

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Tuesday, February 10, 2015, 9:00 a.m.  
Benton County Planning Annex  
1002 Dudley Avenue  
Prosser, WA

**Present:** Chairman Jerome Delvin  
Commissioner Shon Small  
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, Sustainable Development Manager; Public Works Manager Daniel Ford; Planning Manager Mike Shuttleworth; DPA Ryan Brown; Auditor Brenda Chilton; Clerk Josie Delvin; District Court Administrator Jacki Lahtinen; Bob Woody, IT Department; GIS Manager Mary Phillips; R.J. Lott, Planning; Matt Rassmussen and Dan Mack, Public Works; DPA Reid Hay; Assessor Bill Spencer.

#### Approval of Minutes

The Minutes of February 3, 2015 were approved.

#### Consent Agenda

**MOTION:** Commissioners Small moved to approve the consent agenda items “a” through “q”, adding “r” and “s” for discussion. Commissioner Beaver seconded.

#### Item “r” – Rozales Findings, Conclusions and Order – Veterans’ Assistance Program

Commissioner Beaver said it appeared Mr. Rozales wanted some additional funding but they were just addressing the issue in front of them. The Board agreed the additional funding request would have to be addressed separately.

#### Item “s” – Horse Racing Contract/Sundowns

Chairman Delvin said he talked to the Horse Racing Association about the issues with the contract and got it figured out for this year but said he didn’t want it to happen again next year. He said it was his understanding it happened every year; if they had issues with the contract, they would have to start the process earlier. The Board indicated it should draft a letter stating it was the Board’s intent that this be the last year they would expedite the issue for their cause.

Upon vote, the Board approved the following:

**Auditor**

- a. Line Item Transfer, Fund No. 0000-101, Dept. 102

**Commissioners**

- b. Line Item Transfer, Fund No. 0305-101, Dept. 000

**Facilities**

- c. Contract w/Yoder, Inc DBA Coffey Refrigeration for As Needed Kitchen Equipment Repairs

**Human Services**

- d. Agreement w/Domestic Violence Services for Emergency Solutions Grant Services

**Information Technology**

- e. Purchase of Access Points From Meraki for Wireless Network

**Juvenile**

- f. Contract w/A-One Refrigeration & Heating, Inc for As Needed Kitchen Equipment Repairs
- g. Line Item Transfer, Fund No. 0115-101, Dept. 171
- h. Line Item Transfer, Fund No. 0115-101, Dept. 174

**Office of Public Defense**

- i. Amended Superior Court Public Defense Contract w/D Hanson
- j. Superior Court Agreement w/J Briggs for Legal Financial Obligation Enforcement Proceedings
- k. Superior Court Contract Termination for S Henwood

**Planning**

- l. Reappointment of S LePage to the Benton County Boundary Review Board
- m. Short Plat Vacation – SPV 14-008

**Prosecuting Attorney**

- n. Purchase Authorization of Law Books from Thomson Reuters – West

**Public Works**

- o. Purchase of 2 Ford Escapes From Columbia Ford
- p. Authorization to Proceed w/Bid for Crack Seal 2015

**WSU Cooperative Extension**

- q. Copier Lease Agreement w/Pacific Office Automation

**Commissioners**

- r. Rozales Findings, Conclusions & Order - Veterans' Assistance Program
- s. Agreement w/Tri-City Horse Racing Association – South of the Rail

**Office of Public Defense Caseload Weighting System**

Eric Hsu presented the information and resolution for the Board to consider regarding the caseload weighting system policy. He said the Washington State Supreme Court enacted a number of standards in 2012 relating to the counting of caseloads and imposition of maximum caseload caps for public defenders, recognizing that cases and other functions should be counted in different ways.

He said that Benton County had always been within the caseload standards and were in a much better place than other jurisdictions within the State. He said the weighting system is what allowed them to count anything other than a full case. The only area in Benton County that needed to be addressed was the legal financial obligation docket, the probation docket and arraignment docket or other partial representations. He said they would be using the system adopted by the State and that it was modeled almost entirely after the state model.

Once adopted by the Board, it would be published on the website and filed with the State Office of Public Defense.

**MOTION**: Commissioner Small moved to approve the Resolution adopting the Public Defense Caseload Weighting System. Commissioner Beaver seconded and upon vote, the motion carried.

Mr. Hsu said the policy would need to be revisited and reviewed from time to time.

### **Other Business**

Commissioner Small requested permission to attend the Tri-City Legislative reception this Thursday & Friday. Chairman Delvin said he would be attending that as well. The Board agreed.

Chairman Delvin requested permission to attend the NACO Western Conference in Kauai. He said he would pay his own airfare if the Board would pay the conference fees and hotel. The Board agreed.

Commissioner Beaver reminded the Board he would be in Washington D.C. for the ECA conference starting on Wednesday.

Commissioner Small said that Franklin County Sheriff Raymond was interested in getting on the 800 Mhz system as soon as possible and maybe becoming a customer. He said they would start discussing the issue with Emergency Dispatch to see if it could happen.

The City of Richland had asked for comments regarding the interlocal agreement for Emergency Management and those comments should be directed to Ryan Brown.

Chairman Delvin said he attended the Legislative Steering Committee for WSAC and had some information that would be available for the Board's review. He discussed the Yakima River legislation and also said he received a hearing for a bill that would allow counties to retain some of the collected property tax for collection costs incurred by the Treasurer and Auditor. Mr. Sparks said there was also talk about legislation to remove penalties for late payments that could have an impact on the budget if it was removed.

### **Executive Session – Litigation**

The Board went into executive session at 9:21 a.m. for approximately 20 minutes with DPA Ryan Brown to discuss litigation. Also present were David Sparks, Loretta Smith Kelty and

Cami McKenzie. The Board came out at 9:41 a.m. The Board went back into executive session for an additional five minutes. The Board came out at 9:47 a.m.

No decisions were made in executive session.

**Resolutions**

- 2015-134: Line Item Transfer, Fund No. 0000-101, Dept. 102
- 2015-135: Line Item Transfer, Fund No. 0305-101, Dept. 000
- 2015-136: Contract w/Yoder, Inc DBA Coffey Refrigeration for As Needed Kitchen Equipment Repairs
- 2015-137: Agreement w/Domestic Violence Services for Emergency Solutions Grant Services
- 2015-138: Purchase of Access Points From Meraki for Wireless Network
- 2015-139: Contract w/A-One Refrigeration & Heating, Inc for As Needed Kitchen Equipment Repairs
- 2015-140: Line Item Transfer, Fund No. 0115-101, Dept. 171
- 2015-141: Line Item Transfer, Fund No. 0115-101, Dept. 174
- 2015-142: Amended Superior Court Public Defense Contract w/D Hanson
- 2015-143: Superior Court Agreement w/J Briggs for Legal Financial Obligation Enforcement Proceedings
- 2015-144: Superior Court Contract Termination for S Henwood
- 2015-145: Reappointment of S LePage to the Benton County Boundary Review Board
- 2015-146: Short Plat Vacation – SPV 14-008
- 2015-147: Purchase Authorization of Law Books from Thomson Reuters – West
- 2015-148: Purchase of 2 Ford Escapes From Columbia Ford
- 2015-149: Authorization to Proceed w/Bid for Crack Seal 2015
- 2015-150: Copier Lease Agreement w/Pacific Office Automation
- 2015-151: Rozales Findings, Conclusions & Order – Veteran’s Assistance Program
- 2105-152: Agreement w/Tri-City Horse Racing Association South of the Rail
- 2015-153: Office of Public Defense - Caseload Weighting System Policy

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

---

Clerk of the Board

---

Chairman