

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, December 3, 2013, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Shon Small
Commissioner Jerome Delvin
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; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Public Works Manager Steve Becken; County Engineer Daniel Ford; Ed Thornbrugh, Human Services; Planning Manager Mike Shuttleworth; DPA Ryan Brown; Jacki Lahtinen, District Court; Clerk Josie Delvin; Auditor Brenda Chilton; Pat Austin, Superior Court; Aileen Coverdell, Auditor's Office; Bob Woody, IT; Michelle Simpson and Erhiza Rivera, Treasurer's Office; Donna Holmes, Solid Waste.

Approval of Minutes

The Minutes of November 18, 2013 were approved.
The Minutes of November 26, 2013 were approved.

Consent Agenda

MOTION: Commissioner Beaver moved to approve the consent agenda items "a" through "bb", pulling "r" (Termination of Professional Services Agreement w/J Metro). Commissioner Delvin seconded and upon vote, the Board approved the following:

Animal Control

- a. Contract with Vista Vet for "As Needed" Veterinarian Medical Services

Auditor

- b. Line Item Transfer, Fund No. 0111-101, Dept. 000
- c. Veterans' Assistance Fund Policy; Rescinding Resolution 07-002
- d. Updating County Funds for Governmental Accounting Standards Board Statement Number 54; Rescinding Resolution 2012-774

Commissioners

- e. Reappointment of L Matzner to the Mid-Columbia Library Board of Trustees
- f. Irrigation Easement for Kennewick School District

District Court

- g. Interagency Agreement w/State of WA Administrative Office of the Courts

Facilities

- h. Amended Contract w/Apollo for Maintenance & Repair Services

Human Services

- i. Line Item Transfer, Fund No. 0108-101, Dept. 551
- j. Line Item Transfer, Fund No. 0154-101, Dept. 000
- k. Line Item Transfer, Fund No. 0108-101, Dept. 564
- l. Amended Agreement w/Columbia Basin Veteran Coalition for Coordinated Entry System
- m. Amended Agreement w/BF Community Action Committee for Coordinated Entry System
- n. Amended Agreement w/Therapeutic Innovations & Recovery for Coordinated Entry System
- o. Amended Agreement w/Domestic Violence Services for Coordinated Entry System

Juvenile

- p. Line Item Transfer, Fund No. 0115-101, Dept. 172

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- q. Line Item Transfer, Fund No. 0134-101, Dept. 000

Personnel

- s. 2014 Holiday & Hours for Business Transaction

Prosecuting Attorney

- t. Agreement w/AFL-CIO, Local 874HC, Representing Courthouse Employees
- u. Agreement w/AFSCME, AFL-CIO, Local 2658B, Representing Appraisers

Public Works

- v. Authorization to Sign Updated Cost Estimate for Piert Road Extension
- w. Rental of John Deere Grader from Rowand Machinery
- x. Agreement w/City of West Richland for S 38th Ave Roadway Project

Sheriff

- y. Agreement w/City of Kennewick for Use of Kennewick Firearms Range Facility
- z. Amended Contract w/Olympic Security Services, Inc. for Security Services

Superior Court

- aa. Percentage Rates for Salaries and Benefits

Treasurer

- bb. Line Item Transfer, Fund No. 0109-101, Dept. 000

Public Hearing – Proposed Ordinance Repealing Chapter 6.44 BCC

DPA Ryan Brown said that Ordinance 142 was adopted in 1980 prior to Washington adopting state law that criminalized drug paraphernalia. He recommended the Board repeal the ordinance since there was already a state law relating to criminalizing drug paraphernalia.

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

MOTION: Commissioner Beaver moved to approve Ordinance 532 Relating to Drug Paraphernalia, repealing Ordinance 142 and Chapter 6.44 BCC in its entirety. Commissioner Delvin seconded and upon vote, the motion carried unanimously.

Conservation District – Support Letter for Grant Application

Mark Nielson, Benton Conservation District, presented a letter of support for a grant application to the Department of Ecology's Centennial Clean Water Fund. He said Benton County formally withdrew from the Lower Yakima Valley Groundwater Management Area and this would be a step to start that process and begin sampling as an outreach effort. He said the grant application was for \$333,000; the grant would pay \$250,000 and would require a match of \$83,000. He said the Health District indicated it would pay \$10,000 and the Conservation District would try to come up with the rest. He said he was hopeful the County might be able to help with funding during the next biennium; the Centennial Clean Water Fund was an annual fund.

MOTION: Commissioner Beaver moved to approve sending the letter to the Department of Ecology in support of the Centennial Clean Water Fund Grant Application. Commissioner Delvin seconded and upon vote, the motion carried.

Interlocal Agreement for Solid Waste

Donna Holmes said the County currently had an interlocal agreement with the five cities that was due to expire at the end of the year. She said the new interlocal agreement was approved by the PA and was ready for signature. However, she indicated the cities of Richland, Kennewick and West Richland submitted a new agreement for the Board to consider.

Daniel Ford said it was Mr. Becken's recommendation that the Board extend the current agreement and take time to consider this new proposal by the cities. Commissioner Delvin asked how it changed the current agreement and Ms. Holmes indicated it brought in BFCOG as a participant. She said the new agreement was forwarded to Reid Hay but he had not had a chance to review it yet.

Brian Malley, BFCOG, Richland, said he was approached by the cities about altering the agreement and also received a call from Benton County. He indicated that if Benton County wanted BFCOG to administer the contract, they were open to that but the decision would have to go before his Board. He said they were generally looking for administration of meetings and the planning process.

There was also a discussion regarding the hazardous waste process and Ms. Holmes said they would continue to have events to collect hazardous waste or use the money to buy property and start that process.

Commissioner Beaver stated he did not believe that BFCOG had expertise in solid waste planning and was not in favor of moving forward with the new agreement. Commissioner Delvin recommended the Board follow the recommendation of the Public Works Manager and take some time to review the proposed agreement.

MOTION: Commissioner Delvin moved to have the current interlocal agreement renewed. Commissioner Beaver seconded.

Discussion

Commissioner Delvin said it might just be a communication problem. Commissioner Beaver said he saw it as an attempt to divert costs to a different group and they currently had a group of folks charged to take care of waste handling.

Upon vote, the motion carried.

Aging & Long Term Care Discussion

Ryan Brown said that Yakima County was proposing an interlocal agreement to Benton County and several other counties to move 100 or so employees off their payroll. He said he had already provided his comments to the Board.

Commissioner Delvin asked if this was something that Benton County wanted to be a part of; they didn't know if the services would continue to be done. Commissioner Beaver said there currently was not a written interlocal agreement that could be found and this seemed to be an attempt to move employees from one group to eight counties. He said he had concerns about liability, PERS, and the employees and was not comfortable with the idea.

Chairman Small proposed they form the group into a non-profit organization or keep it the same. Commissioner Delvin said he agreed if they could come up with a non-profit organization for the State to buy into. He suggested the Board draft a letter addressing concerns to be sent to Yakima County and the agency group. DPA Brown said he would draft a letter for the Board's signature.

Finance Update Through October, 2013

Keith Mercer provided a financial update through October 2013 outlining the revenues and expenditures. Time elapsed through October, 2013 was (41.67%) with revenues totaling 42.54% and expenditures totaling 40.21%.

Mr. Mercer said he continued with the adjustment column in revenues to simulate as if they actually collected on a monthly basis and the taxes, with the adjustment was almost 43%. He said they collected the one-time fueling back in August.

Additionally, he said he used the same format for expenditures with adjustments to attempt to get accruals for supplies and services.

Other Business

Commissioner Delvin said he received an email from WSAC regarding federal issues and they were asking for comments to be submitted to them so they could discuss them with the federal government.

MOTION: Commissioner Delvin moved to nominate Jim Beaver to be the Chair for 2014. Commissioner Small seconded and upon vote, the motion carried.

Superior Court Judges – 7th Judge

Chairman Small discussed the letter from Craig Matheson dated December 5, 2012 requesting the Board support the 7th Superior Court Judicial position to the legislature. He said it was his position that if the formal request came forward, he wanted to wait and look at any requests for the position in the 2015-2016 budget and that he was not interested in filling this position in 2014.

Pat Austin stated that Franklin County did approve the Judge for the second half of 2014 if Benton County approved it. She said the first budget priority for Franklin County was for staff to receive an increase in medical and some sort of cola; their second priority was a judge during the 2nd half of the year. Additionally, she sent a resolution for Franklin County to approve on December 11 for an insurance reimbursement contribution for non-bargaining employees to see if Franklin County would approve before bringing it to Benton County.

Commissioner Delvin asked about the additional needs for Superior Court if a 7th judge were approved. Ms. Austin indicated the Franklin County Clerk's office indicated they would need another person to support that 7th judge; they currently were asking for a full-time position but were approved for ½ time and indicated they would need a full-time clerk if granted a 7th judge. Ms. Austin said the need for a clerk depended on how the Court used the judge and what type of docket was used. Also, they currently had court reporters, and if one was not available, they used a courtroom with a digital recorder.

Commissioner Beaver said he supported the Board looking at the judge during the 2015-2016 budget process. Additionally, he said if they were going to have bi-county issues and union negotiations, he wanted to have bi-county meetings before the news hit the paper.

Ms. Austin said she talked with David Sparks and Franklin County about how they should deal with employee issues and was in favor of moving forward with a new process. Mr. Sparks commented that he didn't think reading in the paper what Franklin County was willing to do during union negotiations helped out Benton County.

Resolutions

- 2013-852: Contract with Vista Vet for "As Needed" Veterinarian Medical Services
- 2013-853: Line Item Transfer, Fund No. 0111-101, Dept. 000
- 2013-854: Veterans' Assistance Fund Policy; Rescinding Resolution 07-002
- 2013-855: Updating County Funds for Governmental Accounting Standards Board Statement Number 54; Rescinding Resolution 2012-774
- 2013-856: Reappointment of L Matzner to the Mid-Columbia Library Board of Trustees
- 2013-857: Irrigation Easement for Kennewick School District
- 2013-858: Interagency Agreement w/State of WA Administrative Office of the Courts
- 2013-859: Amended Contract w/Apollo for Maintenance & Repair Services

- 2013-860: Line Item Transfer, Fund No. 0108-101, Dept. 551
- 2013-861: Line Item Transfer, Fund No. 0154-101, Dept. 000
- 2013-862: Line Item Transfer, Fund No. 0108-101, Dept. 564
- 2013-863: Amended Agreement w/Columbia Basin Veteran Coalition for Coordinated Entry System
- 2013-864: Amended Agreement w/BF Community Action Committee for Coordinated Entry System
- 2013-865: Amended Agreement w/Therapeutic Innovations & Recovery for Coordinated Entry System
- 2013-866: Amended Agreement w/Domestic Violence Services for Coordinated Entry System
- 2013-867: Line Item Transfer, Fund No. 0115-101, Dept. 172
- 2013-868: Line Item Transfer, Fund No. 0134-101, Dept. 000
- 2013-869: 2014 Holiday & Hours for Business Transaction
- 2013-870: Agreement w/AFL-CIO, Local 874HC, Representing Courthouse Employees
- 2013-871: Agreement w/AFSCME, AFL-CIO, Local 2658B, Representing Appraisers
- 2013-872: Authorization to Sign Updated Cost Estimate for Piert Road Extension
- 2013-873: Rental of John Deere Grader from Rowand Machinery
- 2013-874: Interlocal Agreement w/City of West Richland for S 38th Ave Roadway Project
- 2013-875: Agreement w/City of Kennewick for Use of Kennewick Firearms Range Facility
- 2013-876: Amended Contract w/Olympic Security Services, Inc. for Security Services
- 2013-877: Percentage Rates for Salaries and Benefits
- 2013-878: Line Item Transfer, Fund No. 0109-101, Dept. 000
- 2013-879: Adoption of Ordinance 532 Relating to Drug Paraphernalia

There being no further business before the Board, the meeting adjourned at approximately 9:51 a.m.

Clerk of the Board

Chairman