

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
August 31, 2009, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

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

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Adam Fyall, Community Development Coordinator; Finance Manager Linda Ivey; Personnel Manager Melina Wenner; Facilities Manager Roy Rogers; Jacki Lahtinen and Dixie Jameson, District Court; Steve Becken, Public Works; Frank Wolf; DPA Ryan Brown; Planning Manager Mike Shuttleworth; Judge Bob Ingvalson.

Approval of Minutes

The Minutes of August 24, 2009 were approved.

Consent Agenda

Commissioner Bowman pulled items “m” (Grant Application for Travis Road) and “n” (Local Agency Agreement Supplement #3, for Webber Canyon Road Railroad Undercrossing) for discussion.

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

Board of Equalization

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

Central Services

- b. Contract w/Crossmatch Technology for Guardian Portable Digital Finger Print Systems

Coop – WSU Extension

- c. Line Item Transfer, Fund No. 0000-101, Dept. 108

Fairgrounds

- d. Revised Standard Lease Agreement Form and Rental Rates, Rescinding Resolution 07-847

Horticultural Pest & Disease Board

- e. Contract w/J.R. Helicopters LLC for Orchard Spraying Services

Human Services

- f. Program Agreement, #0963-68046, w/DSHS Division of Developmental Disabilities
- g. Amendment, #07/09-SA-LCC-01, w/Lourdes Counseling Center

Juvenile

- h. Line Item Transfer, Fund No. 0115-101, Dept. 173/174

Office of Public Defense

- i. Contract Amendment w/E Riley
- j. Interlocal Agreement w/City of Prosser for Public Defense Services

Personnel

- k. Authorization to Sign Notification Letter to CCS Holding, Ltd. Partnership
- l. Personal Services Contract w/Penser North America, Inc.

Public Works

- o. Contract Authorization for Pavement Marking 2009
- p. Traffic Control on Brian Lane

Sheriff

- q. Authorization to Purchase Pelco Electronic Equipment and Supplies, WA Contract #03502
- r. Authorization to Purchase Electronic Equipment and Supplies, WA Contract #03103

Consent Agenda Items “m” and “n”

Commissioner Bowman questioned where the money was coming from for the Travis Road project and what other projects it might be “leapfrogging” over. Additionally, if the Webber Canyon project came in under budget, if the leftover funds could be used elsewhere.

Steve Becken said there were not any projects the Travis Road project was leapfrogging over and that he would make a call to check if the money could be re-allocated.

MOTION: Commissioner Bowman moved to approve consent agenda items “m” and “n”. Commissioner Beaver seconded and upon vote, the motion carried.

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

Risk Pool Presentation

Vyrle Hill and David Goldsmith gave a Powerpoint presentation on the following Washington Counties Risk Pool issues:

- Mission and Core Values
- Liability Program and Insuring Agreement
- Board Approved Changes for 2010
- Renewal Comparisons
- Property Program
- Organization and Administrative Services

- Risk Pool Finances and Member Services
- Powers and Authorities of the Pool
- Member Counties' Responsibilities

The Board briefly recessed, reconvening at 9:40 a.m.

Public Hearing – District Court Districting Plan

Chairman Benitz presented two resolutions amending the District Court Districting Plan to authorize two additional district judge positions. He stated that resolution “a” was approved as to form by the district committee members and resolution “b” reflected a change from “Prosser Courthouse” to “Benton County Courthouse”. Chairman Benitz opened up the public hearing for 10 minutes.

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

Commissioner Bowman said he was not in favor of mandating five judges and believed the language should state: “up to five judges and court commissioners”, and would allow commissioners as needed.

DPA Ryan Brown said he believed the Board should authorize what it wanted now and if it needed to be changed, the districting plan could be changed.

Commissioner Beaver said he was in favor of the language as presented, or adding “up to five judges”. He said he was in favor of five full-time judges.

Commissioner Bowman said he was in favor of five judicial positions, but not a 5th judge because he was not sure how it would be paid for.

Chairman Benitz said he would be in favor of the language “up to five judicial positions”, however, would go with what the districting committee recommended.

MOTION: Commissioner Beaver moved to approve resolution “b”, amending the district court districting plan authorizing two additional judicial positions and changing the language from Prosser Courthouse to Benton County Courthouse. Chairman Benitz seconded.

Discussion

Commissioner Bowman said he wanted to remind the Board of the additional costs being added to the budget.

Upon vote, the motion carried with Commissioner Bowman opposing.

Interlocal Agreements – District Court Districting Plan

MOTION: Commissioner Bowman moved to approve the resolutions authorizing the adoption of the Interlocal Agreement with the City of Kennewick, City of Richland, City of Prosser, and City of West Richland for District Court Services. Commissioner Beaver seconded and upon vote, the motion carried unanimously.

EPIC Property

Chairman Benitz discussed the terms of the agreement between Benton County and EPIC to purchase property and the requirement of EPIC to provide certain services. He requested the Board approve Ryan Brown to research the issue and EPIC's compliance with the agreement.

Commissioner Bowman said if there was a way to keep EPIC in operation, then he was in favor of that and he recommended the Board write a letter to EPIC requesting information about compliance. The Board agreed.

Water Conservancy Board Update

Darryll Olsen, Chairman of the Benton County Water Conservancy Board, updated the Board on a proposed set of standards that would invoke more qualifications surrounding members of the boards. Additionally, he provided the annual report for the Board from October 2007 through October 2008.

Commissioner Bowman said he did not believe there was reason to open the RCW 90.80 Water Conservancy Legislation and that it would be inappropriate to do so. He said he was in favor of the Board opposing the legislature and proposed that he work with WSAC, Ecology, and conservancy boards to find a resolution.

The Board agreed.

Other Business

Health Department – Property Appraisal

Commissioner Bowman suggested the Board formally respond back to the Health Board regarding the appraisal of the Canal property and Benton County's position regarding the contract and its intentions regarding the building. The Board agreed to discuss the matter at the next regular meeting.

Public Works Update

Mr. Becken said he had confirmed the leftover grant money for the Webber Canyon project had to be returned.

Claim for Damages

CC 09-20: Received on August 27, 2009 from David Pesina

Vouchers

Check Date: 08/24/2009
Warrant #: 931127-931274
Total all funds: \$3,505.88

Check Date: 8/28/2009
Warrant #: 931723-931929
Total all funds: \$543,028.78

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

Resolutions

- 9.550 Line Item Transfer, Fund No. 0000-101, Dept. 103
- 9.551 Contract w/Crossmatch Technology for Guardian Portable Digital Finger Print Systems
- 9.552 Line Item Transfer, Fund No. 0000-101, Dept. 108
- 9.553 Revised Standard Lease Agreement Form and Rental Rates, Rescinding Resolution 07-847
- 9.554 Contract w/J.R. Helicopters LLC for Orchard Spraying Services
- 9.555 Program Agreement, #0963-68046, w/DSHS Division of Developmental Disabilities
- 9.556 Amendment, #07/09-SA-LCC-01, w/Lourdes Counseling Center
- 9.557 Line Item Transfer, Fund No. 0115-101, Dept. 173/174
- 9.558 Contract Amendment w/E Riley
- 9.559 Interlocal Agreement w/City of Prosser for Public Defense Services
- 9.560 Authorization to Sign Notification Letter to CCS Holding, Ltd. Partnership
- 9.561 Personal Services Contract w/Penser North America, Inc.
- 9.562 Grant Application for Travis Road
- 9.563 Local Agency Agreement Supplement #3, for Webber Canyon Road Railroad Undercrossing
- 9.564 Contract Authorization for Pavement Marking 2009
- 9.565 Traffic Control on Brian Lane
- 9.566 Authorization to Purchase Pelco Electronic Equipment and Supplies, WA Contract #03502
- 9.567 Authorization to Purchase Electronic Equipment and Supplies, WA Contract #03103
- 9.568 Approving an Amendment to the Benton County District Court Districting Plan to Authorize Two Additional Judge Positions
- 9.569 Terminating the City of Kennewick Municipal Department of District Court and Authorizing the Adoption of the Interlocal Agreement with the City of Kennewick for District Court Services

- 9.570 Terminating the City of Richland Municipal Department of District Court and Authorizing the Adoption of the Interlocal Agreement with the City of Richland for District Court Services
- 9.571 Terminating the City of West Richland Municipal Department of District Court and Authorizing the Adoption of the Interlocal Agreement with the City of West Richland for District Court Services
- 9.572 Terminating the City of Prosser Municipal Department of District Court and Authorizing the Adoption of the Interlocal Agreement with the City of Prosser for District Court Services

There being no further business before the Board, the meeting adjourned at approximately 10:30 a.m.

Clerk of the Board

Chairman