

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, February 2, 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; Auditor Brenda Chilton; Clerk Josie Delvin; District Court Administrator Jacki Lahtinen; GIS Manager Mary Phillips; Sheriff Steve Keane and Undersheriff Jerry Hatcher; DPA Steve Hallstrom; Public Services Administrator Fred Bowen; Projects Manager Larry Hueter; Taylor Ranger, Auditor's Office; Building Manager Steve Brown and Dale Wilson, Code Enforcement/Animal Control Manager.

Approval of Minutes

The Minutes of January 26, 2016 were approved.

Consent Agenda

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

Auditor

- a. Online Auction for Surplus Personal Property
- b. Surplus of Personal Property

Commissioners

- c. Support Letter to Kennewick Irrigation District
- d. Appointment of R Ingram to the Benton County Diking District #1

Human Services

- e. Amended Agreement w/DSHS for Prevention Services

Information Technology

- f. Authorizing the Purchase of Computers, Printers, Devices & Software & Support; Rescinding Resolution 2015-745

Office of Public Defense

- g. District Court Public Defense Services Agreement w/M Alexander

h. District Court Public Defense Services Agreement w/H Pederson

Personnel

i. Training Services w/Summit Law Group for Discrimination & Sexual Harassment Training

Public Safety

j. Purchase of 26 Cisco Systems Meraki Access Points from Ednetics, Inc.

Public Works

k. Contract w/Scarpello Bros, Inc. for Nine Canyon Road Project

l. Contract w/Frontier Fence for Fencing @ Horse Heaven Vista Stockpile Site

m. Public Hearing Authorization for County Road Improvement District No. 21

Sheriff

n. Federal Equitable Sharing Agreement & Certification & 2015 Annual Report

o. Agreement w/Stericycle, Inc. for Removal of Biohazardous & Biomedical Waste

Sustainable Development

p. Conveyance of Ownership of Federally-Owned Lands Along Columbia River

Discussion on Jail Expansion

Commissioner Delvin said they had the presentation on the proposed cost for the jail expansion so he wanted to invite the Sheriff to talk before proceeding with the next step. He asked if the new diversion program protocol for non-violent people was working and whether it had any effect on the mental illness cases in the jail or if anything had changed with the State so they could partner on the project and lessen the financial impact.

Sheriff Keane said the diversion program was in place but was not yet being used to the full extent. He said the expansion was not necessarily for those that were diagnosed with mental illness, but more to deal with people that were in crisis mode and were on suicide watch or under the influence of drugs and alcohol. It was stated it usually took several days to stabilize these people and they looked at this as a package to save lives; they needed to be assessed, better supervised, and they need accommodations to get them off the floor. He said the current situation was only good for a few days, but it could take weeks to be assessed properly.

Undersheriff Hatcher stated the diversion program was designed for low level offenders and not for the major crimes. He said that suicide prevention was just as big an issue as mental illness and was really the focus and these inmates were the acutely sick; there were 11 suicide attempts and two successful last year and another suicide attempt last week. He said they completed 1100 mental health assessments and it was very labor intensive to watch the ones that required it with the current setup.

Commissioner Delvin asked if the expansion would handle growth and if it required additional staff. Undersheriff said it would accommodate 25 beds and probably would be the average; it required one staff person.

Chairman Small said he was satisfied and all his questions were answered.

Commissioner Beaver said the issue needed to be addressed and he understood the liability and was very supportive. However, he also understood it was expensive and thought it was appropriate to talk to the State to see if there was construction money available.

Mr. Sparks stated that Mr. Bowen and Mr. Hueter were working with Integrus Architecture on the final design and would come to the Board for final presentation and authorization to go to bid for construction. He said there was \$5.8 million in the 1/10 sales tax fund that could be used for that purpose.

Department of Ecology Update

Tom Tebb, Department of Ecology introduced Sage Park as the new Central Region Director since he had moved on to be the head officer of Columbia River. He discussed the issues they would continue to pursue and the challenges ahead on site cleanup, pursuing the integrated plan, and irrigated agriculture projects.

Economic Development Projects – Rural County Capital Fund

Robert Blain and Matt Rasmussen, Road Department, presented seven potential projects and the estimated cost for the Board to consider using the rural county capital funds:

- Belmond Road - \$860,000
- Adair Road - \$860,000
- Coffin Road - \$4,100,000
- Bert James Road – \$9,000,000
- Horrigan Road - \$1,960,000
- Dowd Road - \$700,000
- Dowd Road/Rydeholm Rd - \$1,400,000

Commissioner Delvin asked if these were current projects and Mr. Rasmussen indicated they were not on the Six-Year Plan.

Mr. Sparks said he asked the Road Department to look at economic development projects in Benton County so the Board could consider uses for the money since the cities did not include Benton County in their discussions. He said it was a sales tax rebate to be used for economic development, they had been collecting this tax since 1998, and had not spent money on Benton County projects since the previous Boards had given away the money to the cities.

It was stated the Six Year Plan was just a planning tool required so they could apply for funding but this was an opportunity to benefit the County and the other entities as a whole.

Commissioner Beaver said the Board previously used the money to assist in building the jail and the State changed the requirements and how the money could be used but he did not see where they had to give the money away. He said the focus had not been on the County itself but he was in favor of turning the focus back to Benton County and this was an example of how it could be

done. He said the Board needed to make a policy decision on how they were going to split the money (until the year 2023 when the rebate ended).

Commissioner Delvin said he liked the first two projects and they would improve economic development near the interstate.

Mr. Sparks said the money left over from 1998 to present was \$5 million in cash and they would collect \$3 to \$4 million per year in future years.

Chairman Small requested they relook at the Six-Year Plan and at each of the districts when deciding on projects; Mr. Rasmussen said the Six-Year Plan would be coming up in June. Mr. Sparks said to make sure the projects were included in the overall economic development plan with Adam Fyall.

Benton City Economic Development Council - Update

Bea Baker updated the Board and briefly discussed the following:

- DNR – interchange discussions
- New business - Community Sources Capital – offered zero interest loans to assist businesses
- Grant – unsuccessful but they were working on it again (they were told it needed to be submitted sooner)
- Retreat - 50 people in attendance
- Continue to support Ki-Bi on school and youth activities
- Working w/Chamber on activities (Benton City Thinks It Can Dance Fundraiser)
- New businesses including: real estate agent (to replace the one they lost); grocery store; new restaurant; Car Nation; new newspaper; expanded dentistry; (only two empty buildings)

Building & Code Enforcement/Animal Control Update

Steve Brown and Dale Wilson gave a Powerpoint presentation and briefly discussed the following:

- Building Permit activity through October, 2015 and Revenue
- Code Enforcement stats (yearly comparison) including cases, violations, citations, and criminal prosecution
- Animal Control stats including adoptions, euthanized animals, returned to owner, transferred out, dogs in facility, monthly intake, trial, fostered out, and average length of stay
- Activity levels: animal complaints, dangerous dogs, stray dogs, seized dogs, and injured dogs

Mr. Sparks said they had talked about having a hearings examiner for Code Enforcement and might be looking at that during the next budget.

Other Business

Bi-County Operations

Commissioner Delvin said that Benton County had been discussing bi-county operations for some time and he discussed the following:

- The breakdown of joint bi-county labor negotiations;
- He recently discussed legislation with Senator Hewitt about separating the judicial district and was told he would draft a bill if it had support from at least four commissioners, however, he was not out there actively seeking legislation;
- Still trying to work out the interlocal agreement that outlined administrative costs and after checking with other agencies there appeared to be a wide range so the amount proposed by Ms. Smith Kelty seemed to be reasonable;
- The Op Ed said they needed to quantify costs so they were working on that;
- Previously offered to help with the OPD transition and gave Franklin County the cost and they declined the OPD services;
- The issue of whether Benton County should subsidize Franklin County and whether Benton County should be held back to do things for our residents when Franklin County could not afford to do it; the public needed to know.

Mr. Sparks discussed the letters that were sent to Franklin County back in April that received no response and that during a bi-county meeting two commissioners said they had not seen the letters, although one said he had but they were still ignored.

Ms. Smith Kelty said they were currently negotiating the following:

- IT interlocal agreement to take care of future operations; it was sent to Pat Austin and Judge Swisher and then would go to Franklin County for its review.
- Superior Court – they currently had a memorandum of agreement for salaries based on caseload and assessed valuation but those rates changed; talked with Mr. Johnson about the RCW that referenced sharing a judge (not 7);
- VEBA (we pay 100% of the VEBA for bi-county) and have challenged Franklin County to pay its portion or the program would go away (what the bi-county employees get is only Benton County's portion);
- Proposing a 7.5% admin fee; Mr. Sparks stated that 22% of payroll was bi-county employees; 18% of vouchers was bi-county (just for the Auditor's office) so approximately 20% of that \$1.8 million budget should be allocated to bi-county operations

Commissioner Beaver expressed concern about spending Benton County tax payer money on Franklin County.

Chairman Small said they had tried to extend the olive branch and discuss the issues but Franklin County had not wanted to. However he received a call from the new Chairman who offered a willingness to meet and discuss the issues.

Chairman Delvin said they now had been able to quantify the numbers so they could talk about it with Franklin County.

New Mental Health System

Chairman Small said the committee had been meeting regularly and would be gathering all the information and coming to the Board with a presentation. He said they were still talking about hiring a consultant and he believed they needed to do that. Commissioner Beaver said he agreed with that concept.

The Chairman indicated the Board would take a recess before executive session and DPA Hallstrom indicated there would be a decision made after executive session.

The Board briefly recessed, reconvening 10:57 a.m.

Executive Session

The Board went into executive session with DPA Steve Hallstrom at 10:57 a.m. for up to 10 minutes to discuss the County's position on a grievance. Also present were Ryan Brown, Loretta Smith Kelty, David Sparks, and Cami McKenzie.

The Board came out at 11:03 a.m. No decision was made in executive session.

MOTION: Commissioner Delvin moved to approve signing the letter regarding Employer's Step 3 Response for Bovee 4. Commissioner Beaver seconded and upon vote, the motion carried.

Vouchers

Corrected Copy

Check Date: 12/11/2015

P-Cards: #1215

Total all funds: \$335,619.26

Check Date: 01/26/2016

Warrant #: 133771

Total all funds: \$77,792.00

Check Date: 01/29/2016

Transfers #: 12051501-12051507, 12051509

Total all funds: \$1,073,935.97

Warrants #: 134115-134198
Total all funds: \$537,297.10

Transfers #: 01291601-01291606
Total all funds: \$101,642.29

Warrants #: 134199-134820
Total all funds: \$177,078.05

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

Resolutions

- 2016-085: Online Auction for Surplus Personal Property
- 2016-086: Surplus of Personal Property
- 2016-087: Appointment of R Ingram to the Benton County Diking District #1
- 2016-088: Amended Agreement w/DSHS for Prevention Services
- 2016-089: Authorizing the Purchase of Computers, Printers, Devices & Software & Support;
Rescinding Resolution 2015-745
- 2016-090: District Court Public Defense Services Agreement w/M Alexander
- 2016-091: District Court Public Defense Services Agreement w/H Pederson
- 2016-092: Training Services w/Summit Law Group for Discrimination & Sexual Harassment
Training
- 2016-093: Purchase of 26 Cisco Systems Meraki Access Points from Ednetics, Inc.
- 2016-094: Contract w/Scarpello Bros, Inc. for Nine Canyon Road Project
- 2016-095: Contract w/Frontier Fence for Fencing @ Horse Heaven Vista Stockpile Site
- 2016-096: Public Hearing Authorization for County Road Improvement District No. 21
- 2016-097: Federal Equitable Sharing Agreement & Certification & 2015 Annual Report
- 2016-098: Agreement w/Stericycle, Inc. for Removal of Biohazardous & Biomedical Waste
- 2016-099: Conveyance of Ownership of Federally-Owned Lands Along Columbia River

There being no further business before the Board, the meeting adjourned at approximately 11:03 a.m.

Clerk of the Board

Chairman