

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Tuesday, July 12, 2016, 9:00 a.m.  
Commissioners' Conference Room  
Benton County Courthouse, Prosser, WA

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

**Absent:** Chairman Shon Small - Vacation

**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; Planning Manager Mike Shuttleworth; DPA Ryan Brown; Clerk Josie Delvin; District Court Administrator Jacki Lahtinen; Treasurer Duane Davidson; OPD Manager Eric Hsu; Taylor Ranger, Auditor's Office; Human Services Manager Kyle Sullivan; Michelle Cooke, Planning.

#### Approval of Minutes

The Minutes of June 28, 2016 and the Bi-County Minutes of June 30, 2016 were approved.

#### Consent Agenda

**MOTION:** Commissioner Delvin moved to approve the consent agenda items "a" through "w", pulling "u" (Agreement w/Gall's LLC). Commissioner Beaver seconded and upon vote, the Board approved the following:

#### Auditor

- a. Canvassing Board Appointment

#### Board of Equalization

- b. Appointment of B Clark to the Board of Equalization

#### Facilities

- c. Payment to Kone, Inc. for Elevator Malfunction

#### Fairgrounds

- d. Contract w/CKJT Architects for Design & Engineering of Exhibit Halls 2 & 3 Renovation

#### Human Services

- e. Contract w/Our Lady of Lourdes Hospital for ARNP Services
- f. Agreement w/BF Community Action Connections for WA St Community Development Block Grant

### **Office of Public Defense**

- g. Amended Contract w/E Riley to Reflect Change in Firm Name
- h. Amended Contract w/B Riley to Reflect Change in Firm Name
- i. Contract Renewal w/Lexis.Com for Legal Research Services
- j. Amended Contract w/B Pang for Superior Court Public Defense Services

### **Parks**

- k. Line Item Transfer, Fund No. 0000-101, Dept. 126

### **Public Safety**

- l. Line Item Transfer, Fund No. 0148-101, Dept. 120
- m. Line Item Transfer, Fund No. 0148-101, Dept. 135
- n. Agreement w/Mirror Ministries for Human Trafficking Survivor Services

### **Public Works**

- o. Updated Road Department Organizational Chart
- p. Purchase of Kennewick Shop Building from Current Expense Capital Improvement Fund
- q. Solid Waste Purchase of Ely Street Road & Vehicle Maintenance Building from ER&R Fund
- r. Line Item Transfer, Fund No. 0101-101, Dept. 500
- s. Line Item Transfer, Fund No. 0101-101, Dept. 500
- t. Contract w/Grade Worx LLC for Prosser to Grandview Pedestrian & Bicycle Pathway Improvement Project

### **Sheriff**

- v. Agreement w/WA St Internet Crimes Against Children Task Force

### **Sustainable Development**

- w. Line Item Transfer, Fund No. 0135-101, Fund No. 000

### **Amendment to Urban Growth Area Applications**

Mike Shuttleworth said several of the Cities within Benton County had requested the ability to submit amendments to their Urban Growth Areas during the County's 2017 Comprehensive Plan Update process. The Planning Commission considered the request at a public meeting on June 14, 2016 and recommended approval of the request to allow the Cities to submit UGA amendments by December 31, 2016 for review in 2017.

**MOTION:** Commissioner Delvin moved to approve the resolution agreeing to allow each City jurisdiction to submit an Urban Growth Area Amendment application as part of the 2017 Comprehensive Plan Update Process. Chairman Pro Tem Beaver seconded and upon vote, the motion carried.

### **Countywide Planning Policies**

Mr. Shuttleworth gave a Powerpoint presentation outlining the proposed jointly developed countywide planning policies. He said the Planning Commission recommended the Board adopt the resolution agreeing in principle to the policies, but acknowledging that changes may need to be made based on input from each jurisdiction. The resolution would contain a statement requesting that each jurisdiction ratify the policies adopted by Benton County.

DPA Ryan Brown talked about the challenges to the Growth Hearings Board challenging the size of the UGA and asked if they would be addressing the issues with the formula for commercial and industrial. Mr. Shuttleworth said the attached worksheet would address that and it was the next step after these revisions.

**MOTION**: Commissioner Delvin moved to approve the attached Resolution agreeing in principle to the proposed CWPPs, but acknowledging that changes may need to be made based on input from each jurisdiction. Additionally, directing the Planning Department to send the resolution and draft policies to the Cities for their review and support of the CWPP. Chairman Pro Tem Beaver seconded and upon vote, the motion carried.

### **Office of Public Defense Update**

OPD Manager Eric Hsu gave a Powerpoint presentation and updated the Board as follows:

- Supervision and Quality Control Plan
  - Introduction and Purpose
  - On-Boarding
  - Performance Standards Monitoring – Data Collection/Court Observation
  - Training
  - Complaint Investigation and Resolution
  - Exit Interviews
  - With the Board’s approval, he would publish it on the website
- 2016 1<sup>st</sup> Quarter Report
  - Performance Standards Monitoring – Background/Results
  - Caseloads - specifically the OPD caseload for District Court had increased, Superior Court was steady, and Juvenile was consistently down.
  - Financials – with some increases in District Court and decreases in Superior Court, he did not anticipate any problems with the budget

Commissioner Delvin said he would like to know where the increase in District Court was coming from, if the information was attainable.

### **Other Business**

#### **ARC Request – Accessible Communities Act**

Commissioner Delvin said that ARC had requested the Board establish an advisory committee under the Accessible Communities Act. He said if the advisory committee were established there would be funding available from the state and ARC would run the program and ask for funding from the State.

The Board agreed to wait until Commissioner Small returned to make a decision.

### Bi-County Meeting Discussion

Commissioner Delvin said it sounded like Lourdes was willing to take over Crisis and the date of September 1 had been discussed. However, he felt like October 1 was a better date and would give Lourdes more time to set up and allow Mr. Sullivan time to work through some issues. He said the letter was ready to go except for the date and Mr. Sullivan said that Franklin County indicated a willingness to extend the date to October 1.

Chairman Pro Tem Beaver agreed and Mr. Sullivan said he would prepare the letter and bring it back to the Board after Franklin County signed it.

The Board recessed, reconvening at 9:45 a.m.

### Executive Session – 2<sup>nd</sup> Quarter Litigation

The Board went into executive session at 9:45 a.m. with DPA Ryan Brown to discuss pending litigation for up to 30 minutes. Also present were David Sparks, Loretta Smith Kelty, and Cami McKenzie. The Board came out at 10:10 a.m. Mr. Brown said the Board discussed pending litigation and no action was taken.

### Vouchers

#### Check Date: 07/01/2016

Transfers #: 7011601-7011606  
Total all funds: \$47,540.94

Warrants #: 141637-141767  
Total all funds: \$4,590.24

Warrants #: 141768-141877  
Total all funds: \$626,048.98

#### Check Date: 07/05/2016

Payroll Checks  
Warrant #: 239729-239796  
Direct Deposit #: 115318-115921  
Total all funds: \$2,187,697.70

Payroll Deductions/Transfers  
Taxes #: 10116071-101160711  
Total all funds: \$1,900,884.70

Payroll Deductions/Warrants  
Warrant #: 141883-141896  
Total all funds: \$375,465.85

Check Date: 07/08/2016

Warrant #: 141921  
Total all funds: \$8,000.00  
Total amounts approved by fund can be reviewed in the Benton County Auditor's Office.

**Resolutions**

- 2016-537: Appointment of B Clark to the Board of Equalization
- 2016-538: Payment to Kone, Inc. for Elevator Malfunction
- 2016-539: Contract w/CKJT Architects for Design & Engineering of Exhibit Halls 2 & 3 Renovation
- 2016-540: Contract w/Our Lady of Lourdes Hospital for ARNP Services
- 2016-541: Agreement w/BF Community Action Connections for WA St Community Development Block Grant
- 2016-542: Amended Contract w/E Riley to Reflect Change in Firm Name
- 2016-543: Amended Contract w/B Riley to Reflect Change in Firm Name
- 2016-544: Contract Renewal w/Lexis.Com for Legal Research Services
- 2016-545: Amended Contract w/B Pang for Superior Court Public Defense Services
- 2016-546: Line Item Transfer, Fund No. 0000-101, Dept. 126
- 2016-547: Line Item Transfer, Fund No. 0148-101, Dept. 120
- 2016-548: Line Item Transfer, Fund No. 0148-101, Dept. 135
- 2016-549: Agreement w/Mirror Ministries for Human Trafficking Survivor Services
- 2016-550: Updated Road Department Organizational Chart
- 2016-551: Purchase of Kennewick Shop Building from Current Expense Capital Improvement Fund
- 2016-552: Solid Waste Purchase of Ely Street Road & Vehicle Maintenance Building from ER&R Fund
- 2016-553: Line Item Transfer, Fund No. 0101-101, Dept. 500
- 2016-554: Line Item Transfer, Fund No. 0101-101, Dept. 500
- 2016-555: Contract w/Grade Worx LLC for Prosser to Grandview Pedestrian & Bicycle Pathway Improvement Project
- 2016-556: Agreement w/WA St Internet Crimes Against Children Task Force
- 2016-557: Line Item Transfer, Fund No. 0135-101, Fund No. 000
- 2016-558: Amendment to the Comprehensive Plan – Urban Growth Area
- 2016-559: Amendments to the Benton Countywide Planning Policies

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

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Clerk of the Board

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Chairman