

*August 30, 2010*

**THE BOARD OF  
BENTON COUNTY  
COMMISSIONERS  
AGENDA PACKET**

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

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

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

**Absent:** Commissioner Leo Bowman (excused – on vacation)

**Benton County Employees Present During All or a Portion of the Meeting:** Deputy Administrator Loretta Smith Kelty; Adam Fyall, Community Development Coordinator; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Facilities Manager Roy Rogers; Human Services Administrator Ed Thornbrugh; Treasurer Duane Davidson; Deputy Treasurer Erhiza Rivera; Planning Manager Mike Shuttleworth; County Engineer Malcolm Bowie; Sue Schuetze, Public Works; Harriet Mercer, Assessor's Office; DPA Ryan Brown.

Workshop Agenda

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

Approval of Minutes

The Minutes of August 16, 2010 were approved.

Consent Agenda

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

Auditor

- a. Letter to State Auditor's Office

Central Services

- b. Payment to AI Networks for Data Recovery Services

Commissioners

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

Fairgrounds

- d. Lease Agreement w/Atomic City Roller Girls

Human Services

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

Juvenile

- f. Truancy Contract w/Pasco School District

Personnel

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

Public Works

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

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

**Public Hearing – Sundance Water Association Franchise**

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

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

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

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

**Unscheduled Visitors**

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

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

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

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

### **City of Richland – Tax Increment Financing**

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

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

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

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

Chairman Beaver agreed.

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

### **E-911 Ordinance**

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

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

**Claim for Damages**

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

**Vouchers**

Check Date: 08/20/2010

Warrant #: 16681-16935

Total all funds: \$769,798.26

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

**Resolutions**

- 10-482 Payment to AI Networks for Data Recovery Services
- 10-483 Appointment of N Moorer to the BF Workforce Development Council
- 10-484 Lease Agreement w/Atomic City Roller Girls
- 10-485 Addendum Agreement w/Records Management Services, Inc.
- 10-486 Truancy Contract w/Pasco School District
- 10-487 Approval of Order and Agreement Granting Franchise to Sunheaven Farms
- 10-488 Washington Teamsters Welfare Trust Subscription Agreement Representing Corrections
- 10-489 Washington Teamsters Welfare Trust Subscription Agreement Representing Roads Dept.
- 10-490 Teamsters Pension Trust Fund Employer Union Certification for Roads Dept.
- 10-491 (This resolution intentionally left blank)
- 10-492 Approval of Sheet One for Reata Place
- 10-493 Authorization for Public Hearing for Proposed Vacation Right of Way of Christy Road

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

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

\_\_\_\_\_  
Chairman

a

AGENDA/WORKSHOP ITEM		TYPE OF ACTION NEEDED			
Meeting Date:	30-August-2010	Execute Contract	___	Consent Agenda	<u>x</u>
Subject:	Fujitsu Scanner Maintenance	Pass Resolution	<u>x</u>	Public Hearing	___
		Pass Ordinance	___	1 <sup>st</sup> Discussion	___
Prepared By:	J. Randall Reid	Pass Motion	___	2 <sup>nd</sup> Discussion	___
Reviewed By:	Loretta Smith Kelty	Other	___	Other	___

**BACKGROUND INFORMATION**

Since the county has been involved in serious document imaging, maintenance contracts or extended warranties have been kept current for all of the scanners that are considered "production" (as opposed to occasional use). In the case of the high volume scanners, this has been Fujitsu ScanCare which includes on site preventive maintenance. Also included in the quotes that were requested was Advance Exchange warranties for some of the lower volume scanners that are important for routine document processing.

**SUMMARY**

Quotes have been requested for maintenance and extended warranties on Fujitsu scanners currently in service throughout the county. The attached resolution authorizes a vendor selection.

**RECOMMENDATION**

1<sup>ST</sup> Pass resolution

2<sup>nd</sup>

**FISCAL IMPACT**

None. Included in 2010 Central Services budget.

**MOTION**

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF PURCHASING MAINTENANCE FOR FUJITSU SCANNERS.

WHEREAS, resolution 08-132 requires authorization by the Board of County Commissioners for purchases between \$5,000 and \$25,000; and

WHEREAS, seven (7) vendors on the Benton County Vendor List were asked to provide quotes for extended warranties and on site maintenance on eighteen (36) Fujitsu scanners used by county departments; and

WHEREAS, three (4) vendors responded with the following quotes:

CDW Government	230 North Milwaukee Avenue Vernon Hills IL 60061	\$21,522.62
Image Source	612 Fifth Avenue SW Olympia WA 98501	\$18,783.72
Insight Public Sector	6820 South Harl Avenue Tempe AZ 85283	INCOMPLETE
Unisoft Networks	15821 NE 8 <sup>th</sup> Street, Suite W200 Bellevue WA 98008	\$20,739.37

of which Image Source was the lowest quote; NOW THEREFORE,

BE IT RESOLVED, by the Board of Benton County Commissioners, that Central Services be authorized to purchase Fujitsu scanner maintenance from Image Source for the amount of \$18,784 plus tax; and

BE IT FURTHER RESOLVED, that the total purchases with this award are not to exceed \$20,600 plus tax.

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

REID

b

# 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 115  
TO DEPARTMENT NUMBER 131.

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: *Non - Departmental*

Dept Nbr: 115

Fund Name: Current Expense

Fund Nbr: 0000-101

TRANSFER FROM: Dept 115

TRANSFER TO: Dept 131

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
519.900	4931	Fenced Item Contingency	\$1,000	519.710	3101	Office Supplies	\$1,000
TOTAL			\$1,000	TOTAL			\$1,000

**Explanation:**

Transferring money to pay for additional office supplies.

Prepared by: Keith Mercer

Date: 25-Aug-2010

Approved

Denied

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

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

C

Letter from Benton County Commissioners to  
Benton Franklin Fair Association

d

# RESOLUTION

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

**IN THE MATTER OF A SERVICE AGREEMENT BETWEEN BENTON COUNTY CORONER AND DANIEL SELOVE, MD FOR FORENSIC PATHOLOGY SERVICES**

**WHEREAS**, per Resolution 08-004 dated January 7, 2008, the Board of Benton County Commissioners entered into a contract with Dr. Selove for forensic pathology services for the Benton County Coroner's office with a contract term to expire December 31, 2009; and

**WHEREAS**, per Resolution 09-117 dated February 23, 2009, the Board of Benton County Commissioners approved an amendment to said contract increasing the autopsy rates from \$1,350 to \$1,500 per autopsy, plus transportation and lodging expense at actual cost; and

**WHEREAS**, the Benton County Coroner recommends entering into another contract with Dr. Selove for forensic pathology services for an amount not to exceed \$1,500 per autopsy plus travel and lodging for calendar year 2010 with an option to extend the contract for an additional two years if agreed upon by both parties; and

**WHEREAS**, the Benton County Coroner hereby requests Board authorization for payment on all services rendered prior to the execution of the attached contract; **NOW, THEREFORE**

**BE IT RESOLVED**, the Board of Benton County Commissioners, Benton County, Washington hereby agrees to enter into a service agreement with Dr. Daniel Selove for forensic pathology services for Benton County Coroner's office for a service fee of \$1,500 per autopsy, plus all transportation and lodging expense as an independent contractor; and

**BE IT FURTHER RESOLVED**, the Board hereby authorizes payment to Dr. Selove for all services rendered prior to the execution of the attached contract; and

**BE IT FURTHER RESOLVED**, said contract shall expire on December 31, 2010 and may be extended for an additional two (2) years if mutually agreed upon by both parties.

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

**PERSONAL 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 (hereinafter "COUNTY"), and **DANIEL SELOVE, MD**, with its principal offices at 3031 Kromer Avenue, Everett, WA 98201, (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 no additional documents.

**2. DURATION OF CONTRACT**

The term of this Contract shall begin immediately upon execution by both parties, and shall expire on December 31, 2010. This contract may be extended for an additional two years if agreed upon by both parties. Price rates are subject to change for calendar year 2011, and possibly again 2012, and will only be approved with an amendment to this contract.

**3. SERVICES PROVIDED**

The CONTRACTOR shall perform the following services:

- a. Complete autopsy and forensic pathologist services as needed by the Benton County Coroner.
- b. The CONTRACTOR shall perform the work specified in the Contract according to standard practices in the medical profession.

e

# 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 111.

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

GILES



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# RESOLUTION

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

**IN THE MATTER OF AUTHORIZING PAYMENT TO AMERICAN LEAK DETECTION FOR EMERGENCY FAIRGROUNDS LEAKING WELL SERVICES**

**WHEREAS**, in the matter of soliciting personal and professional service contracts, Resolution 09-814 provides that contracts for non-public works services need not advertise or follow a formal competitive bidding procedure, but shall instead evaluate and utilize the procedures it deems best under the individual circumstances in order to obtain services of the highest quality at the lowest cost; and

**WHEREAS**, on July 20, 2010, it was brought to the Facilities Supervisor's attention that the Fairgrounds well pump had overheated and shut down. The shut down was contributed to a significant water pipe leak which caused the well pump to continually run; and

**WHEREAS**, due to the emergency nature of potentially burning up the pump and having low water pressure during the Annual 2010 Benton-Franklin Fair and Rodeo, the Facilities Supervisor immediately searched for a company that was equipped to detect water leaks and other pertinent criteria and determined that American Leak Detection, WA would provide the necessary services; **NOW, THEREFORE**,

**BE IT RESOLVED**, the Board of Benton County Commissioners authorize the Facilities Supervisor to take emergency action to fix any leaks found and engage in the services of American Leak Detection in Spokane WA in an amount not to exceed \$2,000.00 plus any applicable sales tax.

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

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

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

\_\_\_\_\_  
Member

Attest: .....  
Clerk of the Board

Constituting the Board of County  
Commissioners of Benton County,  
Washington

**BENTON AND FRANKLIN COUNTIES  
ACTION SUMMARY COVER SHEET**

COPY 9

AGENDA ITEM	TYPE OF ACTION NEEDED	
License Agreement for Behavioral Health Laboratories and their outcomes management services.	<input checked="" type="checkbox"/> Execute Contract	<input checked="" type="checkbox"/> Consent Agenda
	<input checked="" type="checkbox"/> Pass Resolution	<input type="checkbox"/> Public Hearing
	<input type="checkbox"/> Pass Ordinance	<input type="checkbox"/> 1 <sup>st</sup> Discussion
	<input type="checkbox"/> Pass Motion	<input type="checkbox"/> 2 <sup>nd</sup> discussion
Prepared By: Carol Carey	<input type="checkbox"/> Other	<input type="checkbox"/> Other

**BACKGROUND INFORMATION**

Behavioral Health Laboratories (BHL) is a provider of behavioral health assessment and outcome management services. The Department of Human Services would like to contract with BHL to assure a consistent level of services within our provider network.

**SUMMARY**

**Award:** The consideration of this contract shall be \$18,000.00

**Period:** May 18, 2010 through September 30, 2011

**Funding Source:** Greater Columbia Behavioral Health (Mental Health Funding)

**RECOMMENDATION**

- Sign the resolution to accept the proposed agreement.
- Approve the proposed agreement by signing all the copies where indicated.

**FISCAL IMPACT**

Funding for the services described in this Agreement is provided by the Greater Columbia Behavioral Health. **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 the Agreement with Behavioral Health Laboratories and authorize the Chair of each Board to sign on behalf of their respective county.

# JOINT RESOLUTION

Benton County Resolution No. \_\_\_\_\_

Franklin County Resolution No. \_\_\_\_\_

BEFORE THE BOARD OF COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES,  
WASHINGTON:

**IN THE MATTER OF EXECUTION AN AGREEMENT BETWEEN BEHAVIORAL HEALTH LABORATORIES AND BENTON AND FRANKLIN COUNTIES' DEPARTMENT OF HUMAN SERVICES, and**

**WHEREAS**, this Agreement with Behavioral Health Laboratories is to provide assessment and outcome services to assure a consistent level of services within our mental health provider network, and

**WHEREAS**, Consideration will be \$18,000.00, and

**WHEREAS**, the agreement is effective May 18, 2010 and remains effective until September 30, 2011, NOW THEREFORE,

**BE IT RESOLVED** that the Boards of Benton and Franklin County Commissioners hereby accept the proposed agreement; and

**BE IT FURTHER RESOLVED** that the Chairman 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 Agreement with Behavioral Health Laboratories.

Dated this . . . day of . . . . ., 2010

Dated this . . . day of . . . . ., 2010

\_\_\_\_\_  
Chair, Benton County Commissioners

\_\_\_\_\_  
Chair, Franklin County Commissioners

\_\_\_\_\_  
Chair, Pro Tem

\_\_\_\_\_  
Chair, Pro Tem

\_\_\_\_\_  
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

h

**BENTON COUNTY  
ACTION SUMMARY COVER SHEET**

AGENDA ITEM	TYPE OF ACTION NEEDED	
Line Item transfer to approve the budgeting for a new Hospital Liaison position.	<input type="checkbox"/> Execute Contract	<input checked="" type="checkbox"/> Consent Agenda
Prepared By: Linda Ivey	<input checked="" type="checkbox"/> Pass Resolution	<input type="checkbox"/> Public Hearing
	<input type="checkbox"/> Pass Ordinance	<input type="checkbox"/> 1 <sup>st</sup> Discussion
	<input type="checkbox"/> Pass Motion	<input type="checkbox"/> 2 <sup>nd</sup> discussion
	<input type="checkbox"/> Other	<input type="checkbox"/> Other

**BACKGROUND INFORMATION**

The Department of Human Services would like to add a new Hospital Liaison position in the Crisis Administration Department. The Liaison would be dedicated to planning successful transitions of hospitalized patients back into their home community. The objective of this position is to better manage local and state inpatient resources.

**RECOMMENDATION**

- Sign the resolution.
- Approve the line item transfer.

**FISCAL IMPACT**

**There is no impact on the current expense budget.**

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN  
HUMAN SERVICES FUND NUMBER 0108-101, DEPARTMENT NUMBER 504.

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



AGENDA ITEM: Consent	<b>TYPE OF ACTION</b> <b>NEEDED</b> Executive Contract <u>xx</u> Pass Resolution <u>xx</u> Pass Ordinance Pass Motion Other	CONSENT AGENDA <u>xx</u> PUBLIC HEARING 1ST DISCUSSION 2ND DISCUSSION OTHER
MEETING DATE: B/C 08-30-10 F/C 09-08-10		
SUBJECT: Truancy Contract for Finley School District for 2010 2011 School Year		
Prepared By: Donna A. Lee		
Reviewed By: Sharon Paradis		

**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, 2010, through June 30, 2011), the Finley 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.

**SUMMARY**

Finley 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; and follow-up truancy petition requirements.

**RECOMMENDATION**

We recommend that the Boards of County Commissioners authorize their Chairs to sign the Fee for Service Contract with the Finley 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 Finley 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 FINLEY 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 Finley School District, in the amount of \$735.00 and Benton-Franklin Juvenile Justice Center be approved as presented for a term commencing September 1, 2010 and terminating on July 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 Fee For Service Contract.

DATED this 30<sup>th</sup> day of August 2010.

DATED this 8<sup>th</sup> day of September 2010.

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

AGENDA ITEM: <u>Consent</u>	<b>TYPE OF ACTION NEEDED</b>	
MEETING DATE: <u>B/C 08-30-10 F/C 09-08-10</u>	Executive Contract <u>XX</u>	CONSENT AGENDA <u>XX</u>
SUBJECT: <u>Sign Contract Amendment with</u>	Pass Resolution <u>XX</u>	PUBLIC HEARING <u>—</u>
<u>Evercom-Securus Systems, Inc. for</u>	Pass Ordinance <u>—</u>	1ST DISCUSSION <u>—</u>
<u>Facility Inmate Telephone Services</u>	Pass Motion <u>—</u>	2ND DISCUSSION <u>—</u>
Prepared By: <u>Donna A Lee</u>	Other <u>—</u>	OTHER <u>—</u>
Reviewed By: <u>Sharon Paradis</u>		

**BACKGROUND INFORMATION**

Evercom Systems, Inc. (Securus Technologies) has provided the Inmate telecommunication system and telecommunications and maintenance services for the Detention Unit of the Benton-Franklin Counties Juvenile Justice Center since 2004.

**SUMMARY**

Evercom Systems, Inc. (Securus Technologies) provides an inmate telecommunication system and provides telecommunications and maintenance services to the Detention Unit of the Benton-Franklin Counties Juvenile Justice Center.

**RECOMMENDATION**

I recommend that the Boards of Commissioners of Benton and Franklin Counties sign the Master Services Agreement between Benton-Franklin Counties Juvenile Justice Center and Evercom Systems, Inc.

**FISCAL IMPACT**

There is no fiscal impact for either county.

**MOTION**

I move 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 Master Services Agreement between Benton-Franklin Counties Juvenile Justice Center and Evercom Systems, Inc.

**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 BOARDS OF BENTON AND FRANKLIN COUNTY COMMISSIONERS ON THE SERVICES AGREEMENT BETWEEN THE JUVENILE JUSTICE CENTER AND EVERCOM SYSTEMS, INC., and**

**WHEREAS**, Sharon Paradis, Administrator of the Juvenile Court, believes it is in the best interest of the Juvenile Justice Center that the proposed Master Services Agreement between the Juvenile Court and Evercom Systems, Inc. be approved as presented for a term commencing upon execution, and terminating on September 30, 2015, **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 Master Services Agreement.

**DATED** this 30<sup>th</sup> day of August 2010.

**DATED** this 8<sup>th</sup> day of September 2010.

**BENTON COUNTY BOARD OF COMMISSIONERS**

**FRANKLIN COUNTY BOARD OF COMMISSIONERS**

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

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

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
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

K

# RESOLUTION

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

**IN THE MATTER OF THE FIRST CONTRACT AMENDMENT BETWEEN BENTON COUNTY AND SUNSCAPES, INC. FOR THE CONSTRUCTION OF A FLAG GARDEN RETAINING WALL LOCATED AT THE RATTLESNAKE MOUNTAIN SHOOTING FACILITY**

**WHEREAS**, as per Resolution 10-460 dated August 9, 2010, the Board of Benton County Commissioners entered into a contract with SunScapes, Inc. for the construction of a raised rock garden area located at the Rattlesnake Mountain Shooting Facility for a total contract amount not to exceed \$5,000 plus WSST; and

**WHEREAS**, an amendment is necessary due to the fact that the Contractor was notified by the Department of Labor and Industries and told that they had used the wrong category for prevailing wage rates and the backfill of the rock garden does not fall under the category of landscaping and provided the correct category and rate which was much higher; and

**WHEREAS**, the additional prevailing wage rate caused the total dollar amount to exceed the original \$5,000.00 amount previously approved; **NOW, THEREFORE**

**BE IT RESOLVED**, the Board of Benton County Commissioners, Benton County, Washington hereby approves the first amendment to the contract between Benton County and SunScapes, Inc., increasing the contract amount to \$5,180.00 plus WSST with a total contract amount payable, including acceptable overages, incidentals and other unanticipated costs not exceed \$5,700.00 plus WSST; and

**BE IT FURTHER RESOLVED**, the Board hereby authorizes the Chairman to sign the first amendment to said contract attached hereto.

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

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

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

\_\_\_\_\_  
Member

Attest: .....  
Clerk of the Board

Constituting the Board of County  
Commissioners of Benton County,  
Washington

## FIRST SERVICE CONTRACT AMENDMENT

**THIS AGREEMENT**, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2010 by and between **BENTON COUNTY**, a political subdivision, with its principal offices at 620 Market Street, Prosser, Washington 99350 (hereinafter "COUNTY") and **SUNSCAPES, INC.**, 1956 Saint Street, Richland, WA 99354 a firm licensed to do business in the State of Washington (hereinafter "CONTRACTOR").

The parties entered into a Service Contract dated August 9, 2010 (the "CONTRACT") for the construction of a raised rock garden at the COUNTY'S Rattlesnake Mountain Shooting Facility, consisting of building a 100 foot long by 1-2 foot tall retaining wall made of grey paver blocks; then backfill the retained area with soil provided by the COUNTY on-site; finishing the backfilled garden area and topping it with heavy-duty weed fabric for a total contract amount not to exceed \$5,000 plus WSST; and

Whereas, the Department of Labor and Industries notified us that the backfill does not fall under the classification of landscaping; which increases the equipment operator prevailing wage rates and causes the dollar amount to exceed the contract limit.

The parties agree that all provisions of their agreement remain in effect except for the following amendments:

**5. COMPENSATION** the existing paragraph shall be amended and replaced in its entirety with the following:

The CONTRACTOR shall be paid for said services outlined in section 3. The total amount payable by the COUNTY to the CONTRACTOR under this Contract per the base bid provided by the CONTRACTOR is five thousand one hundred eighty dollars and zero cents (\$5,180.00) plus Washington State Sales Tax and shall not to exceed five thousand seven hundred dollars and zero cents (\$5,700.00) plus W.S.S.T. to cover any acceptable overages, incidentals and other unanticipated cost. Any dollar amount above the maximum payable amount will only be approved with an amendment to this contract. Prior to any compensation being paid, CONTRACTOR shall submit a Statement of Intent to Pay Prevailing Wages in a form approved and certified by the Washington State Department of Labor and Industries directly to COUNTY'S contract representative. At the completion of all work contemplated by this Contractor or at the end of the contract term, whichever comes first, the work contemplated herein, CONTRACTOR shall submit an affidavit of wages paid in compliance with prevailing wage requirements, pre-certified by the Department of Labor and Industries, directly to COUNTY'S contract representative. Such affidavit shall be in a form approved by the Washington State Department of Labor and Industries. No final payment will be made until such affidavit is provided.

**IN WITNESS WHEREOF** the Chairman of the Board of the Benton County Commissioners has executed this Contract Amendment on behalf of the County, and the Contractor has executed this Contract, on the day and year first above written.

**BENTON COUNTY**

**SUNSCAPES, INC.**

\_\_\_\_\_  
James R. Beaver, Chairman

\_\_\_\_\_  
Ted Hill, Landscape Manager

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

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

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>		
Meeting Date: August 30, 2010	Execute Contract	_____	Consent Agenda <u>  X  </u>
Subject: Line-item transfer	Pass Resolution	<u>  X  </u>	Public Hearing _____
Prepared by: M. Ault	Pass Ordinance	_____	1st Discussion _____
Reviewed by: K. Mercer	Pass Motion	_____	2nd Discussion _____
	Other	_____	Other _____

**BACKGROUND INFORMATION**

Please see attached Exhibit A.

**SUMMARY**

Same as above.

**RECOMMENDATION**

Pass resolution.

**FISCAL IMPACT**

one.

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUND WITHIN  
CURRENT EXPENSE FUND NUMBER 0000-101, DEPARTMENT NUMBER 117

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

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

**IN THE MATTER OF THE BENTON COUNTY BOARD OF COMMISSIONERS OPTING OUT, AS A TAXING DISTRICT AND AS A PARTICIPATING LOCAL GOVERNMENT, OF THE REVITALIZATION FINANCING BY THE CITY OF RICHLAND FOR THE REVITALIZATION AREA FOR INDUSTRY, SCIENCE, AND EDUCATION (RAISE)**

**WHEREAS**, on August 10, 2009, the Board of Commissioners passed Resolution 09-509 opting out as a taxing district and as a participating local government of the revitalization financing by the City of Richland for the Revitalization Area for Industry, Science, and Education (RAISE) as the City of Richland was proposing that Benton County contribute an unspecified amount of tax revenues to help finance the construction of roads and other infrastructure improvements in a Local Revitalization Financing (LRF) area in North Richland that includes the Tri-Cities Research District, the Port of Benton Manufacturing Mall and the Horn Rapids Industrial Park, as depicted on the July 24, 2009, letter from the Mayor of the City of Richland to the Chairman of the Board of Benton County Commissioners; and

**WHEREAS**, on August 24, 2010 the Board of Commissioners passed Resolution 09-549 approving an interlocal agreement with the City of Richland relating to the Revitalization Area for Industry, Science, and Education (RAISE); and

**WHEREAS**, the interlocal agreement terminated on December 31, 2009, as the City of Richland did not receive the project award of Three Hundred Twenty Five Thousand Dollars (\$325,000) towards the financing of the Revitalization Area for Industry, Science, and Education (RAISE), and;

**WHEREAS**, on June 6, 2010 Second Substitute Senate Bill 6609 increased the annual contribution limits therefore making additional funds available for applications that apply on a first-come basis, and

**WHEREAS**, the City of Richland wishes to resubmit to the State its Revitalization Area for Industry, Science, and Education (RAISE) no later than September 1, 2010; and

**WHEREAS**, in furtherance of its effort, on August 17, 2010, the City of Richland had a first reading of ordinance 23-10 that would create the RAISE, but the City did not give the County formal notice of its intention to adopt such an ordinance; and

**WHEREAS**, given the language in section 4(4) of Chapter 164, 2010 Laws of Washington, and the County's desire to participate partially but not fully with respect to the RAISE, the County wishes to make it clear that its wishes to remove itself as a fully participating taxing district and as a participating local government with respect to the RAISE; and

**WHEREAS**, Chapter 270, 2009 Laws of Washington and Chapter 164, 2010 Laws of Washington, do not prohibit governmental entities that opt out from later choosing to partially participate in the LRF plan up to a specified dollar amount; and

**WHEREAS**, due to the city's failure to give the County notice of the first reading of Ordinance 23-10 and the thirty (30) day statutory requirement imposed on the County for opting out, the at this time Board of County Commissioners believes that it is necessary to adopt this resolution to opt out as both as a fully participating taxing district and as a participating local government and direct staff to work with the city on a potential interlocal agreement by which the County could partially participate as a taxing district; and **NOW THEREFORE**,

**BE IT HEREBY RESOLVED** that Benton County, through its Board of County Commissioners, elects to opt out, both as a participating taxing district and as a participating local government with respect to the City of Richland's local revitalization financing plan for the RAISE area referenced in proposed ordinance 23-10;

**BE IT FURTHER RESOLVED** that the County Administrator is directed to have a copy of this resolution delivered to the City Manager prior to September 1, 2010.

Dated this ..... day of ....., 2010.

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

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

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

Attest: .....  
Clerk of the Board

Original:  
c:

n

### BENTON COUNTY AGENDA ITEM

AGENDA ITEM: _____	<b>Type of Action</b>		
MEETING DATE: 08/30/10	Execute Contract	_____	CONSENT AGENDA <u>X</u>
SUBJECT: Line Item Transfer	Pass Resolution	<u>X</u>	PUBLIC HEARING _____
_____	Pass Ordinance	_____	1 <sup>ST</sup> DISCUSSION _____
_____	Pass Motion	_____	2 <sup>ND</sup> DISCUSSION _____
Prepared By: Pat Austin	Other	_____	OTHER _____
Reviewed By: _____	Approve for Hearing	_____	_____

**BACKGROUND INFORMATION**

The court conducts yearly background checks for guardian ad litem on the court's registry. The Washington State Patrol charges the court for the background checks and the court in turn charges all paid guardian ad litem for this service.

**SUMMARY**

Line item transfers:

AMOUNT: \$200.00  
 FROM: 0000101.123.00000.512.211.4202 (Family Court Services Telephone)  
 TO: 0000101.123.00000.512.211.5121 (Family Court Services Background Checks)

**RECOMMENDATION**

Recommend approval.

**FISCAL IMPACT**

No impact at this time.

**MOTION**

I move to approve Resolution No. \_\_\_\_\_ authorizing line item transfers in the amount of \$200.00 as outlined on Exhibit "A" of the Resolution.



0

### BENTON COUNTY AGENDA ITEM

AGENDA ITEM: _____	<b>Type of Action</b>			
MEETING DATE: 08/30/10	Execute Contract		CONSENT AGENDA	X
SUBJECT: AOC Computer	Pass Resolution	X	PUBLIC HEARING	_____
Purchase Agreement	Pass Ordinance	_____	1 <sup>ST</sup> DISCUSSION	_____
_____	Pass Motion	_____	2 <sup>ND</sup> DISCUSSION	_____
Prepared By: Pat Austin	Other	_____	OTHER	_____
Reviewed By: _____	Approve for Hearing	_____		_____

#### BACKGROUND INFORMATION

The Administrative Office of the Court has funding available for replacement computers. The Superior Court qualifies for a laptop this year. Superior Court requests to Board of County Commissioners to allow the Presiding Judge of the Superior Court to sign a Purchase Agreement with the Administrative Office of the Courts for the purchase and reimbursement of a laptop computer.

#### SUMMARY

See above.

#### RECOMMENDATION

Approve resolution.

#### FISCAL IMPACT

No impact at this time.

#### MOTION

I move to approve Bi-County Resolution No. \_\_\_\_\_ in the matter of a Request to the Benton County Commissioners authorizing the Presiding judge of the court to sign the purchase reimbursement agreement between the Washington State Courts – Administrative Office of the Courts (AOC) and Benton County.

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

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

IN THE MATTER OF THE REQUEST TO THE BENTON COUNTY  
COMMISSIONERS AUTHORIZING THE PRESIDING JUDGE OF THE COURT TO  
SIGN THE PURCHASE REIMBURSEMENT AGREEMENT BETWEEN THE  
WASHINGTON STATE COURTS – ADMINISTRATIVE OFFICE OF THE COURTS  
(AOC) AND BENTON COUNTY SUPERIOR COURT.

WHEREAS, Patricia Austin, Superior Court Administrator, believes it is in the best interest of the Superior Court that the Purchase Agreement between the State of Washington Administrative Office of the Courts and Benton County Superior Court be approved and that the presiding judge of the court be granted the authorization to sign as presented for a term commencing upon signature and continuing in effect until October 31, 2010, or until termination as provided within the Purchase Reimbursement Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Benton County Commissioners hereby authorize the Presiding Judge of the Superior Court to sign, on behalf of Benton County.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

BENTON COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
James Beaver, Chairman of the Board

\_\_\_\_\_  
Max Benitz, Member

\_\_\_\_\_  
Leo Bowman, Member

ATTEST:

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

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

ph 9:05

<b>AGENDA ITEM:</b> <b>MTG. DATE:</b> Aug. 30, 2010 <b>MEMO. DATE:</b> August 24, 2010 <b>SUBJECT:</b> Short Plat Vacation -SPV 10-05, Leonard McGriff <b>Prepared By:</b> R.J. Lott <b>Reviewed By:</b> Michael Shuttleworth	<b>TYPE OF ACTION</b> <b>NEEDED</b> Execute Contract Pass Resolution Pass Ordinance Pass Motion X Other	Consent Agenda Public Hearing X 1st Discussion 2nd Discussion Other
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**BACKGROUND INFORMATION**

On December 30, 1982, Short Plat 1324 was recorded, which created 4 lots. The recorded short plat included a 60' ingress-egress, irrigation and utility easement reserved for future Benton County Road Right-Of-Way, including the specifically outlined 10-foot irrigation and utility easements. On September 1, 1998, a boundary line adjustment rearranged the configuration and reduced the number of lots from four to three within the Short Plat. Leonard McGriff, owner of the combined lots 3 and 4 of Short Plat 1324, has submitted an application requesting that the 60' ingress-egress, irrigation and utility easement reserved for Benton County Road Right-Of-Way, including the specifically outlined 10-foot irrigation and utility easements, be vacated off the face of the short plat and replaced with a 20-foot private road easement along the north portion of the Short Plat. The application included the signatures of all property owners in the short plat.

Property owners of the lots within the short plat and owners of property within 300' of the outer perimeter of said short plat have been notified. All concerned agencies such as Health Department, Benton County Engineer, Benton County Fire Marshal and any utility companies have been notified of this proposal. Attached are the submitted comments from the Benton County Fire Marshal and Benton PUD. The Fire Marshal requires that an approved turnaround would be needed at the end of the newly created easement. Benton PUD requires a replacement 10-foot easement adjacent to the proposed 20-foot private road easement. Badger Mountain Irrigation District does not require a replacement easement.

The Benton County Code requires the Board of County Commissioners to conduct a public hearing on the proposed vacation and allow for public comments regarding the vacation request. The public hearing notice for application SPV 10-05 was published on August 19, 2010 and the public hearing is scheduled for August 30, 2010 at 9:05 a.m.

**SUMMARY**

Benton County has received a request for the vacation of the 60' ingress-egress, irrigation and utility easement reserved for future Benton County Road Right-Of-Way, including the specifically outlined 10-foot irrigation and utility easements within short plat 1324. The Board of County Commissioners is scheduled to conduct a public hearing on August 30, 2010 at 9:05z/z/ a.m.

**RECOMMENDATION**

It is the recommendation of the Planning Department that the Board of County Commissioners conducts a public hearing, and based on the testimony received, either approve or deny the request. Based on the information received thus far, the Planning Department recommends that the proposed vacation of the 60' ingress-egress, irrigation and utility easement reserved for future Benton County Road Right-Of-Way, including the specifically outlined 10-foot irrigation and utility easements, in conjunction with the recording of a new twenty-foot private road

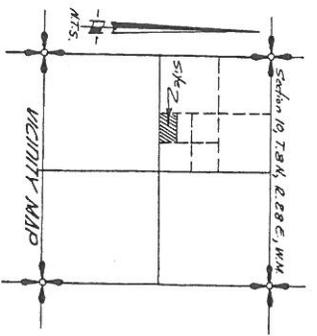
easement, including a turnaround easement, and a replacement 10-foot utility easement, be approved.

**MOTION**

The Benton County Planning Department recommends the following motion: The Benton County Board of Commissioners approve the vacation of the 60' ingress-egress, irrigation and utility easement reserved for future Benton County Road Right-Of-Way, including specifically outlined 10-foot irrigation and utility easements, located within Short Plat 1324 in the Northwest Quarter of Section 10, Township 8 North, Range 28 East, W.M. This motion is conditioned on the applicant providing the Benton County Planning Department with a copy of the recorded document creating a twenty-foot private road easement and a turnaround easement as approved by the Benton County Fire Marshal and a Benton PUD approved 10-foot utility easement, prior to the signing of the resolution by the Board of Commissioners. The document must be approved and recorded within 1 year of the date of approval by the Benton County Board of Commissioners or this approval will be null and void.

# SHORT PLAT NO. 1324 FOR W. HEDRICK

Vacate



### DESCRIPTION

The South half of the southeast quarter of the southwest quarter of the farmstead grant, as the Benton County, Washington.

### OWNERS CERTIFICATE

We, George E. Canabier and Janet R. Canabier, husband and wife, and William F. Hedrick, hereby certify that we are the owners of the land described herein that we have purchased and show same by the state plat for the land and show same by the state plat for the land and we hereby grant the easement shown thereon.

*George E. Canabier*  
*Janet R. Canabier*  
*William F. Hedrick*

Witness my hand and seal this 12th day of December, 1982, at the County of Benton, State of Washington.

### ACKNOWLEDGEMENT

State of Washington)  
 County of Benton)

This is to certify that on this 13th day of December, 1982, before me, appeared before me George E. Canabier and Janet R. Canabier, husband and wife, and William F. Hedrick, and acknowledged to me that they signed the same as their voluntary and good deed, IN WITNESS: whereof I have hereunto set my hand and official seal.

*George E. Canabier*  
*Janet R. Canabier*  
*William F. Hedrick*  
 Notary Public in and for the State of Washington  
 My Commission Expires: Dec 29, 1983

### SUBJECTS CERTIFICATE

I, Gerald C. Hedrick, a registered land surveyor, having a true and correct plat of the land described herein, and that all angles, distances, and courses are correctly shown, and that the plat shows the true and correct location of the corners on the map.

Date: 12-15-82



### APPROVALS

I hereby certify that the irrigation assessments on the land described herein have been paid to the Benton County Irrigation District for the year 1982 A.D.

*William F. Hedrick*  
 Date: 12/15/82

I hereby certify that the taxes on the land described herein have been paid to the Benton County Treasurer for the year 1982 A.D. and including the year 1981 A.D. and 1980 A.D.

*William F. Hedrick*  
 Date: 12-30-82

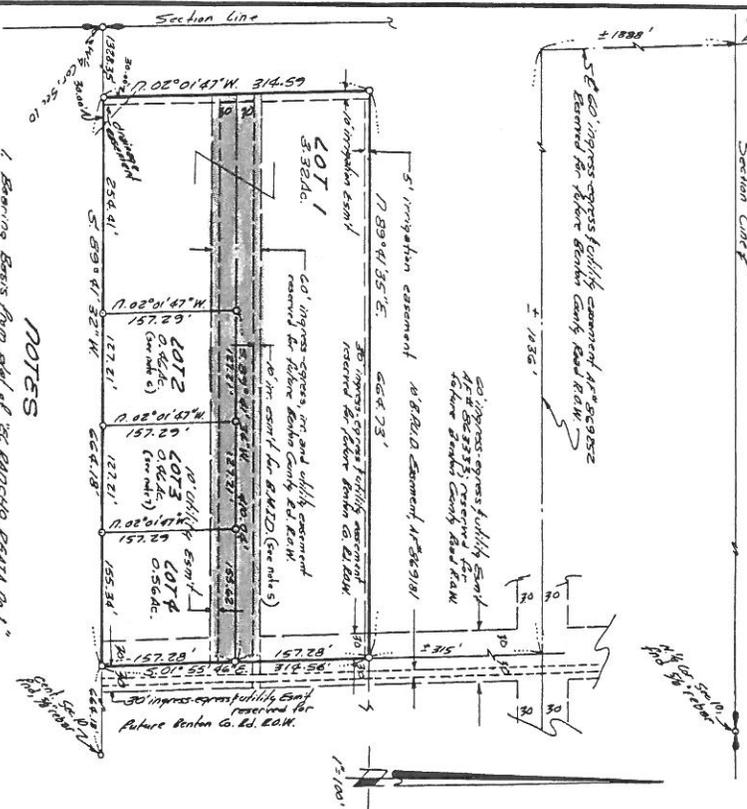
### AUDITORS CERTIFICATE

I filed for record of the report of William F. Hedrick on 12/30/82, this 30th day of December, 1982, and recorded in Volume 1 of "SHORT PLATS" of page 1324, records of Benton Co. Washington.

*William Miller*  
 Date: 12/30/82

7. No acceptable sites for the placement of on-site sewage disposal systems have been found for Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

8. Benton Co. is not responsible for the construction, maintenance or repair of storm drainage facilities located outside Co. road right-of-way.



### NOTES

- Bearing Beams from total of 26 BENTON CO. EXH. 19, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.
- Indicates 38" rubber hydraulic cap stamped "BENTON CO. 123456" set as property corner monument.
- Indicates 38" rubber hydraulic cap stamped "BENTON CO. 123456" set as property corner monument.
- Construction and maintenance of joint irrigation systems is and the responsibility of Benton Co.
- The easements described for R.M.I.D. herein provide for the location of irrigation systems if required. R.M.I.D. is not responsible for existing irrigation systems or for the maintenance thereof and will provide water to the systems and maintain irrigation boundaries open, operating and provided construction by R.M.I.D. prior to operation and provided that the systems have been in full operation for a minimum of one irrigation season.
- Lot 2 does not meet the ground standards of the Benton County Health Dept. for the use of on-site sewage disposal systems. No residential use of lot 2 shall be allowed until such time as a public sewer system is installed.

ROGERS SURVEYING INC., P.S. PROFESSIONAL LAND SURVEYORS		CLIENT WILLIAM F. HEDRICK	
P. O. Box 507 Richland, Washington 18951-9453-181		PROJECT SHORT PLAT	
DRAWN BY J.T.	SCALE 1" = 200'	SHEET NO. 1	TOTAL SHEETS 1
APPROVED	DATE 12-17-82		



ph 9:10

<b>AGENDA ITEM:</b> <b>MTG. DATE:</b> Aug. 30, 2010 <b>MEMO. DATE:</b> Aug. 17, 2010 <b>SUBJECT:</b> Short Plat Vacation -SPV 10-06, Orby Gunter <b>Prepared By:</b> R.J. Lott <b>Reviewed By:</b> Michael Shuttleworth	<b>TYPE OF ACTION NEEDED</b> Execute Contract Pass Resolution Pass Ordinance Pass Motion X Other	Consent Agenda Public Hearing X 1st Discussion 2nd Discussion Other
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**BACKGROUND INFORMATION**

On December 22, 1981, Short Plat 1212 was recorded, which created 4 lots. The recorded short plat included a 40' natural drain easement. Orby Gunter, owner of Lot 1 of Short Plat 1212, has submitted an application requesting that the forty-foot natural drain easement, be vacated off the face of the short plat. No structures currently exist on this lot.

Owners of property within 300 feet of the outer perimeter of Lot 1 of Short Plat 1212 have been notified. All concerned agencies such as Health Department, Benton County Engineer, Benton County Fire Marshal and any utility companies have been notified of this proposal. Attached are the submitted comments from the Benton County Department of Public Works stating that there was no longer a need for the drainage easement.

The Benton County Code requires the Board of County Commissioners to conduct a public hearing on the proposed vacation and allow for public comments regarding the vacation request. The public hearing notice for application SPV 10-06 was published on August 13, 2010 and the public hearing is scheduled for August 30, 2010 at 9:10 a.m.

**SUMMARY**

Benton County has received a request for the vacation of the forty-foot natural drain easement within short plat 1212. The Board of County Commissioners is scheduled to conduct a public hearing on August 30, 2010 at 9:10 a.m.

**RECOMMENDATION**

It is the recommendation of the Planning Department that the Board of County Commissioners conducts a public hearing, and based on the testimony received, either approve or deny the request. Based on the information received thus far, the Planning Department recommends that the proposed vacation of the forty-foot natural drain easement be approved.

**MOTION**

The Benton County Planning Department recommends the following motion: The Benton County Board of Commissioners approve the vacation of the 40 foot natural drain easement located within Lot 1 of Short Plat 1212 in the Southeast Quarter of Section 17, Township 9 North, Range 27 East, W.M.

ph 9:15

<b>AGENDA ITEM:</b> <b>MTG. DATE:</b> Aug. 30, 2010 <b>MEMO. DATE:</b> Aug. 24, 2010 <b>SUBJECT:</b> Short Plat Vacation -SPV 10-07, Hoyeol Yang <b>Prepared By:</b> R.J. Lott <b>Reviewed By:</b> Michael Shuttleworth	<b><u>TYPE OF ACTION NEEDED</u></b> Execute Contract Pass Resolution Pass Ordinance Pass Motion X Other	Consent Agenda Public Hearing X 1st Discussion 2nd Discussion Other
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**BACKGROUND INFORMATION**

On June 16, 1992 Short Plat 1802 was recorded, which created 4 lots. Subsequently, Lot 3 of Short Plat 1802 was further subdivided into two lots on November 10, 2008, via Short Plat 3165. The recorded short plat included a twenty-foot (20) drainage easement. Hoyeol Yang, owner of lot 1 of Short Plat 3165, has submitted an application requesting that the (natural drainage swale) twenty-foot drainage easement, be vacated off the face of the short plat. No structures currently exist on this lot. However, Mr. Yang has applied for a building permit on this parcel.

Owners of property within 300 feet of the outer perimeter of short plat 3165 have been notified. All concerned agencies such as Health Department, Benton County Engineer, Benton County Fire Marshal and any utility companies have been notified of this proposal. Attached are the submitted comments from the Benton County Department of Public Works and Robert & Jessica Gates. Public Works is recommending denial of the vacation of (natural drainage swale) 20' drainage easement unless a newly relocated easement is installed and has been designed by an engineer licensed in Washington State or a drainage hydrology report submitted that is stamped by a licensed engineer which would include contours with detailed information on the stormwater runoff proving that no easement is needed.

The Benton County Code requires the Board of County Commissioners to conduct a public hearing on the proposed vacation and allow for public comments regarding the vacation request. The public hearing notice for application SPV 10-07 was published on August 13, 2010, and the public hearing is scheduled for August 30, 2010 at 9:15 a.m.

**SUMMARY**

Benton County has received a request for the vacation of the (natural drainage swale) 20-foot drainage easement within Lot 1 of short plat 3165. Benton County Public Works Department's recommends denial of the vacation of the easement unless a newly relocated easement is installed and designed by an engineer licensed in Washington State and installed or a drainage hydrology report must be submitted that is stamped by a licensed engineer which would include contours with detailed information on the stormwater runoff proving that no easement is needed. The Board of County Commissioners is scheduled to conduct a public hearing on August 30, 2010 at 9:15 a.m.

**RECOMMENDATION**

It is the recommendation of the Planning Department that the Board of County Commissioners conducts a public hearing, and based on the testimony received, either approve or deny the request. Based on the information received thus far, the Planning Department recommends that the proposed vacation of the (natural drainage swale) 20-foot drainage easement be denied, unless the requirements of the Public Works Department have been met.

**MOTION**

The Benton County Planning Department recommends the following motion: The Benton County Board of Commissioners approve the vacation of the (natural drainage swale) 20' drainage easement located within Lot 1 of Short Plat 3165 in the Northwest Quarter of Section 22, Township 8 North, Range 28 East, W.M. with the following condition:

That the applicant provides the Benton County Planning Department a copy of the recorded drainage easement based upon a newly relocated easement that has been submitted by an engineer licensed in Washington State within in one year of the date of approval by the Benton County Board of Commissioners.

Or a drainage hydrology report must be submitted that is stamped by a licensed engineer, which would include contours with detailed information on the stormwater runoff proving that no easement is needed. The report must be submitted to the Benton County Planning Department within in one year of the date of approval by the Benton County Board of Commissioners.

Benton County does not warrant, guarantee, or accept any liability for accuracy, precision or completeness of any information shown hereon or for any inferences made herefrom. Any use made of this information is solely at the user's risk. Benton County makes no warranty, expressed or implied, and any oral or written statement by any employee of Benton County or agents thereof to the contrary is void and ultra vires. The information shown herein is a preliminary product of the Benton County Geographic Information Systems, and is prepared for presentation purposes only.

SPV 10-07



SE

984 PR SE

SITE

984 PR SE

1005 PR SE

Badger Rd

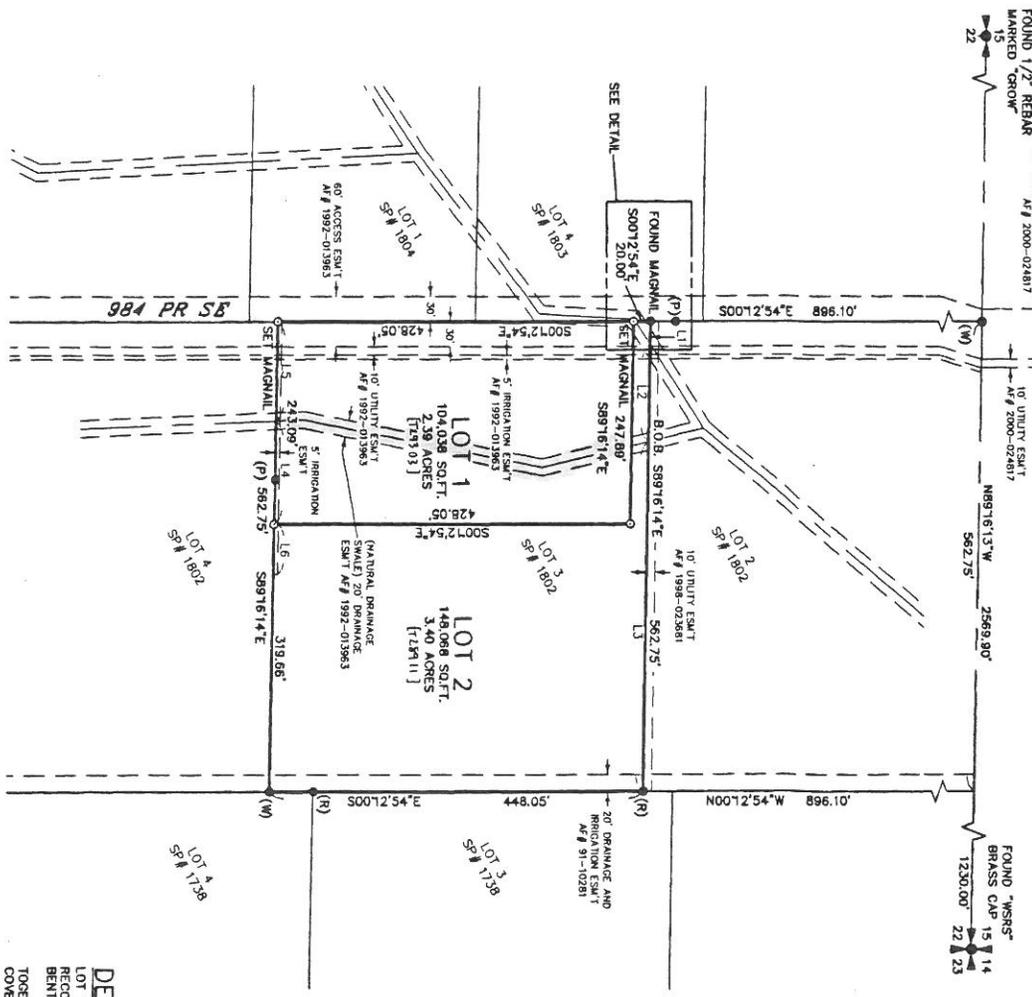
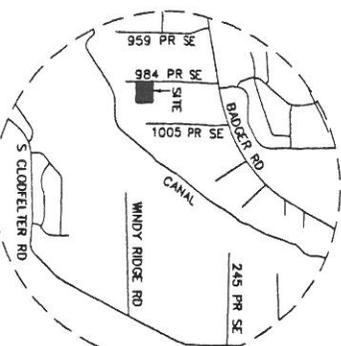
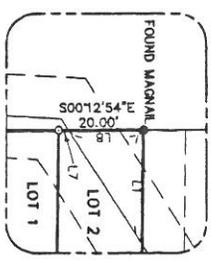
959 PR SE

SE

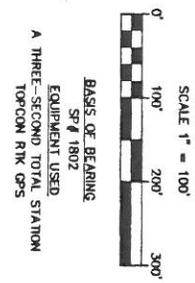
# SHORT PLAT NO. 3165

N.E. 1/4, SEC. 22, T.8 N., R.28 E., W.M.  
BENTON COUNTY, WASHINGTON

LINE	LENGTH	BEARING
L1	27.24	S89°16'14"E
L2	117.23	S89°16'14"E
L3	418.33	S89°16'14"E
L4	123.99	N89°16'14"W
L5	119.09	N89°16'14"W
L6	60.00	N89°16'14"W
L7	2.36	N00°12'54"W
L8	17.64	N00°12'54"W



- LEGEND**
- SET 5/8" REBAR W/ YELLOW PLASTIC CAP
  - MARKED STRATTON 14120" OR AS INDICATED
  - FOUND AS INDICATED
  - BASIS OF BEARING
  - [-#-] - ADDRESSES
  - (#) - FOUND 5/8" REBAR MARKED
  - (W) - WORLEY 15# 13352
  - (R) - FOUND 5/8" REBAR MARKED
  - (F) - FROGERS 15# 12385
  - (P) - FOUND 5/8" REBAR MARKED
  - (F) - FERRITT 15# 32449
  - WRS - WASHINGTON STATE RECLAMATION SERVICES



**SURVEYOR'S CERTIFICATE**

I, AARON A. DYCK, A LICENSED LAND SURVEYOR IN THE STATE OF WASHINGTON, HEREBY CERTIFY THAT THIS MAP CORRECTLY REPRESENTS AN ACTUAL FIELD SURVEY CONDUCTED BY ME, IN CONFORMANCE WITH THE SURVEY RECORING ACT AND THAT THE CORNERS HAVE BEEN STAKED ON THE GROUND AS SHOWN HEREON AT THE REQUEST OF HOTELO YANG, AND ALL BEARINGS AND DISTANCES ARE CORRECT.

11/05/2008  
DATE



**SURVEY FOR**

**HOTELO YANG**

INDEX	SEC	T	R
	22	8 N	28 E

**AUDITOR'S CERTIFICATE**

FILED FOR RECORD THIS 10th DAY OF NOVEMBER 2008 AT 10:00 AM IN THE OFFICE OF THE COUNTY CLERK AND RECORDED IN VOLUME 38765-1 (REV 02) DMC AT THE REQUEST OF AARON A. DYCK, P.L.S. *by Doreen A. Dwyer* 2008-0392746 BENTON COUNTY AUDITOR FEE NO. 0000000000 DAD, DMC



STRATTON SURVEYING & MAPPING, INC.  
7535 W. DESCHUTES BL. UNIT 1C  
KEENEWAU, WA 99336  
PHONE: (509) 755-6560  
FAX: (509) 755-6560  
info@strattonsurveying.com

DATE: 11/5/08  
DRAWN BY: DA  
SHEET 1 OF 2  
3976

9:20

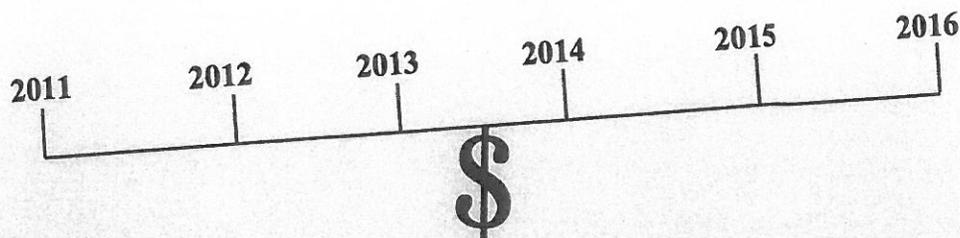
Benton County Health District Building  
Improvement Fee Proposal

10:20

# BENTON COUNTY Public Works Department

# 2011-2016 Road Program

DRAFT



Approved by

**Board of County Commissioners**  
xxxxx, 2010

**James R. Beaver, Chairman**  
**Leo M. Bowman, Pro Tem**  
**Max E. Benitz, Jr., Member**

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY ROADS RE: COMPREHENSIVE SIX-YEAR ROAD PROGRAM, 2011 -2016

WHEREAS, RCW 36.81.121 requires development of perpetual advanced six-year plans for coordinated transportation; and

WHEREAS, the updated six-year plan, describing the road maintenance and improvement program for the period of 2011 through 2016 shall be adopted prior to adoption of annual budget, after one or more public hearings; and

WHEREAS, a public hearing on said six-year plan/road program was held on August 30, 2010; and

WHEREAS, in accordance with the RCW's, the priority array and bridge report that were prepared by the County Engineer and staff were considered as a part of the six-year plan; NOW THEREFORE,

BE IT RESOLVED that the Six-Year Road Program for the period of 2011 through 2016 is hereby approved.

Dated this 30th day of August, 2010.

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

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

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

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

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

MJB:slc

## **Introduction**

The Benton County Six-Year Road Program is a planning tool to identify the expenditure of operational and capital funds for improvement to County roadways. Even though this is not a budget document, budgets are prepared using the information contained in this planning document. A new Six-Year Program is prepared in the spring of each year with adoption by the Board of County Commissioners anticipated prior to June 1. In the fall of each year the Board of County Commissioners will adopt a One-Year Road Program identifying the next year's road projects to be designed and constructed. After the One-Year Road program is approved the Board of County Commissioners approves the Public Works budget that is authorization for all Public Works fund expenditures.

This document is intended to provide the following information:

### **Financial**

The Financial Projection report shows proposed revenues and expenditures for the six-year planning period. Many of the projects listed in the Six-Year Road Program are grant dependent. If grants for each project are not received the project will be delayed until funding becomes available. Remember that this is a planning document and not a budgeting document. Once funds become available projects will be prioritized by the Board of County Commissioners and then included in the One-Year Road Program and Public Works budget.

### **Six-Year Road Program**

Each project has a brief explanation of the needed improvements, sources of funding, project cost, phasing and schedule. As needs change throughout the roadway network system and as funds become available priorities will also change. Projects listed are in relative priority based upon community needs regardless of funding. The Board establishes priorities at the time of document approval however; community involvement, available funding and safety requirements will always modify project priorities.

### **Road Data**

Following the Six-Year Road Program is supplemental road data. The supplemental data contains information about various roadway programs and plans in the Six-Year Program. The following categories are listed in the Road Data section of this document:

- Discussions concerning potential new roads
- A list of roads benefiting from the Rural Arterial Program
- Roads paved through the County Arterial Preservation Program
- Certain paved roads that are not constructed to current standards
- Gravel roads scheduled to be paved
- Railroad crossings where new signal improvements would be beneficial
- A list of bridges in Benton County
- An inspection report for Benton County bridges
- An inventory of all roads
- A glossary of terms

The inventory for our roadway network as of May 3, 2010 is as follows:

<u>Roadway Surface</u>	<u>Urban</u>	<u>Rural</u>
Bituminous Surface Treatment	107.1	439.4
Asphalt Concrete Pavement	9.7	45.2
Portland Cement Concrete Pavement	0.2	0.2
Gravel	0.9	248.5
Graded & Drained	0	5.3
Unimproved	0	5.4
Total Miles	117.9	744.0

<u>Federal Functional Classifications</u>	<u>Miles</u>
Urban	
16 Minor Arterial	7.1
17 Collector	28.8
19 Local Access	82.0
Total Urban Mileage	117.9
Rural	
07 Major Collector	105.7
08 Minor Collector	207.6
09 Local Access	430.7
Total Rural Mileage	744.0
Total Mileage County Wide	861.9

<u>Bridges</u>	<u>Quantity</u>
Twenty feet in length or longer	54
Greater than 6 feet but less than 20 feet in length	29

**BENTON COUNTY SIX-YEAR ROAD PROGRAM  
FINANCIAL PROJECTION 2011-2016**

**-REVENUES-**

<u>Item</u>		<u>Revenue</u>
Carryover (January 1, 2011)		\$1,000,000
Property Taxes (Prior to Diversion)		32,726,399
Motor Vehicle Fuel Tax:		
Road Fund #0101-101		19,682,829
Paths & Trails Reserve Fund #0114-101		98,909
CRID's		1,500,000
State Grants:		
UCP-TIB (formerly TPP; TIA)	1,771,000	
CAPP	2,325,072	
RAP	7,609,000	\$11,705,072
Federal Grants:		
FHWA APP	294,000	
STP/R: Rural	750,000	
STP/U: Urban	0	
STP/H: Hazard Elimination	0	
STP/XP: Railroad	60,000	
STP/E: Enhancement	1,093,000	
STP/BRRP: Bridge	0	2,197,000
Public Works Trust Fund Loan		0
Other Funds		450,000
Operating Transfer-In		0
County Road Improvement Matching Program Fund #0101-102		3,350,000
Interest on Road Fund		60,000
<b>TOTAL ANTICIPATED REVENUES</b>		<b>\$72,770,209</b>

**DRAFT**

**-EXPENSES-**

<u>Item</u>		<u>Expenditures</u>
Traffic Policing (Diverted Property Taxes)		\$2,756,053
Preservation (less CAPP)		10,182,894
Maintenance		24,863,241
Administration		8,329,181
Operations		4,042,060
Construction:		
Road Fund #0101-101		5,128,000
County Road Improvement Matching Program Fund #0101-102		3,350,000
Paths & Trails Reserve Fund #0114-101		60,000
CRID's		1,500,000
State Grants:		
UCP-TIB (formerly TPP; TIA)	1,771,000	
CAPP	2,325,072	
RAP	7,609,000	\$11,705,072
Federal Grants:		
FHWA APP	294,000	
STP/R: Rural	750,000	
STP/U: Urban	0	
STP/H: Hazard Elimination	0	
STP/XP: Railroad	60,000	
STP/E: Enhancement	1,093,000	
STP/BRRP: Bridge	0	2,197,000
Public Works Trust Fund Loan P & I Repayment		1,257,000
Other Funds		450,000
Unknown Funding Sources		35,697,000
<b>TOTAL ANTICIPATED EXPENDITURES</b>		<b>\$111,517,501</b>
Under - (Over) - Expended		(\$38,747,292)

Leo Bowman  
District 1  
Max Benitz, Jr.  
District 2  
James Beaver  
District 3

**Board of County Commissioners  
BENTON COUNTY**

David Sparks  
County Administrator

Loretta Smith Kelty  
Deputy County Administrator



Prosser - 1:30

&

Kennewick - 5:30

**Notice of Public Meetings**

To: Citizens of Benton County  
From: Benton County Commissioners' Office  
Date: August 23, 2010  
Re: Benton County Seat Relocation Report

Two public meetings by ENTRIX regarding a presentation on the Benton County Seat Relocation have been scheduled for Monday, August 30, 2010. The first presentation will be held during the Board of County Commissioners meeting at 1:30 pm at the Benton County Courthouse, Commissioners' Conference Room, 3<sup>rd</sup> floor, 620 Market Street in Prosser, WA. A second meeting at 5:30 pm is scheduled at the Benton County Justice Center, Commissioners' Board Room, 2<sup>nd</sup> floor, 7122 W. Okanogan Place, Kennewick, WA.

The purpose of the public meetings is to inform the public regarding a Voter Informational Brochure for the upcoming November 2, 2010, ballot initiative. Benton County voters will be provided with a financial impact statement that shall include, but not be limited to, an analysis of the:

1. Probable costs to the county government involved in relocating the county seat;
2. probable costs to county employees as a result of relocating the county seat; and
3. probable impact on the city or town from which the county seat is proposed to be removed, and on the city or town where the county seat is proposed to be relocated.