

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Tuesday, April 14, 2015, 9:00 a.m.  
Benton County Planning Annex  
1002 Dudley Avenue, Prosser, WA

**Present:** Chairman Jerome Delvin  
Commissioner Shon Small  
Commissioner Jim 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; Clerk Josie Delvin; District Court Administrator Jacki Lahtinen; Bob Woody, IT Department; GIS Manager Mary Phillips; Judge Cameron Mitchell; Sheriff Steve Keane; Undersheriff Jerry Hatcher; DPA Ryan Lukson; Paul Schut, Financial Analyst; Coroner John Hansens; Treasurer Duane Davidson; Superior Court Administrator Pat Austin; Teri Holmes; Erhiza Rivera and Yuliana Perez Castillo, Treasurer's Office; Dan Mack and Jeff Liner, Public Works; Marianne Ophardt, Benton County WSU Extension; Aileen Coverdell, Auditor's Office; Assessor Bill Spencer.

#### Approval of Minutes

The Minutes of April 7, 2015 were approved.

#### Consent Agenda

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

#### Commissioners

- a. Proclamation for Public Service Recognition Week

#### Facilities

- b. Authorization for Placement of Retainage Funds Into Escrow Account for G2 Construction

#### Information Technologies

- c. Premium Support for CourtSight Docket Display System from Infax, Inc.
- d. Contract w/Stormwind LLC for Cisco Online Training Classes for IT Staff

#### Office of Public Defense

- e. Line Item Transfer, Fund No. 0000-101, Dept. 136

### **Personnel**

- f. Participation Agreement w/United Employees Benefit Trust for Sheriff Clerical Employees

### **Public Works**

- g. Authorization for Project Plans for Clodfelter Road Middle School
- h. Purchase Authorization of Boom Mower & Interstater Mower From Washington Tractor, Inc.

### **Sheriff**

- i. Grant Funding for Marine Patrol Federal Financial Assistance Grant & Boating Safety Program
- j. Payment Authorization to Public Safety Center for Riot Gear
- k. One-Time Payment for Lunch Provided to Oral Board Assessors
- l. Authorizing Expenses Related to Oral Board Assessors

Chairman Delvin said the Board wanted to recognize County Administrator David Sparks for his 30 years of service and presented a certificate of appreciation from the Board.

### **Public Safety Tax Update**

Loretta Smith Kelty gave a Powerpoint presentation on the public safety tax update and briefly discussed the following:

- Schedule
  - Ballot, Establishing Fund; Agreement w/WA DOR
  - Budget
    - Expenditures
    - Revenue – \$433,000 (one month)
- Phase 1 – Determine Space needs for 34 people
  - Ms. Smith Kelty asked the Board if it wanted to use public safety dollars for construction and remodeling. She discussed some proposed shuffling of offices and remodeling and said she would put together some numbers for construction and remodeling and bring back to the Board. The Board agreed.

Chairman Delvin asked about the space at the Annex and previous issues regarding air quality. It was stated the building was checked multiple times and was determined to be okay. The Assessor indicated he was good with it.

- Phase 2 – Establish a Reserve; The Board agreed it wanted to establish a reserve at 13% to 15%.
- Phase 3 - Starting July 1 approve limited priority 1 position requests (at this time) then with sales tax collections establish some track record and start to build reserves; the Board agreed.

### **Programming Update on Forage Research**

Marianne Ophardt, WSU Benton County Extension and Steve Norberg, WSU Franklin County Extension and regional forage specialist, briefed the Board on current forage research as follows:

- Alfalfa Variety Trials
- Timothy-Teff Research
- Soybeans for hay, silage and intercropped with corn silage
- Reducing Hay costs by using soybeans
- Influence of harvest timing on dry matter production
- Intercropping Study
- Teff herbicide and label registration of Latigo

### **Juvenile Center Renovation Study Presentation**

Richard Frederkind and Nitish Suvarna, Dyron Murphy Architects presented a Powerpoint and reviewed the three draft concept plans for the Benton-Franklin Juvenile Justice Center. The presentation included the following:

- Review of Project Scope
- Existing Site – Analysis
- Background Demographics
- Survey Summary
- Program of Requirements
- Concept Options & Comparison
- Option 1 - \$6,652,000.00
- Option 2 - \$7,257,630.00
- Option 3 - \$7,862,621.00

It was noted the above estimates did not include the cost of renting temporary space during construction or the cost of design/construction of the leased space.

Chairman Delvin said he failed to convince legislators to give the County any money for the renovation.

Franklin County would be receiving the same presentation on the following day. The architects indicated they would refine the design and give a final presentation in early June. The Board discussed whether it would be able to having a bi-county meeting for the final presentation.

### **Ribbon Cutting – Antinori Road**

Dan Ford and Jeff Liner informed the Board they were just finishing construction and the road was open and invited the Board to a ribbon cutting on April 21.

## **Kennewick Shop Change Orders**

Dan Ford and Dan Karas, Stantec Architects, updated the Board on the Kennewick Maintenance Facility and discussed the change orders.

### **Change Order No. 1**

Change Order No. 1 was for the building permit reimbursement, boiler vent change, reorientation of sand/salt building and sand/salt footing, added Fire Hydrant, and epoxy floor in the amount of \$56,542.25.

### **Change Order No. 3**

Change Order No. 3 had to do with functionality and increased storage in the amount of \$43,963.18.

**MOTION:** Commissioner Small moved to approve Change Orders One and Three in the amount of \$100,505.43 plus WSST for the Contract with Fowler General Construction for the Public Works Kennewick Maintenance Facility. Commissioner Beaver seconded and upon vote, the motion carried.

## **Other Business**

### **Contract for Forensic Pathologist**

Coroner John Hansens said he had two forensic Pathologists on contract but they were both going to be unavailable for a limited time period and he requested the Board sign an additional contract with Dr. Carl Wigren.

**MOTION:** Commissioner Small moved to approve the contract between Benton County and Dr. Carl Wigren for forensic pathology services. Commissioner Beaver seconded and upon vote, the motion carried.

### **Public Safety Tax**

Sheriff Keane discussed his concern about using the public safety tax for capital improvements that were not originally proposed in the ballot measure language. Additionally, since they were only hiring at 80%, he wanted to know if the reserve fund would be used for capital projects or hiring.

Chairman Delvin said that would be discussed after they determined capital costs but the reserve fund in his mind would be to make it to the 10-year mark on the personnel and program costs.

Commissioner Small agreed and said they needed to wait until they had information on capital costs. He discussed priorities and percentages and what they would do if there was a shortfall.

Commissioner Beaver said they were limited by space as well and they needed to see the numbers and how it would go. He said he didn't see them spending a bunch of money for capital out of the safety tax funds.

Mr. Sparks said the reserves would be for cash flow management since sales tax was not straightlined and he saw the renovations as simple remodels whether they would be paid from capital or sales tax. Additionally, during the 10-year period they would have to factor car replacement into that so would come from reserves as well.

### Greater Columbia Behavioral Health (GCBH)

Commissioner Small said he asked GCBH to come to the Board meeting. Ken Roughton and Troy Wilson said they were there to answer questions regarding whether the county decided to contract out crisis services.

Chairman Delvin asked about the money received from GCBH. Mr. Roughton said that GCBH held a contract with Benton County as a licensed mental health provider and then Benton County in turn provided direct services. If Benton County chose to not provide but have another community based provider, they would carry that risk and would be required to indemnify the County.

Ryan Brown asked for confirmation that if Lourdes were picked up, if the contract would be between GCBH and Lourdes. They said the Bylaws allowed Benton County to pick the provider and GCBH was then required to make sure the provider could provide that service adequately and would contract with Lourdes directly.

The Board asked if there were other counties that still had the county based service and Mr. Roughton said that Skamania and Grant Counties for sure still did but the trend was for the non-profits to provide the service. He added that from the consumer perspective, they should not notice any difference.

Commissioner Small asked if it would provide more money for services if the service was contracted out and he also discussed consolidated crisis response.

Mr. Roughton said the theory was with reduced administrative overhead through integration would be less admin and more services and the legislation right now stated that by 2020 they would integrate all services for the entire spectrum of care. He said he wanted to emphasize that GCBH did not promote an agenda but their goal was good services.

Commissioner Small also asked if Lourdes could provide the required services and he stated they provided as close to a full spectrum of services as possible.

Chairman Delvin asked Mr. Brown if he could review the legal aspects of the issue and Mr. Brown said he would like to have a meeting with Troy Wilson to get more information.

Commissioner Small asked Loretta Smith Kelty if she had any new information and she said she confirmed the rent (\$10,000/month) and administrative costs. She said they were required to pay the lease through May 2017 and may have to look at repaying landlord improvements (\$50,000 to \$60,000). She said she looked at the IT improvements as something they would have done anyway but there were licensing costs they might not have to pay for.

Commissioner Small discussed the admin costs, that transitioning this would save \$400,000 per year, and there was \$5.1 million in reserves to buy out and transition out.

Some issues to be reviewed included:

- Reserve fund (whether it could be transferred)
- 2.5 cents per thousand tax collection
- Costs of getting out of the lease
- Negotiation on union contract (Mr. Sparks said they would have to negotiate the effects of that decision)
- What was shared with Franklin County

Chairman Delvin said he wanted public input on this issue as well. Commissioner Beaver said a financial analysis and review of timing of these issues was needed. He said the Board should also decide whether its goal was to eliminate the Bi-County Human Services Department.

#### ECA Meeting

Commissioner Beaver requested permission to go to the ECA meeting in May with Adam Fyall for the nuclear summit. The Board agreed.

#### Public Safety Sales Tax

Coroner John Hansens said he found the results of the Public Safety Tax update unacceptable. He said he asked for an employee a year ago and was turned down and told to look at the 3/10 sales tax funding. He said he made his request for that and now being told he would have to wait for January did not help him. He said he needed an employee immediately and if the Board needed facts and figures he would provide that.

The Board recessed, reconvening at 11:06 a.m.

#### Executive Session – Pending Litigation

The Board went into executive session with DPA Ryan Lukson for approximately 15 minutes to discuss pending litigation. Also present were Ryan Brown, Loretta Smith Kelty, David Sparks and Cami McKenzie. The Board came out at 11:12 a.m. No decisions were made in executive session.

## **Vouchers**

Check Date: 04/03/2015

### Payroll Checks

Warrant #: 238362-238448

Direct Deposit #: 102973-103564

Total all funds: \$2,075,174.35

### Payroll Deductions Transfers

Taxes #: 10115041-101150414

Total all funds: \$1,744,415.16

### Payroll Deductions Warrants

Warrant #: 119741-119754

Total all funds: \$361,168.25

Check Date: 04/10/2015

Procurement Cards #: 0415, 04151

Total all funds: \$169,628.09

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

## **Resolutions**

- 2015-282: Proclamation for Public Service Recognition Week
- 2015-283: Authorization for Placement of Retainage Funds Into Escrow Account for G2 Construction
- 2015-284: Premium Support for CourtSight Docket Display System from Infax, Inc.
- 2015-285: Contract w/Stormwind LLC for Cisco Online Training Classes for IT Staff
- 2015-286: Line Item Transfer, Fund No. 0000-101, Dept. 136
- 2015-287: Participation Agreement w/United Employees Benefit Trust for Sheriff Clerical Employees
- 2015-288: Authorization for Project Plans for Clodfelter Road Middle School
- 2015-289: Purchase Authorization of Boom Mower & Interstater Mower From Washington Tractor, Inc.
- 2015-290: Grant Funding for Marine Patrol Federal Financial Assistance Grant & Boating Safety Program
- 2015-291: Payment Authorization to Public Safety Center for Riot Gear
- 2015-292: One-Time Payment for Lunch Provided to Oral Board Assessors
- 2015-293: Authorizing Expenses Related to Oral Board Assessors
- 2015-294: Approving Change Order One and Change Order Three – Kennewick Maintenance Facility
- 2015-295: Approving Contract with Dr. Carl Wigren

There being no further business before the Board, the meeting adjourned at approximately 11:12 a.m.

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Clerk of the Board

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Chairman