

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Tuesday, October 28, 2014, 9:00 a.m.  
Commissioners' Conference Room  
Benton County Courthouse, Prosser, WA

**Present:** Chairman Pro Tem Jerome Delvin  
Commissioner Shon Small  
County Administrator David Sparks  
Clerk of the Board Cami McKenzie

**Absent:** Chairman James Beaver (Sick)

**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; Lt. Brian White, Sheriff's Office; Superior Court Administrator Pat Austin; Clark Posey, Planning; Teri Holmes and Shan McPherson, IT; Assistant County Engineer Matt Rasmussen; Darryl Banks and Jennifer Bowe, Juvenile; Treasurer Duane Davidson; Paul Schut, Commissioners' Office.

#### Approval of Minutes

The Minutes of October 21, 2014 were approved.

#### Consent Agenda

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

#### Auditor

- a. Line Item Transfer, Fund No. 0000-101, Dept. 102
- b. Line Item Transfer, Fund No. 0106-101, Dept. 000
- c. Line Item Transfer, Fund No. 0111-101, Dept. 000
- d. Purchase Authorization of Furniture from Husk Office Furniture & Supplies

#### Building

- e. Line Item Transfer, Fund No. 0149-101, Dept. 000

#### Commissioners

- f. Line Item Transfer, Fund No. 0000-101, Dept. 107

#### Coroner

- g. Line Item Transfer, Fund No. 0000-101, Dept. 109

**District Court**

- h. Line Item Transfer, Fund No. 0000-101, Dept. 111
- i. Line Item Transfer, Fund No. 0000-101, Dept. 111
- j. Line Item Transfer, Fund No. 0131-101, Dept. 000
- k. Contract w/A Uvalle for Interpreter Contract
- l. Contract w/M Rudeen for Interpreter Contract

**Facilities**

- m. Payment Authorization to PBS Engineering & Environmental for HVAC Upgrade Testing

**Fairgrounds**

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

**GIS**

- o. Line Item Transfer, Fund No. 0000-101, Dept. 131

**Human Services**

- p. Contract w/Our Lady of Lourdes Hospital for Shelter Plus Care Program
- q. Copier Lease Agreement w/Pacific Office Automation

**Information Technology**

- r. Line Item Transfer, Fund No. 0502-101, Dept. 000

**Juvenile**

- s. Contract Amendment w/Aramark Correctional Services, LLC for Food Services

**Office of Public Defense**

- t. Line Item Transfer, Fund No. 0000-101, Dept. 136
- u. Amended Superior Court Public Defense Contract w/C Harkins
- v. Amended District Court Public Defense Contract w/M Cano
- w. Amended Superior Court Public Defense Contract w/R Swinburnson

**Planning**

- x. Line Item Transfer, Fund No. 0000-101, Dept. 116

**Sheriff**

- y. Contract w/Northwest Marine & Sport, LLC for Boat Repair & Maintenance
- z. Amended Contract w/Cascade Engineering Services for Radar & Speed Measuring Devices
- aa. Contract w/Jiffy Car Wash, Inc. for Vehicle Washing & Cleaning

**Sustainable Development**

- bb. Line Item Transfer, Fund No. 0135101, Dept. 000

**Public Hearings – Hearings Examiner & Auto Wrecking Ordinance Amendments**

Mike Shuttleworth presented the proposed 23 ordinances adopting the Hearings Examiner System to handle land use applications requiring a public hearing with the Board of Adjustment.

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

**MOTION:** Commissioner Small moved to approve the amendments to the Benton County Code as proposed in the ordinances shown in PCM 1.2 and PCM 1.25 and adopt the Planning Commission findings of fact and conclusions. Commissioner Delvin seconded and upon vote, the motion carried.

### **Patrol Car Laptop Replacement**

Lt. Brian White said the Sheriff's office was requesting to be able to use the money currently in the computer replacement fund to replace the laptop computers currently in service for an outright purchase or lease of tablets. He said the final numbers were not yet complete for the lease option.

Mr. Sparks said the cost of the tablets was \$50,000 more than what was available in the computer replacement fund and it was currently reflected in the budget.

**MOTION:** Commissioner Small moved to approve the request to utilize the monies in the Patrol Car Laptop Replacement fund for the purchase or lease of Getac FWA118 tablet computers and related peripheral equipment. Commissioner Delvin seconded and upon vote, the motion carried.

### **Continued Discussion on Terminating Portion of Provider's Contract – Human Services**

Linda Robb appeared via videoconference to continue the discussion on terminating the chemical dependency treatment services by Nueva Esperanza Counseling Center at the Kennewick location.

Commissioner Delvin said he received the letter from Dell Anderson at Tri-Cities Community Health as requested and it appeared Mr. Anderson was on board. Commissioner Small read a portion of the letter into the record. Ms. Robb confirmed the clients that were currently at the Kennewick location would be transitioned to another facility and transportation would be provided if needed. Additionally, Franklin County agreed to sign the amendment and she would also bring the amendment forward to Benton County if it agreed. The Board agreed.

### **PEDA Quarterly Report**

Deb Heintz updated the Board on the following activities of PEDA:

- Membership Renewals
- Global entrepreneurship week – they were asked to represent Prosser again
- Housing committee – working on new housing development
- Water Committee meeting w/Tom Tebb, Department of Ecology on ground water usage
- Community grant writing program

### **Information Technology Department Update**

Teri Holmes and Shan McPherson updated the Board and briefly discussed the following:

- Telephone Upgrades
  - 80 video phones, 850 standard desk phones
  - Single number reach
  - New attendant console

- Emergency notification and paging phones
- Enhanced 911 compliant
- Video conferencing was updated
- Fully staffed in 2014 for first time in long time
- Microsoft System Center 2012 Upgrades
  - Configuration Manager (workstation imaging, automated software, updates, endpoint protection, and remote support)
  - Service Manager (self-service portal, centralized service management, tracking, knowledge base)
  - Operations Manager
- 2015 Projects
  - Expand wireless network
  - Replacing and consolidating network firewalls
  - Put in place tools to monitor weaknesses

### **Purchase of Mineral Rights – Kennewick Shop Property**

Dan Ford said he had been working to obtain mineral rights at the Kennewick Shop property which would allow them to operate that facility without concern in the future regarding materials or minerals on that land.

**MOTION:** Commissioner Small moved to approve the resolution authorizing the purchase of mineral rights for the Kennewick Shop property. Commissioner Delvin seconded and upon vote, the motion carried.

### **2015-2016 Budget Review**

David Sparks updated the Board on the following budget revisions:

- He said the baseline budget was roughly \$60,000 to balance during budget workshop. After that, they looked at the following revisions:
- WSU had omitted \$15,000 – now back in the budget;
- Custody – the Board had previously approved 6 booking clerks that were not in the budget; now 4 booking clerks in the budget (\$491,000);
- \$201,000 in capital requests – all current expense computer requests (to be offset by Vitrification Fund);
- \$92,000 – Vests, Taser and Swat ammo (in the budget);
- \$13,000 – polygraph training - one-time payment to be paid from Dept. 115;
- Juvenile – Security was added to the budget

Mr. Sparks said the budget was out of round approximately \$484,000 based on those revisions. If the Board wanted to look at keeping the levy rate the same, the budget would be \$80,000 out of round and would be roughly balanced.

He said they had tough union negotiations during the last budget and using a one-time payment to employees in 2013 had saved over \$1 million in this budget. That savings, along with using the levy rate, put them in a good position for this budget.

He requested the Board give direction to advertise next Tuesday to go to public hearing on November 18 to adopt the budget as presented today and certify taxes.

Commissioner Small requested Mr. Sparks move forward with advertising for the budget and preparing a resolution to maintain the levy rate.

Commissioner Small thanked Mr. Sparks and his team for working weekends and the hard work put in on budget preparation. He agreed that previous budgets had been very difficult and they were now in a good position based on previous decisions.

Commissioner Delvin said he agreed with moving forward. He also thanked Mr. Sparks, Ms. Smith Kelty, Mr. Schut and the elected officials and said he appreciated the hard work and the way the County prepared the budget.

### **Other Business**

Commissioner Delvin said that over the weekend some people tagged the bridge and signs on the Twin Bridges area. He recommended the County look into putting up a barricade. Mr. Ford said the options he had looked at previously all lead to eliminating access and that right of way and the County was not in a position to do that. However, he would continue to research that issue.

Commissioner Delvin requested the issue be brought up again at the next meeting.

The Board briefly recessed, reconvening at 9:48 a.m.

### **Executive Session - 3<sup>rd</sup> Quarter Litigation Update**

The Board went into executive session at 9:48 a.m. for approximately 15 minutes with DPA Ryan Brown to discuss pending litigation. Also present were David Sparks, Loretta Smith Kelty and Cami McKenzie. The Board came out at 10:04 a.m. Mr. Brown said the Board discussed pending litigation but no action was taken

### **Vouchers**

#### **Check Date: 10/24/2014**

Transfers #: 102401-102407

Total all funds: \$318,656.79

Warrant #: 110862-111016

Total all funds: \$626,677.25

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

**Resolutions**

- 2014-778: Line Item Transfer, Fund No. 0000-101, Dept. 102
- 2014-779: Line Item Transfer, Fund No. 0106-101, Dept. 000
- 2014-780: Line Item Transfer, Fund No. 0111-101, Dept. 000
- 2014-781: Purchase Authorization of Furniture from Husk Office Furniture & Supplies\
- 2014-782: Line Item Transfer, Fund No. 0149-101, Dept. 000
- 2014-783: Line Item Transfer, Fund No. 0000-101, Dept. 107
- 2014-784: Line Item Transfer, Fund No. 0000-101, Dept. 109
- 2014-785: Line Item Transfer, Fund No. 0000-101, Dept. 111
- 2014-786: Line Item Transfer, Fund No. 0000-101, Dept. 111
- 2014-787: Line Item Transfer, Fund No. 0131-101, Dept. 000
- 2014-788: Contract w/A Uvalle for Interpreter Contract
- 2014-789: Contract w/M Rudeen for Interpreter Contract
- 2014-790: Payment Authorization to PBS Engineering & Environmental for HVAC Upgrade Testing
- 2014-791: Line Item Transfer, Fund No. 0124-101, Dept. 000
- 2014-792: Line Item Transfer, Fund No. 0000-101, Dept. 131 ‘
- 2014-793: Contract w/Our Lady of Lourdes Hospital for Shelter Plus Care Program
- 2014-794: Copier Lease Agreement w/Pacific Office Automation
- 2014-795: Line Item Transfer, Fund No. 0502-101, Dept. 000
- 2014-796: Contract Amendment w/Aramark Correctional Services, LLC for Food Services
- 2014-797: Line Item Transfer, Fund No. 0000-101, Dept. 136
- 2014-798: Amended Superior Court Public Defense Contract w/C Harkins
- 2014-799: Amended District Court Public Defense Contract w/M Cano
- 2014-800: Amended Superior Court Public Defense Contract w/R Swinburnson
- 2014-801: Line Item Transfer, Fund No. 0000-101, Dept. 116
- 2014-802: Contract w/Northwest Marine & Sport, LLC for Boat Repair & Maintenance
- 2014-803: Amended Contract w/Cascade Engineering Services for Radar & Speed Measuring Devices
- 2014-804: Contract w/Jiffy Car Wash, Inc. for Vehicle Washing & Cleaning
- 2014-805: Line Item Transfer, Fund No. 0135101, Dept. 000
- 2014-806: Adoption of Ordinance 536 Relating to Building Codes
- 2014-807: Adoption of Ordinance 537 Relating to Manufactured Home/Factory Assembled Structure Parks
- 2014-808: Adoption of Ordinance 538 Relating to Swimming Pools
- 2014-809: Adoption of Ordinance 539 Relating to Flood Damage Prevention
- 2014-810: Adoption of Ordinance 540 Relating to Environmental Policy
- 2014-811: Adoption of Ordinance 541 Relating to Short Plat Subdivisions
- 2014-812: Adoption of Ordinance 542 Relating to Zoning – Wrecking Yard
- 2014-813: Adoption of Ordinance 543 Relating to Community Center Residential District (CCR)
- 2014-814: Adoption of Ordinance 544 Relating to Urban Growth Area Residential District (UGAR)

- 2014-815: Adoption of Ordinance 545 Relating to Rural Lands One Acre District (RL1)
- 2014-816: Adoption of Ordinance 546 Relating to Rural Lands Five Acre District (RL5)
- 2014-817: Adoption of Ordinance 547 Relating to zoning and Rural Lands Twenty Acre District (RL20)
- 2014-818: Adoption of Ordinance 548 Relating to GMA Agricultural District
- 2014-819: Adoption of Ordinance 549 Relating to General Commercial District
- 2014-820: Adoption of Ordinance 550 Relating to zoning and the Community Commercial District (CC)
- 2014-821: Adoption of Ordinance 551 Relating to zoning and the Interchange Commercial District (IC)
- 2014-822: Adoption of Ordinance 552 Relating to zoning and the Light Industrial District (LI)
- 2014-823: Adoption of Ordinance 553 Relating to zoning and Heaving Industrial District (HI)
- 2014-824: Adoption of Ordinance 554 Relating to zoning and the Park District (P)
- 2014-825: Adoption of Ordinance 555 Relating to zoning and the Unclassified District (U)
- 2014-826: Adoption of Ordinance 556 Relating to general provisions of the zoning code
- 2014-827: Adoption of Ordinance 557 Relating to zoning and Communication Facility Criteria
- 2014-828: Adoption of Ordinance 558 relating to the permit review process
- 2014-829: Adoption of Ordinance 559 relating to creation of the office of Benton County Hearings Examiner
- 2014-830: Approval of Purchase of Mineral Rights for Kennewick Maintenance Road Shop

There being no further business before the Board, the meeting adjourned at approximately 10:04 a.m.

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Clerk of the Board

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Chairman