

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, May 1, 2012, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman James Beaver
Commissioner Shon Small
Commissioner Leo Bowman
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 Kely; Adam Fyall, Sustainable Development Manager; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Human Services Manager Ed Thornbrugh; Public Works Manager Steve Becken; DPA Ryan Brown; District Court Administrator Jacki Lahtinen; Central Services Manager Randy Reid; DPA Steve Hallstrom; Auditor Brenda Chilton; Planning Manager Mike Shuttleworth; Erhiza Rivera, Treasurer's Office; County Engineer Malcolm Bowie.

Approval of Minutes

The Minutes of April 24, 2012 were approved.

Consent Agenda

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

Auditor

- a. Printer Maintenance Agreements w/Comstor Information Management, Inc.
- b. Interlocal Cooperative Agreement w/Secretary of State's Office for Local Voters' Pamphlet

Commissioners

- c. Setting Salaries for Elected Officials; Amending Resolution 10-331
- d. Line Item Transfer, Fund No. 0000-101, Dept. 115 to Dept. 109

Fairgrounds

- e. Line Item Transfer, Fund No. 0124-101, Dept. 000

Office of Public Defense

- f. Service Agreement w/Charter College, LLC to Provide No-Cost Paralegal Internships

Public Works

- g. Temporary Supplemental Payment to the Benton County Engineer; Amending Resolution 2012-130

- h. Planning Department Short Plat Application for Prosser Maintenance Yard
- i. Benton Franklin Health Dept. Short Plat Application for Prosser Maintenance Yard

Sheriff

- j. Authorization to Purchase Tires from Wingfoot Commercial Tire
- k. Interlocal Agreement w/City of Kennewick for Byrne Justice Assistance Grant
- l. Line Item Transfer, Fund No. 0000-101, Dept. 125

Sustainable Development

- m. Tri-Cities Rivershore Master Plan

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

Public Hearing - Short Plat Vacation – SPV 12-01

Mike Shuttleworth presented the application for short plat vacation filed by Lillian Fay requesting vacation of a 20-foot lateral irrigation easement. KID approved the vacation and recorded a relinquishment of easement document with the County Auditor.

Mr. Shuttleworth said that based upon the information received, the Planning Department recommended approval of the vacation.

Testimony

Mark Richart, Richland, said he was not the owner, but was trying to purchase the property and was in favor of the request.

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

MOTION: Commissioner Small moved to approve the vacation of the 20-foot lateral 33.5-A-1 Irrigation Easement being 20.00 feet in width lying in Lot 1 of Short Plat No. 2778 and as shown on the face of said short plat as recorded in volume 1 of Short Plats, page 2778 records of Benton County, Washington. Commissioner Bowman seconded and upon vote, the motion carried unanimously.

Horse Heaven Cemetery Ordinance Discussion

Resolution

Adam Fyall presented a resolution memorializing the history and disposition of the cemetery and officially adopting the cemetery under the control of the Benton County Parks Department. He said that adoption of the resolution would not change the current status of the cemetery.

Ordinance

Mr. Fyall presented a draft ordinance reflecting hours of visitation for the cemetery. With the Board's approval, he would submit it for public hearing at a future date. Ryan Brown said this was a takeoff from the current ordinance for hours and rules for other Benton County parks. He

said there were not set hours (it depended on daylight hours) but there would be a posted sign depicting the visitation hours.

Commissioner Bowman said the ordinance needed to state it would not become an active cemetery so as not to become an obligation.

Commissioner Small concurred with the suggested changes and going to public hearing. Chairman Beaver agreed.

The executive session scheduled on the agenda for pending litigation was cancelled and a new executive session was scheduled.

Executive Session – Potential Litigation

The Board went into executive session at 9:15 a.m. for up to 10 minutes to discuss potential litigation. Present were Melina Wenner, DPA Ryan Brown, DPA Steve Hallstrom, Loretta Smith Kelty, David Sparks, and Cami McKenzie. The Board came out at 9:19 a.m. Mr. Brown stated that no action was taken.

Executive Session – Performance of a Public Employee

The Board went back into executive session at 9:19 a.m. for up to 15 minutes to discuss the performance of a public employee. Present were Steve Hallstrom, Ryan Brown, Melina Wenner, Loretta Smith Kelty, David Sparks, and Cami McKenzie. The Board came out of executive session at 9:26 a.m. (10 minutes from the first executive session) and Mr. Brown said the Board needed an additional 10 minutes to discuss the performance of a public employee. The Board came out at 9:36 a.m. Mr. Brown said the Board needed an additional five minutes to discuss the performance of public employee.

At 9:40 a.m. the Board came out of executive session. Mr. Brown said that no action was taken.

Commissioner Assignment Update

Commissioner Small said he was impressed with the Benton City Economic Development Council's 2012 1st quarter report. Also, he attended the Law & Justice meeting and provided a summary report by the citizen advisory board regarding the potential 1/10, 2/10 or 3/10 tax increase and future forecasts. Commissioner Small also said he attended the Air Quality tour and that it was interesting.

Commissioner Bowman commented that he attended a retirement party for Walla Walla County Commissioner Gregg Loney, that he was working on details for the May 14 tour and he would be attending the upcoming NACO annual meeting.

Chairman Beaver reported on the Council of Government meeting and a letter he received from a concerned constituent regarding the recording fees imposed by the State included in fees that she had to pay when a family member died.

Additionally, Chairman Beaver said he had money in his travel line item that was flexible and he wanted it to be moved to pay for a colleague's travel. Commissioner Small said he was also in favor of that.

Claim For Damages

CC 2012-09: Received on April 27, 2012 from John Michel

Vouchers

Check Date: 4/27/2012
Warrant #: 56599-56666
Warrant #: 56899-57104
Transfer #: 01120412.10104121.10104122
Total all funds: \$795,964.73

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

Resolutions

- 2012-236: Printer Maintenance Agreements w/Comstor Information Management, Inc.
- 2012-237: Interlocal Cooperative Agreement w/Secretary of State's Office for Local Voters' Pamphlet
- 2012-238: Setting Salaries for Elected Officials; Amending Resolution 10-331
- 2012-239: Line Item Transfer, Fund No. 0000-101, Dept. 115 to Dept. 109
- 2012-240: Line Item Transfer, Fund No. 0124-101, Dept. 000
- 2012-241: Service Agreement w/Charter College, LLC to Provide No-Cost Paralegal Internships
- 2012-242: Temporary Supplemental Payment to the Benton County Engineer; Amending Resolution 2012-130
- 2012-243: Planning Department Short Plat Application for Prosser Maintenance Yard
- 2012-244: Benton Franklin Health Dept. Short Plat Application for Prosser Maintenance Yard
- 2012-245: Authorization to Purchase Tires from Wingfoot Commercial Tire
- 2012-246: Interlocal Agreement w/City of Kennewick for Byrne Justice Assistance Grant
- 2012-247: Line Item Transfer, Fund No. 0000-101, Dept. 125
- 2012-248: Tri-Cities Rivershore Master Plan
- 2012-249: Approval of SPV 12-01; Applicant – Lillian Fay
- 2012-250: Addition of Horse Heaven Cemetery to the Benton County Park System

There being no further business before the Board, the meeting adjourned at approximately 9:47 a.m.

Clerk of the Board

Chairman