

**MINUTES**

**BOARD OF BENTON COUNTY COMMISSIONERS**

Regular Board Meeting  
Tuesday, August 9, 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; Human Services Manager Ed Thornbrugh; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; County Engineer Malcolm Bowie; Valerie Smith, Susan Walker, Planning; District Court Administrator Jacki Lahtinen; Superior Court Administrator Pat Austin; Juvenile Administrator Sharon Paradis; Rosie Sparks, Auditor; Central Services Manager Randy Reid; Superior Court Judge Mitchell; Nick Kooiker, Treasurer's Office; Auditor Brenda Chilton; DPA Ryan Brown; Duane Davidson, Sam Schneider, Erhiza Rivera, Treasurer's Office.

**Approval of Minutes**

The Minutes of July 27, 2011 were approved.  
The Minutes of August 1, 2011 were approved.

**Consent Agenda**

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

**Commissioners**

- a. Family Day, A Day To Eat Dinner With Your Children Proclamation

**Juvenile**

Agreement w/Administrative Office of the Courts for CASA, Agreement No. IAA12055

**Personnel**

- b. Denial of County Claim – CC 2011-18

**Public Works**

- c. Bid Award for Pavement Marking - 2011
- d. Authorization for Construction of Clodfelter Road
- e. Authorization for Construction of Locust Grove Road

**Sheriff**

f. Department of Ecology Grant

**Comprehensive Plan Amendment Workshop**

Susan Walker, along with Valerie Smith and Mike Shuttleworth reviewed the proposed comprehensive plan amendments as follows:

**CPA 11-01**

At the request of property owners to change land use designation on Barker Ranch from Rural Lands Five (RL-5) to Open Space Conservation (OSC). The Planning Commission recommended approval.

**CPA 11-02**

A proposal submitted by Public Works to add the following two proposed road projects: extension of Locust Grove Road between Clodfelter and Edwards and extension of Coffin Road between Nine Canyon and Meals Road. Recommended to approve by the Planning Commission.

**CPA 11-04**

Housekeeping proposed by staff and considered maintenance to update and improve the accuracy of the information contained in various chapters of the Plan and maps. The Planning Commission recommended approval.

A public hearing is scheduled for August 16, 2011 to consider adoption of these amendments.

**Residential Substance Abuse Treatment Contract Discussion**

Ed Thornbrugh reviewed the residential substance abuse treatment contract amendment. He said there was a concern raised by the DPA about the time lapse that may limit enforceability. He said that for purposes of funding the program, the State had been a good partner and he recommended the Board sign the amendment. Additionally, he said the Board previously approved a resolution allowing the Human Services Administrator to sign minor contract extensions and amendments and perhaps that approval should include bridge agreements. With the Board's approval, he said he would bring back some language for the Board to review.

**MOTION:** Commissioner Beaver moved to approve the resolution for the Residential Substance Abuse Treatment Contract Amendment for Human Services. Commissioner Small seconded and upon vote, the motion carried.

The Board requested Mr. Thornbrugh to bring back recommendations on changing the other resolution as suggested.

### **Treasurer's Investment Pool**

Duane Davidson requested his agenda item be moved to later in the meeting since D.A. Davidson had travel issues and had not yet arrived.

### **Water Conservancy Board Update**

Darryll Olsen, Chairman, Benton County Water Conservancy Board, briefed the Board on the following issues:

- Water policy situation and what we are looking at in next legislative session;
- Water Conservancy Board handles all water right issues for the County;
- Moving ahead with program initiated by Snake Rivers Initiative – allows water conservation savings to be spread onto new ground and new projects running through Conservation O & M program (Columbia River Office is being very cooperative) – several thousand more acres irrigated through this program;
- Biggest concern is next Legislative Session – fight about taxation and fees on water; not concerned about fees but if approved, that is very close to taxation and the irrigation community will oppose that legislation;
- The north area has significant money issues – if money is not there they will not advance;
- Projects here in Benton County do not require money except for the irrigators

### **Treasurer's Investment Pool**

Duane Davidson introduced Deanne Woodring (D.A. Davidson, Inc.). Ms. Woodring said they were completing a feasibility study/assessment to make sure this was the right thing to do for the County. She said pooling of investments was not new in the State of Washington (everyone the County was an ex-officio treasurer for would be pooled into one). She said the County would not be guaranteeing the funds, but would be the sponsoring entity and everyone would be a participant. She discussed the benefits including, cost allocation, sharing the cost of staff time, custodial banking fees, software, improved efficiencies with cash handling; and internal controls. The goal was a higher return over time and right now they were working on documents and meeting with the other entities to see if they were on board with the concept.

Mr. Davidson asked for approval to issue an RFP for software to determine what interest allocation software would cost. The Board agreed.

Mr. Sparks asked if they were looking at only those entities managed by the Treasurer or whether they were also asking PUD, etc. Mr. Davidson said they could expand their scope, but would do so very cautiously.

The Board briefly recessed, reconvening at 10:05 a.m.

### **Revised Travel Policy**

Ms. Smith Kelty said some new issues had come up and she was working through those and would bring the travel policy back for approval at the next meeting.

### **BCES Interlocal Agreement Discussion**

Tom Lampson (Attorney for BCES), Jim Barber, BCES, and Cindy Johnson, Richland City Manager discussed the proposed interlocal agreement for BCES.

Commissioner Small said he was originally opposed to Benton PUD being included in the agreement, however, asked the Board to have an open mind.

Mr. Lampson discussed the microwave system and said there essentially several locations in the county and that it was the backbone for emergency services. Benton PUD utilized the system for data and based on original 1993 agreement had first right of refusal. Benton PUD was agreeable to transfer of ownership of the microwave system if Benton PUD was included as a voting member on the operation of the microwave system. He said they were working with the attorneys on the interlocal agreement and looking for direction on which way to go.

Ms. Johnson said if Benton PUD were allowed a vote, they would add an agenda topic for microwave systems to the executive meetings. Mr. Barber also stated they currently have an agreement with the State but would now have an agreement with BCES.

Chairman Bowman expressed his concern about allowing another entity voting rights and wanted to know why we couldn't have a separate agreement. Mr. Johnson said that Benton PUD had the right to take the microwave but in exchange for that they wanted a stronger voice. She said if the situation were reversed, BCES would want a vote on the board. She said she believed this was the right way to go and saw more problems with creating a separate board. She said this subject had come up before (other entities have votes on separate issues) and it worked very well.

The Board agreed to move forward with the development of the interlocal agreement.

The Board briefly recessed, reconvening at 10:34 a.m.

### **Board Assignment Update**

Commissioner Small reported on his BCES meeting with Mr. Lampson and another meeting with CSEPP regarding reorganizing dispatch. Additionally, he went with Mr. Davidson to the Prosser museum to award grant funds.

Chairman Bowman said there was an open seat on Fire District 3 and the Board needed to make an appointment. The Board agreed to have an interview process and make the appointment at a special board meeting.

### **Benton County Fair Booth**

Chairman Bowman said that Benton County would have a booth at the fair this year and the Commissioners' office was obligated to cover the booth at certain time slots. The Board discussed whether it would be able to provide a ticket to those individuals and requested Ms. Smith Kelty to make assignments for Commissioner staff. Additionally, Chairman Bowman said that WSAC provided some information for a possible brochure and requested the Board review the information.

Additionally, Chairman Bowman said he attended the annual Snake River Irrigators meeting and provided info for review. Also, he was approached by the Columbia River group and asked if they should bring in a presentation for KID customers and the Board agreed.

The Board requested Mr. Fyall write a letter of congratulation regarding the grand opening of the Wagenaar-Pfister House for transitional veterans.

Mr. Sparks said he met separately with West Richland and the Port of Benton regarding distressed county funds and the ball was in their court to provide a workscope.

### **Vouchers**

Check Date: 08/05/2011  
Warrant #: 39090-39241  
Total all funds: \$418,871.26

Check Date: 08/05/2011  
Warrant #: 39242-39379  
Total all funds: \$3,037.08

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

### **Resolutions**

- 11.512 Family Day, A Day To Eat Dinner With Your Children Proclamation
- 11.513 Agreement w/Administrative Office of the Courts for CASA--Agreement No. IAA12055
- 11.514 Denial of County Claim – CC 2011-18
- 11.515 Bid Award for Pavement Marking – 2011
- 11.516 Authorization for Construction of Clodfelter Road
- 11.517 Authorization for Construction of Locust Grove Road
- 11.518 Department of Ecology Grant
- 11.519 Amendment – Residential Substance Abuse Treatment Services

There being no further business before the Board, the meeting adjourned at approximately 10:56 a.m.

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Clerk of the Board

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Chairman