

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, October 18, 2016, 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; County Engineer Matt Rasmussen; Assistant County Engineer Robert Blain; Planning Manager Mike Shuttleworth; DPA Ryan Brown; Clerk Josie Delvin; District Court Administrator Jacki Lahtinen; Assessor Bill Spencer; Treasurer Duane Davidson; DPA Steve Hallstrom; Facilities Manager Dan Waggoner; Building Manager Steve Brown; Ken Williams, Fire Marshal; Public Services Administrator Fred Bowen; Aileen Coverdell and Rosie Sparks, Auditor's Office; Grant DeJongh, Solid Waste; Clark Posey, Planning.

Approval of Minutes

The Minutes of October 11, 2016 were approved.

Review Agenda

The discussion on the Mental Health Jail Addition was pulled. Three executive sessions regarding performance of a public employee, discussion of an applicant for public employment and labor negotiations were added.

Consent Agenda

MOTION: Commissioner Beaver moved to approve the consent agenda items "a" through "x", adding the executive sessions to the regular agenda. Commissioner Delvin seconded and upon vote, the Board approved the following:

Commissioners

- a. Letter to WA Dept. of Ecology ~ Nuclear Waste Program
- b. Letter to Benton Conservation District

Facilities

- c. Contract w/M.G. Wagner Co. for Roof Replacement @ Justice Center

Information Technology

- d. Maintenance Purchase for Fujitsu Scanners from ImageSource, Inc.

Juvenile

- e. Contract w/Fikes Northwest Corp. for Odor Control Services

Prosecuting Attorney

- f. Bi County Agreement w/WA State Council of County & City Employees, Representing Crisis Response Unit

Public Works

- g. Authorization of Road Department Safety Day October 27, 2016
- h. Contract w/Granite Construction Company for Meals Road Asphalt Repair
- i. Agreement w/City of Yakima for Supplies, Material, Equipment and Services
- j. Amendment #1 w/US Army Corps of Engineers for Easement
- k. Contract w/D & D Tri-Rivers Excavating, Inc. for Hanks Road Drainage Project

Sheriff

- l. Line Item Transfer, Fund No. 0000-101, Dept. 118
- m. Line Item Transfer, Fund No. 0000-101, Dept. 119
- n. Line Item Transfer, Fund No. 0000-101, Dept. 120
- o. Line Item Transfer, Fund No. 0000101, Dept. 121
- p. Line Item Transfer, Fund No. 0116-101, Dept. 000
- q. Agreement with Booker Auction for Unclaimed Property
- r. Second Contract Amendment w/Telmate, LLC for Inmate Phone Services
- s. Procurement Award of Paper/Glove Supplies to Crown Paper & Janitorial Supply Company
- t. Procurement Award of Chemicals & Supplies to Crown Paper & Janitorial Supply Company
- u. Procurement Award of Inmate Supplies to Bob Barker Company, Inc.
- v. Procurement Award of BDU Uniforms to 911 Supply, Inc.
- w. Procurement Award of Uniforms to Gall's LLC

Superior Court

- x. Line Item Transfer, Fund No. 0000-101, Dept. 123

Public Hearings - Ordinance Amendments

Steve Brown and Ken Williams presented the ordinance amendments to adopt the new 2015 International Building, Residential, Mechanical, Fire, Swimming Pool and Uniform Plumbing Codes. He said each of the amendments needed a separate public hearing.

Building Code – BCC 3.04

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

MOTION: Commissioner Delvin moved to approve the proposed Ordinance relating to the Building Code and amending BCC 3.04 as presented. Commissioner Beaver seconded and upon vote, the motion carried.

Plumbing Code - BCC 3.08

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

MOTION: Commissioner Delvin moved to approve the proposed Ordinance relating to the Plumbing Code and amending BCC 3.08 as presented. Commissioner Beaver seconded and upon vote, the motion carried.

Mechanical Code - BCC 3.12

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

MOTION: Commissioner Delvin moved to approve the proposed Ordinance relating to the Mechanical Code and amending BCC 3.12 as presented. Commissioner Beaver seconded and upon vote, the motion carried.

Fire Code - BCC 3.16

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

MOTION: Commissioner Delvin moved to approve the proposed Ordinance relating to the Fire Code and amending BCC 3.16 as presented. Commissioner Beaver seconded and upon vote, the motion carried.

Minimum Standards - Fire Flows, Water Mains, Fire Hydrants and Roads – BCC 3.18

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

MOTION: Commissioner Delvin moved to approve the proposed Ordinance relating to the Minimum Standards for Fire Flows, Water Mains, Fire Hydrants and Roads and amending BCC 3.18 as presented. Commissioner Beaver seconded and upon vote, the motion carried.

Swimming Pools - BCC 3.24

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

MOTION: Commissioner Delvin moved to approve the proposed Ordinance relating to Swimming Pools and amending BCC 3.24 as presented. Commissioner Beaver seconded and upon vote, the motion carried.

Assignment - Solid Waste Advisory Committee

Grant DeJongh said the State Legislature passed an amendment requiring the Board of County Commissioners to appoint an individual or position to the Benton County Solid Waste Advisory Committee to represent agricultural interests.

The Board agreed to have Mr. DeJongh call out for any interested individuals and present those to the Board for appointment.

Other Business

Commissioner Beaver said he would be attending an event at the Kennewick Council Chambers at 5:30 regarding their use of the .09 money and development of the shoreline for Columbia Gardens.

Jail Use Contracts

Commissioner Delvin said he wanted to clarify the County was not going to share revenue with the cities as they moved forward in negotiating the new jail use contracts. Commissioner Beaver said he agreed because they did not have any revenue to share. He said they tried to support the local jurisdictions but not at the detriment of their organization when they didn't have the resources.

Chairman Small said he was looking at the September 13 minutes when the Board talked about contracts, revenue sharing and whether they wanted to take over the jail. He said it was his understanding they were going keep the revenue sharing as status quo at least for now. He said he had no issue with changing things up while they were reviewing the budget but he didn't want to contact the cities and say it was off; he suggested continuing it until the next budget cycle.

Commissioner Beaver said that was September and it was now October 18; he said he wanted to give clear direction that he did not want to share revenue they didn't have. He said he did not want to tell someone they needed to lay off employees and then pass along revenue. He wanted to tell the cities they were not interested in sharing funds.

Commissioner Delvin said he agreed with Commissioner Beaver and they needed to make a decision so they could move forward on the contracts. He stated the cities were against the LFO docket and now there was a bill coming for that lawsuit, plus the \$1 million loss in revenue per year.

Chairman Small said he still wanted to give them at least a year notice so they could adjust.

MOTION: Commissioner Delvin moved to direct Loretta Smith Kelty and David Sparks to work with Ryan Brown and that he would assist on a new contract with the cities that did not include revenue sharing effective January 1.

Discussion

Chairman Small said he wanted to make that one year so they could give them notice.

Upon vote, the motion carried with Chairman Small opposing.

Noxious Weed Assessment

Chairman Small said they had a public meeting to discuss an increase in the assessment amount of \$1.00 per parcel and they would be bringing that to the Board. He said he spoke to about 15 farmers in the area and they were not in favor of the increase.

Partnerships

Mr. Sparks commented that when the Board agreed to use the 3/10 for some costs in the jail, it would save the cities about \$300,000 and any monies of the 3/10 that went into District Court would not get charged to the cities, so it benefitted the whole community not just the County.

Additionally, the County gave up \$83,000 and \$76,000 in tax revenue to the cities when they formed the revitalization areas and were also willing to provide \$130,000 for the Boys and Girls Club by providing funding for the Bob Olsen Parkway. He said they had tried to answer each partnership that had been asked of them.

Budget Update

Mr. Sparks said they had been working on the budget with the departments and made the following adjustments:

- Workman's Compensation assessment adjusted - \$1/4 million saved
- IT – new system for Assessor and Treasurer – taking some costs and moving into capital as one-time costs and not ongoing assessments - about \$1/2 million saved
- Trying to nail down labor costs

He said with the adjustments so far, they had cut the deficit down to about \$3 million, however, they still had a lot more work to do. The LFO hit was \$1 million per year which took away revenue increases and kept them pretty flat. The preliminary number for sharing Superior Court costs was a \$300,000 shift to Franklin County and Ms. Smith Kelty was still trying to work out the Juvenile Court cost issue with Franklin County.

Treasurer Duane Davidson thanked the Board and the Facilities Department for the new parking lot and drive-up drop boxes for ballots and tax payments at the Annex.

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

Executive Session – Litigation Update

The Board went into executive session at 10:05 a.m. with DPA Ryan Brown for 15 minutes to discuss the 3rd quarter litigation update. Also present were Steve Hallstrom, Loretta Smith Kelty, David Sparks, and Cami McKenzie. The Board came out at 10:20 a.m. No decisions were made in executive session.

Executive Session

The Board went into executive session at 10:23 a.m. with DPA Steve Hallstrom for 20 minutes to discuss labor negotiations, qualifications of an applicant for a public position and performance of a public employee. Also present were David Sparks, Ryan Brown, Cami McKenzie, Loretta Smith Kelly, and Fred Bowen. The Board came out 10:40 a.m. No decisions were made in executive session.

Payroll Checks

Check Date: 10/11/2016

Warrant #: 240053
Total all funds: \$1,859.90

Check Date: 10/17/2016

Payroll Draw Checks
Warrant #: 240054
Direct Deposit #: 118412-118592
Total all funds: \$108,214.68

Payroll Draw Deductions/Transfers
Taxes #: 101161015
Total all funds: \$35,110.22

Account Payables

Check Date: 10/11/2016

P-Cards #: 1016
Total all funds: \$363,189.11

Check Date: 10/14/2016

Warrants #: 146330-146477
Total all funds: \$2,751.10

Warrants #: 146687-146844
Total all funds: \$942,287.29

Transfers #: 10141601-10141612
Total all funds: \$722,168.61

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

Resolutions

- 2016-796: Contract w/M.G. Wagner Co. for Roof Replacement @ Justice Center
2016-797: Maintenance Purchase for Fujitsu Scanners from ImageSource, Inc.
2016-798: Contract w/Fikes Northwest Corp. for Odor Control Services
2016-799: Bi County Agreement w/WA State Council of County & City Employees, Representing Crisis Response Unit

2016-800: Authorization of Road Department Safety Day October 27, 2016
2016-801: Contract w/Granite Construction Company for Meals Road Asphalt Repair
2016-802: Agreement w/City of Yakima for Supplies, Material, Equipment and Services
2016-803: Amendment #1 w/US Army Corps of Engineers for Easement
2016-804: Contract w/D & D Tri-Rivers Excavating, Inc. for Hanks Road Drainage Project
2016-805: Line Item Transfer, Fund No. 0000-101, Dept. 118
2016-806: Line Item Transfer, Fund No. 0000-101, Dept. 119
2016-807: Line Item Transfer, Fund No. 0000-101, Dept. 120
2016-808: Line Item Transfer, Fund No. 0000101, Dept. 121
2016-809: Line Item Transfer, Fund No. 0116-101, Dept. 000
2016-810: Agreement with Booker Auction for Unclaimed Property
2016-811: Second Contract Amendment w/Telmate, LLC for Inmate Phone Services
2016-812: Procurement Award of Paper/Glove Supplies to Crown Paper & Janitorial Supply Company

2016-813: Procurement Award of Chemicals & Supplies to Crown Paper & Janitorial Supply Company

2016-814: Procurement Award of Inmate Supplies to Bob Barker Company, Inc.
2016-815: Procurement Award of BDU Uniforms to 911 Supply, Inc.
2016-816: Procurement Award of Uniforms to Gall's LLC
2016-817: Line Item Transfer, Fund No. 0000-101, Dept. 123
2016-818: Adoption of Ordinance 575 Relating to the Building Code
2016-819: Adoption of Ordinance 576 Relating to the Plumbing Code
2016-820: Adoption of Ordinance 577 Relating to the Mechanical Code
2016-821: Adoption of Ordinance 578 Relating to the Fire Code
2016-822: Adoption of Ordinance 579 Relating to Minimum Standards for Fire Flows, Water Mains, Fire Hydrants and Roads

2016-823: Adoption of Ordinance 580 Relating to Swimming Pools

There being no further business before the Board, the meeting adjourned at approximately 10:40 a.m.

Clerk of the Board

Chairman