

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Chairman

**EXHIBIT A**

**BENTON COUNTY  
LINE ITEM TRANSFERS**

**RESOLUTION NO.** a. Line Item Transfer, Fund No. 0000-101, Dept. 103

**DEPARTMENT:** Board of Equalization

**DEPARTMENT NO.** 103

**FUND NAME:** Current Expense

**FUND NO.** 0000-101

**TRANSFER FROM:**

**TRANSFER TO:**

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
514.240	1190	Secretary	\$1,200.00	514.240	4301	Travel	\$1,200.00

**EXPLANATION:** Due to a high volume of appeals these funds need to be transferred.

**Prepared by:** Peggy Brown

**Date:** 8/10/11

**Approved** ( )  
**Denied** ( )

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

\_\_\_\_\_  
**Chairman**

\_\_\_\_\_  
**Member**

\_\_\_\_\_  
**Member**

# **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,  
DEPARTMENT NUMBER 103**

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

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>		
Meeting Date:	08/23/11	Execute Contract	_____	Consent Agenda
Subject:	Travel	Pass Resolution	_____	Public Hearing
	Authorization	Pass Ordinance	_____	1st Discussion
Prepared by:	Marilu Flores	Pass Motion	_____	2nd Discussion
Reviewed by:	L Smith Kelty	Other	XXXX	Other

### BACKGROUND INFORMATION

Per Resolution 11 289, the Board of County Commissioners, by majority, are required to get approval for travel even if some other entity other than the County funds part or all of the expenses related to travel.

Commissioner James Beaver currently serves on the Energy Communities Alliance (ECA) Board. ECA will be meeting September 15-16, 2011 in Washington DC to discuss priorities and DOE issues. Estimated expenses will be approximately \$1,409. Full reimbursement is expected through ECA.

### SUMMARY

### RECOMMENDATION

Approval of the attached travel approval request form

### FISCAL IMPACT

na

### MOTION

na - on consent agenda

**TRAVEL APPROVAL REQUEST FORM - BENTON COUNTY**

Check appropriate description

Meeting  Training   Travel  Official Function

1 Employee: Commissioner James Beaver

2 Department: Commissioners' Office

**Event/Conference Information**

Attach a copy of agenda/announcement/brochure

3 Organization Sponsoring the Event: Energy Communities Alliance

4 Event Title: ECA Priorities & DOE Issues

5 Event Location: Washington DC

6 Event Date/Time: September 15 & 16, 2011

**Travel Information**

7 Travel Dates: Sept 14 & 17, 2011 Travel Times:

8 Departing Airport: Pasco Airport

**Estimated Expenses**

	Type of Expense	Description	Cost	Pay Method	Allowable Per Diem	Reimbursable
9	Personal Mileage					
10	County Car Used					
11	Airfare/Luggage Fees		600			up to 600
12	Registration Fees		125			125
13	Lodging		484			484
14	Meals/Tips		150			150
15	Miscellaneous (car rental, parking, taxi)		50			50
16		Total	\$ 1,409.00			\$ 1,409.00

17 Requested by: *James P. Beaver* Date: 08/16/2011  
Employee

18 Approved by: X Date: \_\_\_\_\_  
X Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

# 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, DEPARTMENT NUMBER 137.

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: Dept., Auditor, File, LSK

**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
521.230	1146	Animal Control Manager	\$95,047	521.230	1181	Animal Control Officer III	\$61,779
				521.230	2103	Medical Insurance	\$1,768
				521.230	1905	Temporary Help	\$31,500
<b>TOTAL</b>			<b>\$95,047</b>	<b>TOTAL</b>			<b>\$95,047</b>

**Explanation:**

Line item transfer needed in order pay for downgrade in Animal Control Officer position and additional temporary help.

Prepared by:

Date:

Approved

Denied

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

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	8/23/11	Execute Contract	<input checked="" type="checkbox"/>	Consent Agenda	<input checked="" type="checkbox"/>
Subject:	Cascade Fire Protection	Pass Resolution	<input checked="" type="checkbox"/>	Public Hearing	<input type="checkbox"/>
Prepared by:	<u>D Pettey</u>	Pass Ordinance	<input type="checkbox"/>	1st Discussion	<input type="checkbox"/>
Reviewed by:	<u>Keith Mercer / Ryan Lukson</u>	Pass Motion	<input type="checkbox"/>	2nd Discussion	<input type="checkbox"/>
		Other	<input type="checkbox"/>	Other	<input type="checkbox"/>

**BACKGROUND INFORMATION**

Benton County currently has a blanket service agreement for "as needed" sprinkler head replacement and repair with Fire Control Sprinkler Systems CO. Inc for all Benton County locations per resolution 11-363.

In 2 separate instances (on 6/12/11 and 6/19/11), a sprinkler head broke at the Benton County Jail facility and Fire Control Sprinkler Systems was called to repair the damage but was unavailable. Due to the seriousness of the situation, jail employees contacted Cascade Fire Protection to repair the broken sprinkler. However, because a contract was not in place with Cascade Fire Protection, the invoice received by the County could not be paid. The passing of this resolution (and the signing of this contract) will allow Benton County to pay Cascade Fire Protection's outstanding invoice. This is the reason for the backdating of the contract.

**SUMMARY**

The attached contract with Cascade Fire Protection will also serve as a backup for those instances where Fire Control Systems is unavailable to fix broken fire sprinkler heads for the County.

**RECOMMENDATION**

The Building Maintenance Supervisor recommends a blanket service agreement with Cascade Fire Protection Co. to be put in place for "as needed" broken fire sprinkler head repair services throughout all Benton County facilities.

**FISCAL IMPACT**

Total contract amount shall not to exceed \$8,000 including WSST.

**MOTION**

# RESOLUTION

## BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

### IN THE MATTER OF A BLANKET PUBLIC WORKS CONTRACT FOR "AS NEEDED" BROKEN FIRE SPRINKLER HEAD REPAIR SERVICES WITH CASCADE FIRE PROTECTION CO. FOR ALL BENTON COUNTY FACILITIES

**WHEREAS**, per resolution 11-402, any public works services or materials involving less than \$40,000, 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**, Benton County currently has a blanket service agreement for "as needed" sprinkler head replacement and repair with Fire Control Systems CO. Inc. for all Benton County locations per resolution 11-363; and

**WHEREAS**, the Benton County Jail required sprinkler head replacement services on 6/12/11 and 6/19/11; and

**WHEREAS**, because Fire Control Systems CO. Inc. was unavailable at the time, and the seriousness of the situation, jail employees contacted Cascade Fire Protection despite the absence of a contract with them; and

**WHEREAS**, in order to pay invoices received by Benton County for Cascade Fire Protection, and to utilize their organization for future services, a mutually agreed upon contract must be in force; and

**WHEREAS**, the Building Maintenance Supervisor recommends a blanket service agreement with Cascade Fire Protection Co., Kennewick, WA – Contractors License CA-SC-AF-P203MW to be put in place for "as needed" broken fire sprinkler head repair services throughout all Benton County facilities; and

**WHEREAS**, this blanket contract would allow the Building Maintenance Supervisor to move forward with services without requiring a contract for each service needed; **NOW, THEREFORE**

**BE IT RESOLVED** by the Board of Benton County Commissioners, Benton County, Washington, the Board concurs with the Building Maintenance Supervisor's recommendation and hereby awards Cascade Fire Protection Co., Kennewick WA the blanket service agreement for "as needed" broken fire sprinkler head repair services throughout all Benton County facilities, to include the Fairgrounds, Benton County Jail and Benton County Health Department for a total contract amount not to exceed \$8,000 including WSST; and

**BE IT FURTHER RESOLVED** the Board hereby authorizes the Chairman to sign the public works contract attached hereto; and

**BE IT FURTHER RESOLVED** the term of the attached contract commences on January 1, 2011 and expires on December 31, 2012.

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

PUBLIC WORKS CONTRACT  
TERMS AND CONDITIONS

RECEIVED  
AUG 03 2011

BY: \_\_\_\_\_

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 Cascade Fire Protection Co. a Washington corporation with its principal offices at 5104 West Brinkley Rd., Kennewick, WA 99338, (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 exhibit:

- a. Exhibit A - Washington State Prevailing Wage Rates

2. DURATION OF CONTRACT

The term of this Contract shall begin January 1, 2011 and shall expire on December 31, 2012, unless earlier terminated pursuant to Section 16 herein. Price adjustments of this contract 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" broken fire sprinkler head repair services for all Benton County locations, to include the Benton county Fairgrounds, Benton County Jail, and Benton County Health Department. 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 the other contractor. In the event that the requested work requires, under State or local law, the issuance of a building permit, CONTRACTOR shall be responsible for procuring such building permit and arranging for inspection and certification of the work. CONTRACTOR may bill COUNTY for the full cost of the permit and any labor time for any of its employees involved in the permitting process, but may not charge any additional processing or other fees that it does not actually incur. Upon completion of services, CONTRACTOR shall ensure that a completed work order, detailing the work done, the time expended, and the parts used, is remitted to the COUNTY

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
<b>Meeting Date:</b>  <b>Subject:</b> Blanket Service Contract #BSC-SIERRA-2011/2012 with Sierra Electric, Inc. <b>Prepared by:</b> Maria Loera, Sr. Secretary-DHS <b>Reviewed by:</b> Ed Thornbrugh, Administrator-DHS	Execute Contract <u>  X  </u> Pass Resolution <u>  X  </u> Pass Ordinance <u>      </u> Pass Motion <u>      </u> Other <u>      </u>	Consent Agenda <u>  X  </u> Public Hearing <u>      </u> 1st Discussion <u>      </u> 2nd Discussion <u>      </u> Other <u>      </u>

**BACKGROUND INFORMATION**

The Benton and Franklin Counties Department of Human Services would like to execute a Blanket Service Contract with Sierra Electric, Inc., to provide "as needed" electrical services for Benton and Franklin Counties Department of Human Services locations.

The blanket service contract process started in April with an anticipated start date of June 1, 2011, however, the legal review process extended beyond the proposed start date.

**SUMMARY**

**Award:** Consideration will not exceed \$25,000.00, including W.S.S.T.  
**Period:** June 1, 2011 through May 31, 2012  
**Funding Source:** Fund 0108-101 Human Services

**RECOMMENDATION**

- Sign the Resolution to accept the proposed Blanket Service Contract
- Approve the proposed Blanket Service Contract by signing all the copies where indicated

**FISCAL IMPACT**

**There is no impact on the current expense budget.** All revenues and expenditures are from the Fund 0108-101 Human Services Budget.

**MOTION**

To approve signing Blanket Service Contract #BSC-SIERRA-2011/2012 with Sierra Electric, Inc., and to authorize the Chair to sign on behalf of the Board.

  
 \_\_\_\_\_  
 Signature

# JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. \_\_\_\_\_

FRANKLIN COUNTY RESOLUTION NO. \_\_\_\_\_

BEFORE THE BOARDS OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON, AND FRANKLIN COUNTY, WASHINGTON;

**RE: IN THE MATTER OF EXECUTION OF BLANKET SERVICE CONTRACT #BSC-SIERRA-2011/2012 FOR "AS NEEDED" ELECTRICAL SERVICES WITH SIERRA ELECTRIC, INC., FOR BENTON AND FRANKLIN COUNTIES DEPARTMENT OF HUMAN SERVICES LOCATIONS**

**WHEREAS**, this Blanket Service Contract with Sierra Electric, Inc., is to provide "as needed" electrical services for Benton and Franklin Counties Department of Human Services locations; and

**WHEREAS**, prices for said services are in accordance with the contract and the contractor's rate, and Washington State Prevailing Wage sheets attached hereto for an accumulative contract amount not to exceed \$25,000.00 including W.S.S.T.; and

**WHEREAS**, the contracting process was initiated in April and was delayed execution as a result of the legal review process; NOW THEREFORE,

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

**BE IT FURTHER RESOLVED**, that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be, and they hereby are, authorized to sign, on behalf of their respective county, Blanket Service Contract #BSC-SIERRA-2011/2012 with Sierra Electric, Inc. for an accumulative contract amount not to exceed \$25,000.00 including W.S.S.T.; and

**BE IT FURTHER RESOLVED**, the term of the attached contract commences June 1, 2011 and shall expire May 31, 2012.

Dated this.....day of ....., 2011

Dated this.....day of ....., 2011

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

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

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of County  
Commissioners of Benton County, Washington

\_\_\_\_\_  
Member

Constituting the Board of County  
Commissioners of Franklin County, Washington

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

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

Originals: Benton & Franklin County Commissioners  
Human Services

M. Loera

**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, and Franklin County, a political subdivision, with its principal offices at 1016 North 4<sup>th</sup> Avenue, Pasco, WA 99301, by and for the **BENTON-FRANKLIN COUNTIES' DEPARTMENT OF HUMAN SERVICES**, a political subdivision, with its principal offices at 7102 W. Okanogan Place, Suite 201, Kennewick, WA 99336 (hereinafter "COUNTY"), and **SIERRA ELECTRIC, INC.**, a Washington corporation with its principal offices at 4120 Swallow Ave. Pasco, WA, (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 attached hereto and incorporated herein by reference:

- a. Exhibit A - Contractor's Proposal - 2011 Wage Rates
- b. Exhibit B - Washington State Prevailing Wage Rates

**2. DURATION OF CONTRACT**

The term of this Contract shall begin June 1, 2011 and shall expire on May 31, 2012, unless terminated sooner as set forth herein. Price adjustments of this contract 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" electrical repair services for all Benton-Franklin Counties Department of Human Services locations, in accordance with the CONTRACTORS' 2011 price list proposal attached hereto as Exhibit A. 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

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
<b>Meeting Date:</b>	Execute Contract	<u>  X  </u>
<b>Subject:</b> Blanket Service Contract #BSC- APOLLO-2011/2012 with Apollo Heating & Air Conditioning	Pass Resolution	<u>  X  </u>
<b>Prepared by:</b> Maria Loera, Sr. Secretary-DHS	Pass Ordinance	<u>      </u>
<b>Reviewed by:</b> Ed Thornbrugh, Administrator-DHS	Pass Motion	<u>      </u>
	Other	<u>      </u>
	Consent Agenda	<u>  X  </u>
	Public Hearing	<u>      </u>
	1st Discussion	<u>      </u>
	2nd Discussion	<u>      </u>
	Other	<u>      </u>

**BACKGROUND INFORMATION**

The Benton and Franklin Counties Department of Human Services would like to execute a Blanket Service Contract with Apollo Heating & Air Conditioning, to provide "as needed" HVAC and plumbing services for Benton and Franklin Counties Department of Human Services locations.

The blanket service contract process started in May and anticipated the start date being June 1, 2011, however, the legal review process extended beyond the proposed start date.

**SUMMARY**

**Award:** Consideration will not exceed \$25,000.00, including W.S.S.T.  
**Period:** June 1, 2011 through May 31, 2012  
**Funding Source:** Fund 0108-101 Human Services

**RECOMMENDATION**

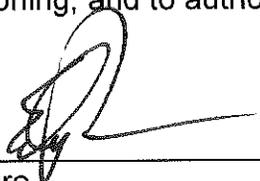
- Sign the Resolution to accept the proposed Blanket Service Contract
- Approve the proposed Blanket Service Contract by signing all the copies where indicated

**FISCAL IMPACT**

**There is no impact on the current expense budget.** All revenues and expenditures are from the Fund 0108-101 Human Services Budget.

**MOTION**

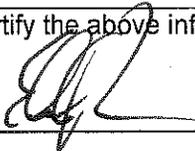
To approve signing Blanket Service Contract #BSC-APOLLO-2011/2012 with Apollo Heating & Air Conditioning, and to authorize the Chair to sign on behalf of the Board.

  
 \_\_\_\_\_  
 Signature

**Franklin County**  
Board of Commissioners  
Agenda Summary Report

<b>DATE SUBMITTED:</b>	<b>PRESENTED BY:</b> Ed Thornbrugh, Administrator, Benton/Franklin Department of Human Services
<b>ITEM:</b> (Select One)	<input checked="" type="checkbox"/> Consent Agenda <input type="checkbox"/> To Be Brought Before the Board. Suggested Date: _____ Time needed: _____ minutes
<b>SUBJECT / ISSUE:</b> Blanket Service Contract #BSC-APOLLO-2011/2012 with Apollo Heating & Air Conditioning	
<b>FISCAL IMPACT:</b> There is no impact on the current expense budget. All revenues and expenditures are from the Fund 0108-101 Human Services Budget.	
<b>ACTION(S) REQUESTED:</b> To approve signing a Blanket Service Contract with Apollo Heating & Air Conditioning, and to authorize the Chair to sign on behalf of the Board.	
<b>BACKGROUND:</b> The Benton and Franklin Counties Department of Human Services would like to execute a Blanket Service Contract with Apollo Heating & Air Conditioning, to provide "as needed" HVAC and plumbing services for Benton and Franklin Counties Department of Human Services locations.	
<b>COORDINATION:</b> Ed Thornbrugh, Administrator Benton/Franklin Department of Human Services	
<b>RECOMMENDATION:</b> <ul style="list-style-type: none"><li>• Sign the resolution to accept the proposed Blanket Service Contract.</li><li>• Approve the proposed Blanket Service Contract by signing all the copies where indicated.</li></ul>	
<b>HANDLING / ROUTING:</b> <ol style="list-style-type: none"><li>1. Benton County Commissioners' Office- Marilu Flores, Administrative Secretary</li><li>2. Franklin County Commissioners' Office- Toni Fulton, Administrative Assistant</li><li>3. Benton/Franklin Department of Human Services- Maria Loera, Senior Secretary</li></ol>	
<b>ATTACHMENTS:</b> <ol style="list-style-type: none"><li>1. Resolution (3)</li><li>2. Agreement (3)</li></ol>	

I certify the above information is accurate and complete.

  
\_\_\_\_\_

# JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. \_\_\_\_\_

FRANKLIN COUNTY RESOLUTION NO. \_\_\_\_\_

BEFORE THE BOARDS OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON, AND FRANKLIN COUNTY, WASHINGTON;

**RE: IN THE MATTER OF EXECUTION OF BLANKET SERVICE CONTRACT #BSC-APOLLO-2011/2012 FOR "AS NEEDED" HEATING, VENTILATION, AIR CONDITIONING (HVAC) AND PLUMBING SERVICES WITH APOLLO HEATING & AIR CONDITIONING, FOR BENTON AND FRANKLIN COUNTIES DEPARTMENT OF HUMAN SERVICES LOCATIONS**

**WHEREAS**, this Blanket Service Contract with Apollo Heating & Air Conditioning is to provide "as needed" HVAC and plumbing services for Benton and Franklin Counties Department of Human Services locations; and

**WHEREAS**, prices for said service are in accordance with the contract and the contractor's rate, and Washington State Prevailing Wage sheets attached hereto for an accumulative contract amount not to exceed \$ 25,000.00 including W.S.S.T.; and

**WHEREAS**, the contracting process was initiated in May and was delayed execution as a result of the legal review process; **NOW THEREFORE**,

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

**BE IT FURTHER RESOLVED**, the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be, and they hereby are, authorized to sign, on behalf of their respective county, Blanket Service Contract #BSC-APOLLO-2011/2012 with Apollo Heating & Air Conditioning for an accumulative contract amount not to exceed \$25,000.00 including W.S.S.T; and

**BE IT FURTHER RESOLVED**, the term of the attached contract commences June 1, 2011 and shall expire May 31, 2012.

Dated this.....day of .....,2011

Dated this.....day of ....., 2011

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

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

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

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

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

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

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

Originals: Benton & Franklin County Commissioners  
Human Services

M. Loera

**PUBLIC WORKS CONTRACT  
TERMS AND CONDITIONS**

THIS CONTRACT is made and entered into by and between Benton County, a political subdivision of the State of Washington, with its principal offices at 620 Market Street, Prosser, WA 99350, and Franklin County, a political subdivision of the State of Washington, with its principal offices at 1016 North 4<sup>th</sup> Avenue, Pasco, WA 99301 by and for Benton and Franklin Counties' Department of Human Services, a bi-county department, with its principal offices at 7102 West Okanogan Place, Suite 201, Kennewick, WA 99336 (hereinafter "COUNTY"), and Apollo Heating & Air Conditioning, a Washington corporation with its principal offices at 1119 West Columbia Drive, Kennewick, WA 99336, (hereinafter "CONTRACTOR").

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

**1. CONTRACT DOCUMENTS**

This Contract consists of these terms and conditions and the following documents attached hereto and incorporated herein by reference:

- a. Exhibit A - Contractor's Proposal - 2011 Hourly Rates
- b. Exhibit B - Washington State Prevailing Wage Rates for Public Works Contracts

**2. DURATION OF CONTRACT**

The term of this Contract shall begin June 1, 2011 and shall expire on May 31, 2012 unless earlier terminated pursuant to Section 16 herein. Price adjustments of this contract 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" plumbing and pipefitting, sheet metal, and HVAC repair services (herein after "sheet metal services") for all Benton and Franklin Counties' Department of Human Services locations, in accordance with the CONTRACTORS' 2011 price list proposal attached hereto as Exhibit A. 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,

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>	
Meeting Date:	<u>8/23/2011</u>	Execute Contract	_____
Subject:	<u>Line item transfer</u>	Pass Resolution	_____x_____
Prepared by:	Linda Ivey	Pass Ordinance	_____
Reviewed by:	Ed Thornbrugh	Pass Motion	_____
		Other	_____
		Consent Agenda	_____x_____
		Public Hearing	_____
		1st Discussion	_____
		2nd Discussion	_____
		Other	_____

**BACKGROUND INFORMATION**

Benton County Commissioners approved Resolution #11-503 awarding the Benton County 2060 State/Affordable Housing Funds for operation and maintenance of the Benton and Franklin Department of Human Services Transitional Living Program

**SUMMARY**

The line item transfer appropriates funding as approved by Resolution #11-503. Resolution #11-503 awards State/Affordable Housing Funds for the operations and maintenance of the Transitional Living Program.

**RECOMMENDATION**

Pass the Resolution and Attachment A – Line item transfer

**FISCAL IMPACT**

After funds are appropriated, \$47,600 will be operating transferred from the State/Affordable Housing Fund 0152101 to the Department of Human Services Fund 0108101 for the Transitional Living Program.

**MOTION**

Move that appropriated funds shall be transferred as outlined in Attachment A.

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN  
STATE HOUSING INCOME TRANSMITTAL FUND NUMBER 0152101

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

IVEY



<b>AGENDA ITEM:</b> Consent	<b>TYPE OF ACTION NEEDED</b>	CONSENT AGENDA <u>xx</u>
<b>MEETING DATE:</b> B/C 08-23-11 F/C 08-31-11	Executive Contract <u>xx</u>	PUBLIC HEARING
<b>SUBJECT:</b> Consolidated Contract Continuation 7/1/2011 - 12/31/2011 #1163-33519	Pass Resolution <u>xx</u>	1 <sup>st</sup> DISCUSSION
<b>Prepared By:</b> Sharon A. Paradis	Pass Ordinance	2 <sup>nd</sup> DISCUSSION
<b>Reviewed By:</b> Sharon A. Paradis	Pass Motion	OTHER
	Other	

**BACKGROUND INFORMATION**

The State of Washington Department of Social and Health Services, Juvenile Rehabilitation Administration (DSHS/JRA), consolidates the following fee for service and grant funding into one contract: E3SHB 3900 Funds; Consolidated Contract - Block Grant; Suspended Disposition Alternative and Mental Heal Disposition Alternative; Diagnostic Evaluations of Offenders Committable to JRA; and Detention Services. These grant dollars provide services in those programs. The Counties previously approved Program Agreement # 1063-94520 for the term of July 1, 2010 - June 30, 2011 for these services.

As the beginning of the Biennium July 1, 2011) requires a new funding distribution formula not yet resolved by the State for the services listed above, the Department of Social and Health Services has offered a bridge contract from July 1, 2011 to December 31, 2011 so that the Juvenile Justice Center can continue to provide services at the same rates for reimbursement as established under the previous agreement (1063-94520) until a new biennial contract can be finalized. In the interim, Agreement 1163-33519 allows the Juvenile Justice Center to continue to provide critical services from July 1, 2011 to December 31, 2011.

The new bridge agreement was not received until August 5, 2011 and is backdated to July 1, 2011 so that services are not interrupted and so that the Juvenile Justice Center can maximize the use of available funds effective July 1, 2011

**SUMMARY**

The term of this continuation agreement is July 1, 2011, through December 31, 2011.

**RECOMMENDATION**

I recommend that the Boards of County Commissioners authorize their Chairs to sign continuation agreement #1163-33519 with the Department of Social and Health Services, Juvenile Rehabilitation Administration.

**FISCAL IMPACT**

This is a grant by which we are reimbursed for services and that has included in the current approved Juvenile Justice Center budget.

**MOTION**

I move that the Chair of the Board of Benton County Commissioners and the Chair of the Board of Franklin County Commissioners be and they hereby are authorized to sign, on behalf of their respective county, the County Program Agreement Consolidated Contract Continuation # 1163-33519 for services between the Benton-Franklin Counties Juvenile Justice Center and the State of Washington Department of Social and Health Services, Juvenile Rehabilitation Administration.

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. \_\_\_\_\_

FRANKLIN COUNTY RESOLUTION NO. \_\_\_\_\_

BEFORE THE BOARDS OF THE COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES, WASHINGTON;

IN THE MATTER OF THE REQUEST FOR SIGNATURE FROM THE CHAIRMAN OF THE BOARDS OF BENTON AND FRANKLIN COUNTY COMMISSIONERS ON THE COUNTY PROGRAM AGREEMENT # 1163-33519 BETWEEN THE JUVENILE JUSTICE CENTER AND STATE OF WASHINGTON DEPARTMENT OF SOCIAL AND HEALTH SERVICES, JUVENILE REHABILITATION ADMINISTRATION, and

WHEREAS, The Department of Social and Health Services, Juvenile Rehabilitation Administration has offered Benton-Franklin Counties Juvenile Justice Center Agreement # 1163-3319 to provide a continuation of services previously authorized by the Boards of Benton and Franklin County Commissioner under Agreement 1063-94520 at the same fee-for-service rates included in Agreement 1063-94520; and

WHEREAS, Sharon A. Paradis, Administrator of the Juvenile Court, believes it is in the best interest of the Juvenile Justice Center that the County Program Agreement # 1163-33519 between State of Washington Department of Social and Health Services, Juvenile Rehabilitation Administration, and Benton-Franklin Counties Juvenile Justice Center be approved as presented for a term commencing July 1, 2011 and terminating on December 31, 2011, NOW, THEREFORE

BE IT RESOLVED, that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and they hereby are authorized to sign, on behalf of their respective county, the County Program Agreement.

DATED this \_\_\_\_\_ day of August 2011  
BENTON COUNTY BOARD OF COMMISSIONERS

DATED this \_\_\_\_\_ day of August 2011  
FRANKLIN COUNTY BOARD OF COMMISSIONERS

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

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

\_\_\_\_\_  
Member

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

\_\_\_\_\_  
Member

Constituting the Board of  
County Commissioners,  
Benton County, Washington

\_\_\_\_\_  
Member

Constituting the Board of  
County Commissioners,  
Franklin County, Washington

Attest:

Attest:

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

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



**COUNTY**  
**PROGRAM AGREEMENT**  
**Consolidated Contract Continuation**

DSHS Agreement Number  
1163-33519

This Program Agreement is by and between the State of Washington Department of Social and Health Services (DSHS) and the County identified below, and is issued in conjunction with a County and DSHS Agreement On General Terms and Conditions, which is incorporated by reference.

Administration or Division Agreement Number  
County Agreement Number

DSHS ADMINISTRATION	DSHS DIVISION Division of Community Programs	DSHS INDEX NUMBER 1122	DSHS CONTRACT CODE 5000CC-63
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DSHS CONTACT NAME AND TITLE Barbara Kraemer Business Manager	DSHS CONTACT ADDRESS 720 Sleater Kinney Rd SE, Ste.R P.O. Box 45721 Olympia, WA 98504-5721
--	---

DSHS CONTACT TELEPHONE (360) 486-2241 Ext:	DSHS CONTACT FAX (360) 407-7284	DSHS CONTACT E-MAIL kraembj@dshs.wa.gov
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COUNTY NAME Benton County Franklin County	COUNTY ADDRESS 5605 W Canal Place, Suite 106 Kennewick, WA 99336
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COUNTY FEDERAL EMPLOYER IDENTIFICATION NUMBER 916001296	COUNTY CONTACT NAME Sharon Paradis
--	---------------------------------------

COUNTY CONTACT TELEPHONE (509) 736-2724 Ext:	COUNTY CONTACT FAX (509) 222-2311	COUNTY CONTACT E-MAIL sharon.paradis@co.benton.wa.us
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IS THE COUNTY A SUBRECIPIENT FOR PURPOSES OF THIS PROGRAM AGREEMENT? No	CFDA NUMBERS
--	--------------

PROGRAM AGREEMENT START DATE 7/1/2011	PROGRAM AGREEMENT END DATE 12/31/2011
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EXHIBITS. When the box below is marked with an X, the following Exhibits are attached and are incorporated into this County Program Agreement by reference:  
 Exhibits (specify):

By their signatures below, the parties agree to the terms and conditions of this County Program Agreement and all documents incorporated by reference. No other understandings or representations, oral or otherwise, regarding the subject matter of this Program Agreement shall be deemed to exist or bind the parties. The parties signing below certify that they are authorized to sign this Program Agreement.

COUNTY SIGNATURE(S)  See Attached Signature Page	PRINTED NAME(S) AND TITLE(S)	DATE(S) SIGNED
--	------------------------------	----------------

DSHS SIGNATURE	PRINTED NAME AND TITLE Del R. Hontanosas Grants and Contract Manager	DATE SIGNED
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AGENDA ITEM: Consent	<b>TYPE OF ACTION</b>	CONSENT AGENDA xx PUBLIC HEARING 1ST DISCUSSION 2ND DISCUSSION OTHER
MEETING DATE: BC 8-23-11 FC 8-31-11	<b>NEEDED</b>	
SUBJECT: Truancy Contract for Kiona-Benton School District for 2011 2012 School Year	Executive Contract <u>xx</u>	
Prepared By: Donna A Lee	Pass Resolution <u>xx</u>	
Reviewed By: Sharon Paradis	Pass Ordinance	
	Pass Motion	
	Other	

**BACKGROUND INFORMATION**

The State has contracted with both the Benton and Franklin County Boards of Commissioners for several years for the costs/services associated with processing At-Risk Youth (ARY), Children in Need of Services (CHINS), and Truancy Petitions. With the start of the new school (September 1, 2011, through June 30, 2012), the Kiona-Benton School District has received their BECCA Bill grant monies and wish to renew their contract with the Juvenile Court so that we may continue to provide services associated with Truancy matters for the term of September 1, 2011, through July 31, 2012.

**SUMMARY**

Kiona-Benton has contracted with us to develop, recruit and train a truancy board; implement and follow-up on truancy board recommendations; assist families in obtaining outreach services; provide Family Support counseling; perform drug/alcohol assessment and treatment referrals; assist in the processing of all truancy court referrals; monitor courtroom truancy petitions; follow-up truancy petition requirements; and provide an Attendance Specialist on an as needed basis.

**RECOMMENDATION**

We recommend that the Boards of County Commissioners authorize their Chairs to sign the Fee for Service Contract with the Kiona-Benton School District.

**FISCAL IMPACT**

This is a state-funded grant whereby we are reimbursed for services provided. There is no fiscal impact to the counties.

**MOTION**

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be hereby authorized to sign, on behalf of their respective county, the Fee for Service Contract with the Kiona-Benton School District.

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. \_\_\_\_\_

FRANKLIN COUNTY RESOLUTION NO. \_\_\_\_\_

BEFORE THE BOARDS OF THE COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES, WASHINGTON;

IN THE MATTER OF THE REQUEST FOR SIGNATURE FROM THE CHAIRMAN OF THE BOARDS OF BENTON AND FRANKLIN COUNTY COMMISSIONERS ON FEE FOR SERVICE CONTRACT BETWEEN THE BENTON-FRANKLIN JUVENILE JUSTICE CENTER AND KIONA-BENTON SCHOOL DISTRICT, and

WHEREAS, Sharon A. Paradis, Administrator of the Juvenile Court, believes it is in the best interest of the Juvenile Justice Center that the Fee for Service Contract between Kiona-Benton School District and Benton-Franklin Juvenile Justice Center be approved as presented for a term commencing September 1, 2011 and terminating on July 31, 2013, for a maximum total amount payable by the District to the Counties not to exceed One Thousand Three Hundred Eighty Dollars (\$1,380.00), NOW, THEREFORE

BE IT RESOLVED, that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and they hereby are authorized to sign, on behalf of their respective county, the Fee For Service Contract.

DATED this \_\_\_\_\_ day of August 2011.

DATED this \_\_\_\_\_ day of August 2011.

BENTON COUNTY BOARD OF COMMISSIONERS

FRANKLIN COUNTY BOARD OF COMMISSIONERS

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

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

\_\_\_\_\_  
Member

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

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

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

ATTEST:

ATTEST:

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

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

JUDGES  
Hon. Craig J. Matheson  
Hon. Vic L. VanderSchoor  
Hon. Robert G. Swisher  
Hon. Carrie Runge  
Hon. Cameron Mitchell  
Hon. Bruce Spanner

# BENTON-FRANKLIN COUNTIES JUVENILE JUSTICE CENTER



SHARON PARADIS, Administrator  
Juvenile Court Services

## SUPERIOR COURT OF THE STATE OF WASHINGTON

5606 W CANAL PLACE, SUITE 106 • KENNEWICK, WASHINGTON 99336-1388  
PHONE (509) 783-2151 • FAX (509) 736-2728

LONNA K. MALONE  
JOSEPH R. SCHNEIDER  
JERRI G. POTTS  
Court Commissioners

### FEE FOR SERVICES CONTRACT TERMS AND CONDITIONS

This Contract is made and entered into by and between Benton County, a political subdivision, with its principal offices at 620 Market Street, Prosser, WA 99350 and Franklin County, a political subdivision, with its principal offices at 1016 North Fourth Avenue, Pasco, WA 99301, by and for the Benton-Franklin Counties Juvenile Justice Center, a bi-county agency located at 5606 W. Canal Place STE 106, Kennewick, WA 99336 (hereinafter collectively referred to as "Counties"), and Kiona-Benton School District, with its principal offices at 1107 Grace, Benton City, WA, 99320, (hereinafter referred to as "District").

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

#### 1. DURATION OF CONTRACT

The term of this Contract shall be from September 1, 2011, through July 31, 2012, unless terminated prior to that time as provided herein.

#### 2. SERVICES PROVIDED

The Counties shall perform the following services:

- A. Develop, recruit and train a truancy board; implement and follow-up on truancy board recommendations; assist families in obtaining outreach services (in-home when necessary); provide Family Support counseling; perform drug/alcohol assessment and treatment referrals; assist in processing all truancy court referrals; monitor courtroom truancy petitions; and follow-up on truancy petition requirements.
- B. The Counties agree to provide its own labor and materials. Unless otherwise provided in this Contract, no material, labor, or facilities will be furnished by the District.
- C. The Counties shall perform the work specified in this Contract according to standard industry practice and shall perform the work in coordination with the Truancy Court Liaison.

# ORIGINAL

## RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY,  
WASHINGTON:

IN THE MATTER OF COUNTY FRANCHISES RE: GRANTING A FRANCHISE TO  
WHITSTRAN HEIGHTS WATER ASSOCIATION FOR A FRANCHISE FOR WATER  
SYSTEM AND ALL FACILITIES, LOCATED IN BENTON COUNTY;

WHEREAS, a public hearing was held to consider the request of Whitstran Heights Water Association, who has applied to continue a nonexclusive franchise for a water system and all facilities in unincorporated Benton County, and

WHEREAS, after hearing the testimony regarding the request for a franchise, the Board finds as follows:

1. The term of the franchise shall be a ten year (10) period, expiring August 31, 2021, with an associated cost of \$500.00;
2. The Grantee is to carry liability insurance with Benton County named as an insured with a minimum limit of \$500,000.00. A copy of the proof of insurance is to be provided to Benton County yearly;
3. Placement of facilities within the right of way shall meet all requirements of Benton County as to location and repair of roads and right of way, including noxious weed control;
4. Should Benton County require utility relocation work because of road construction or maintenance, said work shall be at the Grantee's expense;
5. The franchise is nonexclusive;
6. The Grantee is to sign the Order and Agreement for Nonexclusive Franchise;

WHEREAS, Whitstran Heights Water Association has agreed to the terms and has signed the Order and Agreement for Nonexclusive Franchise, said Order having been approved as to form by the Prosecuting Attorney's Office, NOW, THEREFORE

BE IT RESOLVED that the franchise be approved and that the Board indicates its approval by its signatures on the Order and Agreement for Nonexclusive Franchise.

Dated this 23<sup>rd</sup> day of August, 2011.

\_\_\_\_\_  
Chairman

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

\_\_\_\_\_  
Member

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

Constituting the Board of County  
Commissioners of Benton County,  
Washington

By: Steve Becken:lss

Return to:  
Benton County Public Works  
P. O. Box 1001  
Prosser, WA 99350

Grantor: Benton County  
Grantee: Whitstran Heights Water Association

ORIGINAL

BEFORE THE BOARD OF COUNTY COMMISSIONERS

BENTON COUNTY, STATE OF WASHINGTON

IN THE MATTER OF THE APPLICATION OF )  
WHITSTRAN HEIGHTS WATER ASSOCIATION )  
FOR A NONEXCLUSIVE FRANCHISE TO LOCATE, )  
CONSTRUCT, MAINTAIN, OPERATE, USE, AND IF )  
NECESSARY, REMOVE WATER SYSTEM AND )  
ALL FACILITIES WITHIN THE COUNTY OF )  
BENTON, STATE OF WASHINGTON, UPON, OVER, )  
UNDER, ALONG, AND ACROSS CERTAIN COUNTY )  
ROADS AND PUBLIC HIGHWAYS, OR PARTS )  
THEREOF, NOT WITHIN THE LIMITS OF ANY )  
INCORPORATED CITY OR TOWN. )

No. \_\_\_\_\_

ORDER AND AGREEMENT FOR  
NONEXCLUSIVE FRANCHISE

FINDINGS

NOW, on this \_\_\_\_\_ day of \_\_\_\_\_ the petition and application of  
WHITSTRAN HEIGHTS WATER ASSOCIATION, for the authority and  
nonexclusive Franchise, for a term of ten (10) years, to install, locate, construct, maintain,  
operate, use, and, if necessary, remove WATER SYSTEM AND ALL FACILITIES under, upon,  
over, along and across Benton County roads, highways, streets, alleys, bridges, and rights-of-  
ways, or other County property, hereinafter called County roads or rights-of-ways, described in  
said application by reference to the sections, townships, and ranges in which said County roads  
or rights-of-ways are physically located within the County of Benton, State of Washington, and

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION</u>		
Meeting Date :	August 23, 2011	Execute Contract :	_____	k. Traffic Control Authorization on Grosscup Road
Subject :	No Parking Res.	Pass Resolution :	_____ X _____	Public Hearing : _____
Prepared by :	NWC	Pass Ordinance :	_____	1st Discussion : _____
Reviewed by :	SWB, MJB	Pass Motion :	_____	2 <sup>nd</sup> Discussion : _____
		Other :	_____	Other : _____

### BACKGROUND INFORMATION

This department has received requests regarding issues caused by cars parking along Grosscup Road. Residents living adjacent to Grosscup Road near the Yakima River in West Richland are having problems with litter, noise and other disturbances from the parking vehicles. They are also concerned that emergency vehicles would not be able to get through the parked vehicles if needed. It appears that recreational users of the Yakima River are using Grosscup Road as an access point and parking for the river.

### SUMMARY

Vehicles parking on Grosscup Road from Yakima River Drive east to the End (approx. 0.12 mi.) could impede emergency vehicles from using Grosscup Road and parking should be prohibited on this portion of County Road.

### RECOMMENDATION

In order to promote safety on Benton County roads I would recommend that the BOCC restrict parking on Grosscup Road from Yakima River Drive east to the End (approx. 0.12 mi.).  
Allow no parking at any time.

### FISCAL IMPACT

Budgeted routine traffic control device materials and installation.

### MOTION

Approval of consent agenda.



# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF TRAFFIC CONTROL ON CERTAIN COUNTY ROADS RE:

**Parking restriction on Grosscup Road**

WHEREAS, The Board of County Commissioners of Benton County, Washington in the exercise of a governmental function for and on behalf of said Benton County in the protection of life, health, safety, welfare and convenience of the inhabitants of said County, is desirous of making certain restrictions on the traffic using the County Roads designated below; NOW, THEREFORE,

BE IT RESOLVED by the Board of County Commissioners of Benton County, Washington, that the traffic control on County Roads designated below shall be as follows:

**That it shall be unlawful for any vehicle to be parked at any time along either side of Grosscup Road from Yakima River Drive east to the End (approx. 0.12 mi.).**

This resolution shall be effective August 23, 2011.

Dated this 23rd day of August, 2011.

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

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

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

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

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

SWB:NWC:nwc

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>	
Meeting Date:	<u>August 23, 2011</u>	Execute Contract	_____
Subject:	<u>Authorization to Purchase – Military/Marine Binoculars</u>	Pass Resolution	<u>X</u>
		Pass Ordinance	_____
		Pass Motion	_____
		Other	_____
Prepared by:	<u>J. Thompson</u>	Consent Agenda	<u>X</u>
Reviewed by:	<u>J. Thompson</u> 	Public Hearing	_____
		1st Discussion	_____
		2nd Discussion	_____
		Other	_____

**BACKGROUND INFORMATION / SUMMARY**

The Benton County Sheriff's Office was authorized to participate in the FFY 2010 Homeland Security Buffer Zone Protection Plan per contract E11-242 (Resolution 11 288). The approved equipment list was revised and amended per Resolution 11 493.

The "Approved Equipment List" identified Military/Marine binoculars as an approved purchase for the Benton County Sheriffs' Office. The Benton County Sheriff's Office consulted the vendors list and solicited the following vendors:

- Law Enforcement Equipment Distribution (L.E.E.D.), Tacoma, WA (\$11,598.93 including W.S.S.T and shipping)
- Larsen Firearms, Pasco, WA (\$11,902.55 including W.S.S.T and shipping)
- Chief Supply Corp, Eugene, OR (\$10,762.15 including W.S.S.T and shipping)

Chief Supply Corp has the lowest price for the Military/Marine binoculars.

**RECOMMENDATION**

Authorize the purchase of the Military/Marine binoculars from Chief Supply Corp.

**FISCAL IMPACT**

- \$11,000 – Grant Related Expenditure

Grant related supplement is needed at a later date.

**MOTION**

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE PURCHASE OF MILITARY/MARINE BINOCULARS FROM CHIEF SUPPLY CORP FOR THE BENTON COUNTY SHERIFF'S OFFICE

WHEREAS, per resolution 11-402, "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, per resolution 11-288 and resolution 11-493, the Benton County Sheriff's Office was authorized to participate in the FFY10 Buffer Zone Protection Program (BZPP); and

WHEREAS, the Military/Marine binoculars are part of the FFY10 BZPP approved equipment list; and

WHEREAS, the Benton County Sheriff's Office solicited the following companies to provide a quote for the Military/Marine binoculars; and

Law Enforcement Equipment Distribution (L.E.E.D.), Tacoma, WA (\$11,598.93 including W.S.S.T and shipping)  
Larsen Firearms, Pasco, WA (\$11,902.55 including W.S.S.T and shipping)  
Chief Supply Corp, Eugene, OR (\$10,762.15 including W.S.S.T and shipping)

WHEREAS, Chief Supply Corp. has the lowest price for the Military/Marine binoculars; and

WHEREAS, the Patrol Captain has reviewed the quotes for completeness and recommends Chief Supply Corp.; **NOW THEREFORE,**

**BE IT RESOLVED,** by the Board of Benton County Commissioners, Benton County Washington, the Board hereby authorizes the purchase of the Military/Marine binoculars from Chief Supply Corp, Eugene, OR in the amount of \$10,762.15 including W.S.S.T. with the total amount payable not to exceed \$11,000 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

<b>AGENDA ITEM</b>		<b>TYPE OF ACTION NEEDED</b>			
Meeting Date:	<u>August 23, 2011</u>	Execute Contract	_____	Consent Agenda	<u>X</u>
Subject:	Authorization to Purchase – Surefire Flashlights Kits	Pass Resolution	<u>X</u>	Public Hearing	_____
		Pass Ordinance	_____	1st Discussion	_____
		Pass Motion	_____	2nd Discussion	_____
		Other	_____	Other	_____
Prepared by:	<u>J. Thompson</u>				
Reviewed by:	<u>J. Thompson</u> 				

**BACKGROUND INFORMATION / SUMMARY**

The Benton County Sheriff’s Office was authorized to participate in the FFY 2010 Homeland Security Buffer Zone Protection Plan per contract E11-242 (Resolution 11 288). The approved equipment list was revised and amended per Resolution 11 493.

The “Approved Equipment List” identified Surefire flashlight kits with holders as an approved purchase for the Benton County Sheriffs’ Office. The Benton County Sheriff’s Office consulted the vendors list and solicited the following vendors:

- Law Enforcement Equipment Distribution (L.E.E.D.), Tacoma, WA (\$6,676.70 including W.S.S.T and shipping)
- Larsen Firearms, Pasco, WA (\$6,091.88 including W.S.S.T and shipping)
- Chief Supply Corp, Eugene, OR (\$6,733.99 including W.S.S.T and shipping)

Larsen Firearms has the lowest price for the Surefire flashlight kits with holders.

**RECOMMENDATION**

Authorize the purchase of the Surefire flashlight kits with holders from Larsen Firearms.

**FISCAL IMPACT**

- \$6,200 – Grant Related Expenditure

Grant related supplement is needed at a later date.

**MOTION**

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE PURCHASE OF SUREFIRE FLASHLIGHT KITS WITH HOLDERS FROM LARSEN FIREARMS FOR THE BENTON COUNTY SHERIFF'S OFFICE

**WHEREAS**, per resolution 11-402, "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**, per resolution 11-288 and resolution 11-493, the Benton County Sheriff's Office was authorized to participate in the FFY10 Buffer Zone Protection Program (BZPP); and

**WHEREAS**, the Surefire flashlight kits with holders are part of the FFY10 BZPP approved equipment list; and

**WHEREAS**, the Benton County Sheriff's Office solicited the following companies to provide a quote for the Surefire flashlight kits with holders; and

Law Enforcement Equipment Distribution (L.E.E.D.), Tacoma, WA (\$6,676.70 including W.S.S.T and shipping)

Larsen Firearms, Pasco, WA (\$6,091.88 including W.S.S.T and shipping)

Chief Supply Corp, Eugene, OR (\$6,733.99 including W.S.S.T and shipping)

**WHEREAS**, Larsen Firearms has the lowest price for the Surefire flashlight kits with holders; and

**WHEREAS**, the Patrol Captain has reviewed the quotes for completeness and recommends Larsen Firearms; **NOW THEREFORE**,

**BE IT RESOLVED**, by the Board of Benton County Commissioners, Benton County Washington, the Board hereby authorizes the purchase of the Surefire flashlight kits with holders from Larsen Firearms, Pasco, WA in the amount of \$6,091.88 including W.S.S.T. with the total amount payable not to exceed \$6,200 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:	<u>August 23, 2011</u>	Execute Contract	_____	Consent Agenda
Subject:	<u>Authorization to Purchase – Thermal Scopes</u>	Pass Resolution	<u>X</u>	Public Hearing
Prepared by:	<u>Capt. Vannoy</u>	Pass Ordinance	_____	1st Discussion
Reviewed by:	<u>J. Thompson</u> <i>J. Thompson</i>	Pass Motion	_____	2nd Discussion
		Other	_____	Other

**BACKGROUND INFORMATION / SUMMARY**

The Benton County Sheriff’s Office was authorized to participate in the FFY 2010 Homeland Security Buffer Zone Protection Plan per contract E11-242 (Resolution 11 288). The approved equipment list was revised and amended per Resolution 11 493.

The “Approved Equipment List” identified Thermal imaging scopes as an approved purchase for the Benton County Sheriffs’ Office. The Benton County Sheriff’s Office consulted the vendors list and after a diligent search it was found that Larsen Firearms is a sole source provider of Insight Technologies hand held thermal scopes.

**RECOMMENDATION**

Authorize the purchase of the Insight Technologies hand held thermal scopes from Larsen Firearms.

**FISCAL IMPACT**

- \$14,000 – Grant Related Expenditure

Grant related supplement is needed at a later date.

**MOTION**

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE PURCHASE OF INSIGHT TECHNOLOGIES HAND HELD THERMAL SCOPE FROM LARSEN FIREARMS AS PART OF THE HOMELAND SECURITY BUFFER ZONE GRANT FOR THE BENTON COUNTY SHERIFF'S OFFICE, KENNEWICK, WASHINGTON

WHEREAS, per resolution 11-403, "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, per resolution 11-288 and resolution 11-493, the Benton County Sheriff's Office was authorized to participate in the FFY10 Buffer Zone Protection Program (BZPP); and

WHEREAS, the Insight Technologies hand held thermal scopes are part of the FFY10 BZPP approved equipment list; and

WHEREAS, the Benton County Sheriff's Office, consulted the vendors list and after a diligent search it was found that Larsen Firearms is a sole source provider of Insight Technologies hand held thermal scopes purchased for the Sheriff's Office; and

WHEREAS, Insight Technologies provides state of the art thermal scopes and is a direct military contractor, and

WHEREAS, Thermal scopes manufactured by Insight Technologies, Inc. are only available for purchase directly through Larsen Firearms; and

WHEREAS, the Patrol Captain has reviewed the quote from Larsen Firearms for completeness and recommends purchasing the hand held thermal scope for the Sheriff's Office from Larsen Firearms; **NOW THEREFORE,**

**BE IT RESOLVED,** the Board of Benton County Commissioners, Benton County Washington, concurs with the Patrol Captain's recommendation and hereby authorizes the purchase of Insight Tech. Thermal scope from Larsen Firearms in the amount of \$13,537.50 including WSST with a total amount not to exceed \$14,000 including WSST.

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

Orig: Sheriff's Office  
cc: Auditor, Purchase file

Prepared by: C. Vannoy

o. Adoption of Ordinance Relating to Fee Schedule; Rescinding Resolution 05-519

<b>AGENDA ITEM</b> Meeting Date: <u>August 23, 2011</u> Subject: <u>Increase Civil Fees / Change to Ordinance</u> <u>R. Plummer</u> Prepared by: <u>Ryan Lukson,</u> Reviewed by: <u>DPA</u> 	<b>TYPE OF ACTION NEEDED</b> Execute Contract _____ Pass Resolution <u>X</u> Pass Ordinance _____ Pass Motion _____ Other _____	<b>Consent Agenda</b> <u>X</u> Public Hearing _____ 1st Discussion _____ 2nd Discussion _____ Other _____
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**BACKGROUND INFORMATION / SUMMARY**

Fees for the Benton County Sheriff's Office have not been increased since 2005. With the increase in the amount of paper service and gasoline prices over the last few years, increasing our mileage fee would help offset the added expense. I compared our fees to the fees of surrounding counties and most already have a minimum mileage fee of \$10. In addition, charging 51 cents per mile coincides with our Travel Policy by following the General Services Administration guidelines.

**RECOMMENDATION**

Approve the attached Resolution for an increase to certain Sheriff's fees. Also, adopt the attached ordinance which has been reviewed and approved by the Prosecutor's Office.

**FISCAL IMPACT**

As an example of one type of paperwork served: the Civil Division serves approximately 416 Writs of Restitution a year. An increase in mileage from a minimum of \$5 to \$10 would result in an additional \$2,080 per year in revenue.

**MOTION**

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:  
IN THE MATTER OF ADOPTION OF ORDINANCE NO. \_\_\_\_\_, RELATING TO  
THE INCREASE IN THE FEE SCHEDULE FOR THE BENTON COUNTY  
SHERIFF'S OFFICE.

WHEREAS, in August, 2005, Ordinance 422 was adopted that set the fees that are to be charged by the Benton County Sheriff's Office for performing official services per RCW 36.18.040(1); and

WHEREAS, since 2005 the Sheriff's actual cost of administration and operation to provide those services has increased significantly; and

WHEREAS, RCW 36.18.040(3) provides that, notwithstanding RCW 36.18.040(1), a county legislative authority may set the amounts of fees to be collected by the Sheriff to cover the costs of administration and operation; and

WHEREAS, the cost of service provided by the Sheriff should be fully paid by the parties benefiting from such services and should not be subsidized by the Sheriff at the expense of the Sheriff's public safety mission; and

WHEREAS, the Sheriff has examined the cost of administration and operation of services provided by the Sheriff and has requested that the Board of County Commissioners act under authority of RCW 36.18.040 to increase Sheriff fees; **NOW, THEREFORE**

**BE IT RESOLVED**, that the foregoing Schedule of Sheriff's Fees for Official Duties be approved by the Board of Benton County Commissioners, Benton County, Washington, and

**BE IT FURTHER RESOLVED**, the Board automatically approves any increase in mileage as published by the General Services Administration (GSA) at <http://www.gsa.gov/portal/category/21287>; and

**BE IT FURTHER RESOLVED**, by the Board of Benton County Commissioners that Ordinance No. \_\_\_\_\_ is hereby adopted and Resolution No. 05-519 is hereby rescinded.

Dated this ..... day of....., 20 .....

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

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

\_\_\_\_\_  
Member

Constituting the Board of County  
Commissioners of Benton County,  
Washington

Attest: .....  
Clerk of the Board

cc: All Depis: Intranet

R. Plummer

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE relating to Sheriff's Fees for Official Duties; increasing the mileage rate and certain fees; amending Ordinance 422, Section 4 and BCC 8.34.040.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

SECTION 1. Ordinance 422, Section 4 and BCC 8.34.040 are hereby amended to read as follows:

FEES IMPOSED. As authorized by RCW 36.18.040(3), the following fees for official services of the Sheriff are hereby imposed:

- (a) For service of each summons and complaint, notice and complaint, summons and petition, and notice of small claim on one defendant at any location, twenty (20) dollars, and on two (2) or more defendants at the same residence, twenty-five (25) dollars, besides mileage;
- (b) For making a return, besides mileage actually traveled, ten (10) dollars;
- (c) For levying each writ of attachment or writ of execution upon real or personal property, besides mileage, fifty (50) dollars per hour;
- (d) For filing a copy of a writ of attachment or writ of execution with auditor, twenty (20) dollars plus auditor's filing fee;
- (e) For serving a writ of possession or restitution without aid of the county, besides mileage, forty (40) dollars;
- (f) For serving a writ of possession or restitution with aid of the county, besides mileage, sixty (60) dollars plus fifty (50) dollars for each hour after one hour;
- (g) For serving an arrest warrant in any action or proceeding, besides mileage, fifty (50) dollars;
- (h) For executing any other writ or process in a civil action or proceeding, besides mileage, fifty (50) dollars per hour;
- (i) For each mile actually and necessarily traveled in going to or returning from any place of service, or attempted service, (~~fifty~~ ~~(50)~~) fifty-one (51) cents per mile (increases authorized as published by the General Services Administration) with a ((~~five~~ ~~(5)~~) ten (10) dollar minimum mileage charge;
- (j) For making a deed to lands sold upon execution or order of sale or other decree of court, to be paid by the purchaser, fifty (50) dollars;
- (k) For making copies of papers when sufficient copies are not furnished, two (2) dollars for first page and fifty (50) cents per each additional page;

- (l) For the service of any other document and supporting papers for which no other fee is provided for herein, twenty-five (25) dollars for one party and thirty (30) dollars for two or more parties at the same residence;
- (m) For posting a notice of sale, or postponement, fifteen (15) dollars besides mileage;
- (n) For certificate or bill of sale of property, or certificate of redemption, fifty (50) dollars;
- (o) For conducting a sale of property, fifty (50) dollars per hour spent at a sheriff's sale;
- (p) For notarizing documents, five (5) dollars for each document;
- (q) For fingerprinting for non-criminal purposes, fifteen (15) dollars for each person for up to two (2) sets, and three (3) dollars for each additional set;
- (r) For mailing required by statute, whether regular, certified, or registered, the actual cost of postage;
- (s) For an internal criminal history records check, fifteen (15) dollars;
- (t) For the reproduction of audio, visual, or photographic material, to include magnetic microfilming, the actual cost plus personnel time.
- SECTION 2. SEVERABILITY. If any provision of this ordinance is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the ordinance and the applicability thereof to other persons and circumstances shall not be affected thereby.
- SECTION 3. EFFECTIVE DATE. This ordinance shall take effect and be in full force upon its passage and adoption.

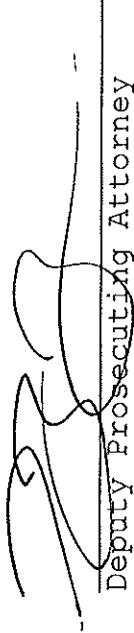
ADOPTED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

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

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

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

Approved as to Form:  
\_\_\_\_\_  
Constituting the Board of  
County Commissioners of  
Benton County, Washington

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

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
521.100	2106	Uniform Laundry	\$4,550	521.100	2105	Uniforms	\$4,000
				521.100	4114	Pre-employment Exams	\$550
TOTAL			\$4,550	TOTAL			\$4,550

**Explanation:**

Line item transfer needed to cover the cost of uniforms associated with completely outfitting new employees with the required uniforms. Pre-employment exam expense needed for a new hire.

Prepared by:

Date:

Approved

Denied

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

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

# 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 ADMINISTRATION DEPARTMENT NUMBER 118.

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

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>		
Meeting Date: <u>8/23/2011</u>	Execute Contract	_____	Consent Agenda <u>X</u>
Subject: <u>Line Item Transfer - Sheriff Custody - Dept. 120</u>	Pass Resolution	<u>X</u>	Public Hearing _____
Prepared by: <u>J Thompson</u>	Pass Ordinance	_____	1st Discussion _____
Reviewed by: <u>J Thompson</u>	Pass Motion	_____	2nd Discussion _____
	Other	_____	Other _____

**BACKGROUND INFORMATION / SUMMARY**

Line item transfer needed to cover the cost of a printer in the Jail that was not part of the replacement fund.

**RECOMMENDATION**

Approve attached line item transfer

**FISCAL IMPACT**

- \$0.00 – Part of the approved 2011/2012 biennium 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: Sheriff Custody      Dept Nbr: 120  
 Fund Name: Current Expense      Fund Nbr: 0000-101

TRANSFER FROM: \_\_\_\_\_ TRANSFER TO: \_\_\_\_\_

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
523.200	3135	Maintenance Repair	\$491	523.200	3501	Small Item - Equipment	\$491
TOTAL			\$491	TOTAL			\$491

Explanation:

Line item transfer needed to cover the cost of a printer in the Jail that was not part of the replacement fund.

Prepared by: Julie Thompson      Date: 15-Aug-2011

Approved  Denied       Date: \_\_\_\_\_

\_\_\_\_\_  
 Chairman  
 \_\_\_\_\_  
 Member  
 \_\_\_\_\_  
 Member

### 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
521.210	1935	Holiday	\$99,295	521.932	3106	Operating Supplies	\$30,295
				521.932	3501	Small Item - Equipment	19,000
				594.210	6401	Capital Outlay - Hardware	50,000
TOTAL			\$99,295	TOTAL			\$99,295

**Explanation:**

Line Item transfer is needed to fund grant related expenditures relating to the Buffer Zone Protection Plan (BZZP) that was approved May 2, 2011 per Resolution 11-288 and ammended on July 25, 2011 per Resolution 11-493. A grant related supplement will replenish the holiday line item.

Prepared by:

Date:

Approved

Denied

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

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

# 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: Sheriff Patrol

Dept Nbr: 121

Fund Name: Current Expense

Fund Nbr: 0000-101

TRANSFER FROM:

TRANSFER TO:

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
521.210	3127	SWAT Supplies	\$398	521.210	3501	Small Item - Equipment	\$398
TOTAL			\$398	TOTAL			\$398

**Explanation:**

Line item transfer needed to properly code the expenditure relating to the cost of a Global Positioning System (GPS) unit to be used by members of the SWAT team.

Prepared by: Julie Thompson

Date: 15-Aug-2011

Approved

Denied

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

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

# 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

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>		
Meeting Date: <u>8/23/2011</u>	Execute Contract	_____	
Subject: <u>Line Item Transfer -</u>	Pass Resolution	<u>X</u> _____	
<u>Sheriff</u>	Pass Ordinance	_____	
<u>Investigative</u>	Pass Motion	_____	
<u>Fund 0126-101</u>	Other	_____	
Prepared by: <u>J Thompson</u>		Consent Agenda	<u>X</u> _____
Reviewed by: <u>J Thompson</u>		Public Hearing	_____
		1st Discussion	_____
		2nd Discussion	_____
		Other	_____

**BACKGROUND INFORMATION / SUMMARY**

Line item transfer needed to properly code the expenditure relating to the cost of two (2) Global Positioning System (GPS) unit to be used by the detectives during the eradication of marijuana.

**RECOMMENDATION**

Approve attached line item transfer

**FISCAL IMPACT**

- \$0.00 – Part of the approved 2011/2012 biennium budget.

**MOTION**

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN SHERIFF INVESTIGATIVE FUND NUMBER 0126-101, SHERIFF DEPARTMENT NUMBER 000.

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: Sheriff Dept Nbr: 000  
 Fund Name: Sheriff Investigative Fund Nbr: 0126-101

TRANSFER FROM: \_\_\_\_\_ TRANSFER TO: \_\_\_\_\_

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
521.210	3106	Operating Supplies	\$795	521.210	3501	Small Item - Equipment	\$795
TOTAL			\$795	TOTAL			\$795

**Explanation:**

Line item transfer needed to properly code the expenditure relating to the cost of two (2) Global Positioning System (GPS) unit to be used by the detectives during the eradication of marijuana.

Prepared by: Julie Thompson Date: 15-Aug-2011

Approved  Denied  Date: \_\_\_\_\_

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

### 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
521.210	3106	Operating Supplies	\$4,000	521.210	2105	Uniforms	\$4,000
TOTAL			\$4,000	TOTAL			\$4,000

**Explanation:**

Line item transfer needed to properly code the expenditures relating to additional uniform needs that would qualify to be coded out of the Sheriff Investigative Fund 0126-101.

Prepared by:

Date:

Approved

Denied

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

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN SHERIFF INVESTIGATIVE FUND NUMBER 0126-101, SHERIFF DEPARTMENT NUMBER 000.

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

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	<u>8/23/11</u>	Execute Contract	_____	Consent Agenda	<u>X</u>
Subject:	<u>SQL Conversion &amp; REET Module</u>	Pass Resolution	<u>X</u>	Public Hearing	_____
Prepared by:	<u>Nick Kooiker</u>	Pass Ordinance	_____	1st Discussion	_____
Reviewed by:	<u>Keith Mercer</u>	Pass Motion	_____	2nd Discussion	_____
		Other	_____	Other	_____

**BACKGROUND INFORMATION**

The REET Technology fund (0129-101) was created per RCW 82.45.180 3(c). This fund was created in order to receipt monies from the state Treasurer to be used exclusively for the “development, implementation, and maintenance of an electronic processing and reporting system for real estate excise tax affidavits”. The County’s current provider for tax administration software “Manatron, Inc” has developed a REET module named “eConvey” that provides us the ability to electronically process excise tax affidavits in conjunction with our current software. Due to this connection to our current software and the inability of other vendors to create a REET module that works with Manatron’s tax management software, this software purchase is defined as “single source” and exempt from the competitive bidding requirements per RCW 39.04.280. One requirement of Manatron’s eConvey module is that Benton County installs a SQL server on the eConvey application server. The SQL conversion has been discussed many times before because County applications will run more efficiently on this platform relative to our current “Informix” platform. The new module will greatly enhance efficiencies throughout the processing of REET affidavits for all county departments involved. The eConvey solution is a completely digital solution that will replace the current method of transporting paper documents.

**SUMMARY**

The Benton County Treasurer, Auditor, and Assessor would like to implement Manatron’s eConvey module, which will allow the electronic processing of REET affidavits throughout the County and also with escrow companies. This system will greatly enhance efficiencies within multiple County departments and allow for shorter processing times of affidavits. In order for this module to be installed, the County must first convert to a SQL server. The conversion to a SQL server and eConvey are all combined into one contract and all costs will be paid from the REET Tech fund.

**RECOMMENDATION**

To pass resolution allowing the Benton County Treasurer, Auditor and Assessor to sign necessary contracts for the implementation of the SQL conversion and eConvey REET projects.

**FISCAL IMPACT**

All one time and maintenance costs will be paid out of the REET Technology Fund (0129-101), so there will be no impact to the County’s current expense fund. The total one time fees for the SQL conversion are \$51,000 + WSST, with annual maintenance costs of \$2,600/year. The total one time fees for the REET eConvey module are \$82,500 + WSST, with annual maintenance costs of \$6,000/year.

**MOTION**

To approve the Treasurer, Assessor, and Auditor executing all of the contracts in order to implement the SQL conversion and eConvey.

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

**IN THE MATTER OF APPROVAL OF AGREEMENT WITH MANATRON, INC FOR THE CONVERSION TO SQL SERVER AND PURCHASE OF ECONVEY MODULE, ALLOWING FOR THE ELECTRONIC PROCESSING OF REAL ESTATE EXCISE TAX AFFIDAVITS.**

**WHEREAS**, the REET technology fund (0129-101) was established by resolution 05-427 in order to collect fees which are meant to fund expenditures related to the automation of processing real estate excise tax per RCW 82.45.180; and,

**WHEREAS**, the County Treasurer, Assessor, and Auditor have researched all opportunities for software that would automate the REET process and determined the only system that would be compatible with the current tax administration software provided by Manatron, Inc would be "eConvey" because it is provided by the same vendor and would provide the greatest efficiencies for all County departments involved in the process; and,

**WHEREAS**, one of the requirements of implementing the eConvey electronic REET module is that the County convert all Manatron applications from an Informix-based database platform to a SQL-based platform; and

**WHEREAS**, the migration to a SQL server and the implementation of Manatron's eConvey application would both be defined as "single source" due to the fact that eConvey utilizes features of the County's existing application for affidavit processing and receipting, and also due to the inability of other vendors of providing a system compatible with our current tax administration software; and

**WHEREAS**, the contract has been approved as to form by the Benton County Prosecuting Attorney's Office; **NOW THEREFORE**,

**BE IT RESOLVED**, by the Board of Benton County Commissioners, Benton County, Washington, the Board hereby approves the Agreement (Exhibit "A") between Benton County and Manatron, Inc. in an amount not to exceed \$133,500 plus WSST with annual maintenance costs of \$8,600 per year (subject to increase as defined in Section 8.2 of the Agreement); and

**BE IT FURTHER RESOLVED**, the Board authorizes the Treasurer, Assessor, and Auditor to sign the attached Agreement; and

**BE IT FURTHER RESOLVED**, the initial term of the attached Agreement commences the date the Agreement is last signed by either party and shall continue for thirty six (36) months. After thirty six (36) months, the Agreement shall renew automatically for additional terms of twelve (12) months.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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**Chairman of the Board**

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**Member**

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**Member**

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

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

Prepared by Nick Kooiker, Treasurer's Office

Original: Treasurer's Office  
CC: Auditor's Office, R. Ozuna (PA), Central Services, Assessor's Office

**MASTER AGREEMENT FOR LICENSED SOFTWARE, HARDWARE, AND SERVICES**

Effective as of the date that this Agreement is last signed by either party (the “Effective Date”)

By and Between	And
<b>MANATRON, INC.</b> 510 E. Milham Avenue Portage, Michigan 49002 (“Manatron”)	<b>BENTON COUNTY, WASHINGTON</b> 620 Market Street P.O. Box 630 Prosser, Washington 99350 (“Customer”)
Attention: <u>Matthew Henry, Senior Contract Administrator</u> Telephone No.: <u>(866) 471-2900 ext. 7099</u> Fax No.: <u>(269) 567-2930</u> E-mail Address: <u>matt.henry@manatron.com</u>	Attention: <u>Duane Davidson, Treasurer, Barbara Wagner, Assessor, and Brenda Chilton, Auditor</u> Telephone No.: <u>(509) 786-2255</u> Fax No.: <u>(509) 786-5628</u> E-mail Address: <u>treasurer@co.benton.wa.us</u>

This Master Agreement for Licensed Software, Hardware, and Services sets forth the terms and conditions under which Manatron shall license the software programs, sell the hardware, and/or provide the support and other services described in the attached Schedules WA2011.002.01 and all future Schedules that reference the Master Agreement No. WA2011.002. The term “Agreement” means this Signature Page, the attached General Terms and Conditions, and all Schedules attached hereto or subsequently signed by the parties.

The parties have executed this Agreement as of the dates set forth below their respective signatures.

**MANATRON, INC.**

By:   
 (Signature)

Its: V.P. of Risk Management  
 (Type or Print Position)

Date: August 15, 2011

Witnessed:   
 (Signature)

By: Matthew Henry  
 (Type or Print Name)

**BENTON COUNTY, WASHINGTON**

By: \_\_\_\_\_  
 (Signature)

Its: \_\_\_\_\_  
 (Type or Print Position)

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

By: \_\_\_\_\_  
 (Signature)

Its: \_\_\_\_\_  
 (Type or Print Position)

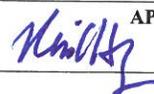
Date: \_\_\_\_\_

By: \_\_\_\_\_  
 (Signature)

Its: \_\_\_\_\_  
 (Type or Print Position)

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

**APPROVED AS TO FORM**

By:   
 (Signature)

Its: Deputy Prosecuting Attorney  
 (Type or Print Position)

Date: Aug. 15, 2011

**SIGNATURE PAGE**

# KENNEWICK IRRIGATION DISTRICT COST OF SERVICE STUDY

We keep the water moving.....



# What is going on

- Still moving on average 155 MGD untreated Yakima River Water
- Still irrigating 20,201 acres
- Still delivering water to 22,768 customers
- New Management Team
- Environmental Constraints
- Legal Constraints
- How KID does Business
  - Zero based budgeting.
  - 25% of late fees to helping hands
  - Cost of service Study

# Cost of Service Study – Why?

- BOD listened
- Assumptions:
  - Assessments will reflect of the relative costs of serving different types of customers
  - Rates will distribute (allocate) costs to the customers who benefit from the infrastructure that generates those costs
  - Rate design should be supported by reliable data for an economical cost
  - Different charges recover different infrastructure costs & customers pay only those charges that apply to their property.



# APPROACH

- Budget Neutral - Not a revenue increase
- Study driven by policies
- Citizen Committee appointed
- Board hired an expert to conduct study
- Improves equity
- Defensible
- A public process
- Board is listening to concerns from the rate payers



# Policy Questions

- Should one class of customer subsidize another?
- How much of an impact has Urbanization of agricultural lands had on the district?
- What should be done with the federal subsidy of construction? Financing Costs?
- Should any changes to the rates (assessments) be phased in?
- Should some very small parcels be provided an exception?



# IMPACT OF URBANIZATION

- Historical snapshot from 1960 to 2010 shows cost growth above inflation of 536% over about 50 years. Some but not all of this comes from adding new pipes and pumps. The remainder is due to growth in no. customers even when acreage is not increasing.
- With a fixed charge, the process of subdivision results in additional revenue to KID. Using the cost allocation model, we tested various scenarios until we found a percentage of infrastructure costs that, if assigned to the fixed charge, would make the increased revenue from subdivision approximately match the long-term impact of urbanization.
- That percentage was 60%. In other words, if we recover 60% of our infrastructure costs from the fixed charge, KID will be able to keep up with long-term cost pressures created by subdivision.



# Myth Busters

- KID is making a profit
- Directors getting a raise
- Managers getting large raises
- KID won't listen and do what it wants
- Rates are being changed to pay for red mountain



# Going Forward

- Continued dialog with rate payers & wider community
- Adjusting policies to meet rate payer issues where practical
- Continue irrigation system upgrades that enhance efficiencies



# Take Away

- KID is not increasing its budget as part of this project.
- KID is a member of this community and is sensitive to the fact that any change to the rates affect our neighbors.
- KID has done its homework.
- KID will continue to strive to balance the needs of our residential customers with those in the farming community.
- KID is leaner and hasn't raised rates in two years.



Thank You

CCM 1.1

<p><b>AGENDA ITEM</b>  <b>MEETING DATE:</b> August 23, 2011  <b>SUBJECT:</b> Zoning Amendments, Repeals, and Official Zoning Maps  <b>MEMO DATE:</b> August 16, 2011  <b>Prepared By:</b> Susan M. Walker  <b>Reviewed By:</b> Michael Shuttleworth</p>	<p><b>TYPE OF ACTION NEEDED</b>  Execute Contract  Pass Resolutions <b>X</b>  Pass Ordinance <b>X</b>  Pass Motion <b>X</b>  Other</p>	<p>Consent Agenda  Public Hearing  1st Discussion  2nd Discussion  Other <b>X</b></p>
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**BACKGROUND INFORMATION**

The Washington State Growth Management Act (GMA) in RCW 36.70A.130 requires that counties and cities adopt zoning and other development regulations that are consistent with, and implement their adopted Comprehensive Plans. The Benton County 2011 Zoning Update Program, established to meet this mandate, is now complete with the final adoption of new zoning districts, ordinances and maps amending Title 11 of the Benton County Code (BCC). These new zoning districts and official zoning map are scheduled to take effect September 1, 2011.

**SUMMARY**

During the zoning adoption process, various districts and sections of the Benton County Code have been replaced by the newly adopted ordinances, and conflicting references to former districts in the existing code are in need of revision and update. The attached ordinances are amendments to the existing code that repeal antiquated sections, correct code references, update district titles to reference the newly adopted districts, add new zoning definitions, include rapid charging stations in the Interchange Commercial District, and adopting the Benton County Official Zoning Map.

The Benton County Planning Commission held two open record hearings to receive public testimony on the proposed ordinance amendments on July 12<sup>th</sup> and August 9<sup>th</sup>. The Planning Commission after discussion and consideration voted unanimously to recommend approval to the Board of County Commissioners of the ordinance amendments shown in Exhibits PCM 5.1 through PCM 6.2.

**STAFF REVIEW AND ANALYSIS:**

The following **Exhibits PCM 5.1.1, through PCM 6.2**, are a compendium of necessary amendments proposed for various chapters of the Benton County Code (BCC) to ensure the Code is internally consistent with the adoption of 2011 Zoning Update Program district ordinances.

**PCM 5.1.1** - BCC TITLE 11.18.060 & .070, Growth Management Act Agricultural District (GMAAD), an ordinance amending the titles and code provisions for Child Day Care Facilities and Home Occupations under the following sections: Uses requiring Permits--Director Review and Approval, and Uses Requiring Permits--Conditional Use Permits.

**PCM 5.1.2** - BCC TITLE 11.20.040, Planned Development (PD) District, an ordinance correcting the Code number to find criteria for Home Occupations (d) under Uses

CCM 1.1

Permitted.

**PCM 5.1.3** - BCC TITLE 11.65.030 & .040, Communication Facility criteria, an ordinance amending the exemption and development standards sections by updating with current names of the zoning districts;

**PCM 5.1.4** - BCC TITLE 16.10 Interim Growth Management regulations, repealing the entire chapter;

**PCM 5.1.5** - BCC TITLE 17.10.050 & .150, Permit Review Process, an ordinance amending the project permit application types by deleting and/or updating the current names of permit Types; adding communication facilities applications to the final decision criteria, short plat final decisions shall be made within 30 days, and attached communication facilities shall have a final decision within 90 days.

**PCM 5.1.6** - BCC TITLE 4.02 Adult Use Entertainment Businesses, an ordinance updating to remove planning/building affiliation to Planning, and amending the title with updated zoning district names;

**PCM 5.1.7** - BCC TITLE 11.52 relating to zoning, repealing BCC 11.52.070 and adding a new section to Chapter 11.52 setting criteria for non conforming uses, and amending the amendment procedure to change by ordinance the district boundary lines after holding open record hearings;

**PCM 5.1.8** - BCC TITLE 11 relating to the Zoning Ordinance of Benton County, an ordinance repealing the Residential, Suburban, Agricultural, Commercial, Interchange Commercial, Industrial District (I-1) and Industrial District (I-2), and the Parks and Recreation Areas; and Rural Estates District.

**PCM 5.1.9** – BCC TITLE 11.04 relating to zoning, and ordinance removing the repealed zoning districts, adding a new zoning district purpose, the establishment of districts and boundary maps and amending the definitions section to add or revise terms as determined throughout the Public Participation Process of the 2011 Zoning update Program.

**PCM 5.1.10** through **PCM 5.1.15** - ORDINANCES 486, 487, 488, 489, 490 and 491, Child Day Care Facility, Type B, to correct code number reference;

**PCM 5.1.16**- ORDINANCE 493, amending to include Rapid Charging Stations as an allowable use within the Interchange Commercial District (IC). The Rapid Charging Station was unintentionally omitted from the adopted zoning district.

**PCM 6.1** ORDINANCE AMENDMENT TO BCC 3.16 Fire Code, an ordinance deleting the repealed districts names and adding the newly adopted zoning district names.

**PCM 6.2** ADDING A NEW SECTION TO BCC TITLE 11 adopting the Official Zoning Map of

**CCM 1.1**

Benton County depicting the individual zone locations, boundaries and provisions associated with said Map. In addition, the ordinance adopts all notations, references, data and other information shown thereon as a part of Title 11 and setting requirements for the revision, replacement and retention of such maps.

**SEPA**

(Exhibit PCM SEPA) The ordinance amendments and official zoning map was reviewed under the requirements of the State Environmental Policy Act (SEPA), and a determination of Non-Significance was issued June 23, 2011. As development regulations these proposals are "non-project actions" per WAC 197-11-704(b). "Non-project actions" such as the proposed are by their nature and large area of applicability not amenable to site specific and detailed environmental impact analysis. Accordingly, any future site specific projects that may be proposed on lands that are subject to this proposed ordinance will be reviewed for environmental impacts under the County's SEPA procedures, and where applicable its Critical Resources Protection Ordinance, and Shorelines Plan.

**RECOMMENDATION**

It is the recommendation of the Benton County Planning Commission and Planning Staff, that the Board of County Commissioners approve and adopt the ordinance amendments shown in PCM 5.1 through PCM 6.2, that are necessary to update the Benton County Code, which includes adoption of the Official Zoning Map with the location and boundaries of the various districts adopted during the 2011 Zoning Update Program. The Planning Commission and staff believe these actions are necessary to bring Benton County Code into compliance with the goals and policies of the adopted Benton County Comprehensive Land Use Plan.

**MOTION**

After consideration of the information received at the public meeting on August 23<sup>rd</sup>, 2011, the Board adopt a motion to approve the amendments proposed in PCM 5.1 through PCM 6.2, to be effective September 1, 2011, and adopt the Planning Commission's findings of fact as their own, and sign prepared Resolution saying the same.

**FISCAL IMPACT**

No fiscal impacts have been identified regarding this planning proposal.