

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
August 3, 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; Personnel Manager Melina Wenner; Facilities Manager Roy Rogers; Treasurer Duane Davidson, Dixie Jameson and Jacki Lahtinen, District Court; DPA Jonathan Young; Central Services Manager Randy Reid; Ed Thornbrugh, Human Services; DPA Ryan Brown; Erhiza Rivera and Nick Kooiker, Treasurer's Office.

Approval of Minutes

The Minutes of July 20, 2009 were approved.

Consent Agenda

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

Central Services

- a. Upgrading County Storage Area Network and Backup Systems

Commissioners

- b. Line Item Transfer, Fund No. 0305-101, Dept. 000
- c. Line Item Transfer, Fund No. 0000-101, Dept. 115
- d. Alternate Dates for Budget Hearings; Rescinding Resolution 09-267
- e. Annual Audit Assessment Schedules for DID 6 and DID 11

Facilities

- f. Purchase of HVAC Air Filters from American Air Filter International
- g. Replacement of Heat Pump for Planning Annex
- h. Contract w/Fowler General Construction for Treasurer's Remodel

Juvenile

- i. Truancy Contract w/Richland School District for 2009 2010 School Year
- j. Food Service Contract Amendment w/Aramark

- k. Professional Service Agreement w/J Staples for Superior Court Defense Representation
- l. Personal Services Contract w/Ernie Chapin for Clinic Facilitator Services
- m. Interagency Agreement, #IAA10121, w/Administrative Office of the Courts - CASA

Parks

- n. Line Item Transfer, Fund No. 0000-101, Dept. 126

Planning

- o. Travel Expense Reimbursements

Prosecuting Attorney

- p. Updated FMLA Policy

Public Works

- q. Interlocal Cooperative Agreement w/Franklin County for Public Works Services

Sheriff

- r. Contract Extension w/Energy Northwest for Specialized Law Enforcement Services
- s. Line Item Transfer, Fund No. 0000-101, Dept. 121

Sustainable Development

- t. Line Item Transfer, Fund No. 0135-101, Dept. 000

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

Greater Columbia Behavioral Health – Interlocal Agreement

DPA Jonathan Young presented a draft interlocal agreement that addressed the concerns expressed by the Washington State Auditor’s office, including the following: the last formation of GCBH was under four separate interlocal agreements and it should be under one; and ambiguity existed with voting rights for alternate directors on the Board. Mr. Young said the new structure negated a need for an operational board and changed voting requirements for termination from majority to a 2/3 vote.

The Board reviewed the agreement and made suggested changes. Chairman Benitz said the agreement would be presented at the GCBH board meeting on Thursday.

Commissioner Bowman asked about the reimbursement issues for out of county involuntary treatment. Chairman Benitz said the GCBH Board had asked its legal counsel to review that issue.

District Court Districting Plan – Workshop

Chairman Benitz presented a new interlocal agreement with the City of Kennewick for District Court services. DPA Ryan Brown said the group had initially met to incorporate the 5th judge into the districting plan. The city was now asking to terminate its current 3.46 court and contract with Benton County for district court services. Mr. Brown said he was waiting until August 11 to receive contracts from the other cities and have the contracts signed simultaneously.

The Board agreed to the form of the interlocal agreement.

The Board briefly recessed, reconvening at 9:30 a.m.

Animal Control Discussion

Adam Fyall updated the Board on the following issues:

- West Richland had decided to move forward with its plan for a new animal control building and approved relocating their existing location from the Paradise site to the Rupert Road site. They were still waiting to hear if the County wanted to participate.
- Vote of the People: After further review of this option, some problems were revealed and they needed to know today if the Board wanted to move forward.
- RFQ/RFP: Mr. Fyall suggested the Board advertise for a Request for Proposal to provide Benton County with animal control services.
- Tri-Cities Animal Control Authority sent a letter offering the County, as well as Franklin County and West Richland to participate with the Animal Control Authority. However, they have a capacity issue and would not be able to meet the County's needs on a regular basis.

Commissioner Bowman said he was in favor of partnering with West Richland and/or advertising a request for proposal. He said he was not in favor of waiting a few more years.

Commissioner Beaver said the RFP appeared to be the best process and he also did not want to wait any longer. He requested the proposal include options for different levels of service.

Chairman Benitz said he agreed a RFQ was the right approach and he wanted to build an animal control facility at the Quinault property. He suggested using VIT funds as a one-time investment and put together an ordinance for animal control.

Commissioner Bowman said he wanted to find out the cost to operate at another facility versus a county-owned facility.

There was a discussion regarding whether the ordinance would include cats along with stray dogs. The Board agreed the ordinance should include stray dogs and feral cats and include options for a county owned or privately owned facility.

Mr. Fyall said he would provide a new draft ordinance to be included with the RFQ.

Local Revitalization Financing Interlocal

David Sparks said the City of Kennewick had brought forward a proposal and they had worked on an interlocal agreement for the local revitalization financing. Mr. Sparks said they were fairly close to an agreement, but the main issue was how sales tax would be remitted and calculated. He recommended the Board cap the amount at up to \$37,000 per year.

Commissioner Beaver said he agreed the County should cap the amount at \$37,000 per year.

Commissioner Bowman also agreed and said it had to be “new earned” sales tax. Additionally, he asked how the \$28 million cap on the projects was reached and how an issue on the ballot that provided for a 1% maximum tax increase might affect this issue.

Chairman Benitz said he also agreed with the \$37,000 limit and cap of \$28 million. Mr. Sparks said he would work the issue with Duane Davidson in the Treasurer’s office.

Other Business

Local Revitalization Financing Interlocal – City of Richland

Mr. Sparks said they had received a letter from the City of Richland on the same issue and the County would need to opt out by August 25. He added that the Port of Kennewick had opted out pending an interlocal agreement and recommended the Board do the same with the City of Richland until it had a chance to come forward with its project.

The Board agreed to opt out pending an interlocal agreement and encouraged the City of Richland to come forward with its project.

NACO Conference

Commissioner Bowman reported on the NACO conference and provided a written report of the issues discussed.

Vouchers

Check Date: 07/24/2009
Warrant #: 929120-929399
Total all funds: \$1,010,936.16

Check Date: 07/24/2009
Warrant #: 929400-929470
Total all funds: \$1,751.78

Check Date: 07/29/2009
Warrant #: 929884
Total all funds: \$8,000.00

Check Date: 7/31/2009
Warrant #: 929893-930127
Taxes #: 01010709
Total all funds: \$1,928,715.09

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

Resolutions

- 9.489 Upgrading County Storage Area Network and Backup Systems
- 9.490 Line Item Transfer, Fund No. 0305-101, Dept. 000
- 9.491 Line Item Transfer, Fund No. 0000-101, Dept. 115
- 9.492 Alternate Dates for Budget Hearings; Rescinding Resolution 09-267
- 9.493 Annual Audit Assessment Schedules for DID 6 and DID 11
- 9.494 Purchase of HVAC Air Filters from American Air Filter International
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- 9.503 Updated FMLA Policy
- 9.504 Interlocal Cooperative Agreement w/Franklin County for Public Works Services
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- 9.506 Line Item Transfer, Fund No. 0000-101, Dept. 121
- 9.507 Line Item Transfer, Fund No. 0135-101, Dept. 000

There being no further business before the Board, the meeting adjourned at approximately 10:23 a.m.

Clerk of the Board

Chairman