

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, February 4, 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: Commissioner James Beaver (Vacation)

At 9:00 a.m. Chairman Pro Tem Delvin announced the regular meeting and associated public hearing was continued to 9:30 a.m. due to lack of a quorum.

The Board meeting started at 9:30 a.m.

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Adam Fyall, Sustainable Development Manager; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Public Works Manager Steve Becken; County Engineer Daniel Ford; Ed Thornbrugh, Human Services; Planning Manager Mike Shuttleworth; DPA Ryan Brown; Jacki Lahtinen, Clerk Josie Delvin; Auditor Brenda Chilton; Bob Woody, IT; DPA Reid Hay; Jeff Liner, Public Works; R.J. Lott, Planning; Erhiza Rivera, Treasurer's Office; Mary Phillips, GIS; and DPA Steve Hallstrom.

Approval of Minutes

The Minutes of January 28, 2014 were approved.

Consent Agenda

MOTION: Commissioner Small moved to approve the consent agenda items "a" through "l", adding "m" (Line Item Transfer, Sheriff's Office), "n" (Line Item Transfer, PA's Office) and "o" (Line Item Transfer, Juvenile). Commissioner Delvin seconded and upon vote, the Board approved the following:

Animal

- a. Copier Lease Agreement w/Ricoh USA

Commissioners

- b. Appointment of K McLean to the Kiona Irrigation District Board of Directors

Facilities

- c. Payment Authorization to Clearwater Tech, LLC dba Roto Rooter Plumbing & Drain Srvcs

Juvenile

- d. Agreement w/nCourt LLC for Online/Web-Based Payment Services
- e. 2014 Monthly Payment for Operations & Facilities Budget

Office of Public Defense

- f. Amended Agreement w/J Metro for District Court Indigent Defense Services

Public Works

- g. Vacation & Abandonment of Right of Way of King Tull Road
- h. Rejection of Bid No. CB 13-18 for Crushing and Stockpiling
- i. Bid Authorization for Crushing and Stockpiling

Sheriff

- j. Contract w/Cascade Engineering Services Inc for Certifications of Radar Devices

Sustainable Development

- k. Line Item Transfer, Fund No. 0135-101, Dept. 000

Workforce Development

- l. Memorandum of Understanding w/the One-Stop Partners for Workforce Programs

Items Added

- m. Line Item Transfer, Sheriff’s Office
- n. Line Item Transfer, PA’s Office
- o. Line Item Transfer, Juvenile

Public Hearing - Charter Communications Franchise Application

Jeff Liner presented the proposed application by Charter Communications to renew a Franchise Order and Agreement within Benton County road right of way. He said his office recommended approval based upon the six listed conditions as stated.

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

MOTION: Commissioner Small moved to approve the application filed by Charter Communications, Inc. to continue the nonexclusive franchise within Benton County road right of way with the six conditions as listed in the staff report dated February 4, 2014. Chairman Pro Tem Delvin seconded and upon vote, the motion carried.

Affordable Housing – 2060 Funds

Ed Thornbrugh presented the recommendation by the Benton County Steering Committee to fund the following projects with Affordable Housing funds in the total amount of \$710,837.00:

Catholic Charities Housing Services’ construction of 26 single family homes:	\$210,000.00
Catholic Family & Child Service’s rental assistance program “Helping Hands”:	\$ 29,150.00
Columbia Basin Veterans Coalition’s operation, maintenance and repairs for transitional housing:	\$ 14,260.00
Community Action Connections’ rental assistance program “RAAH”:	\$ 27,108.00

Domestic Violence Services' shelter operations:	\$ 63,637.00
Elijah Family Homes' rehabilitation and repairs:	\$ 13,850.00
Lourdes Counseling Center rehabilitation and repairs:	\$ 22,400.00
River of Life Metropolitan Community Church:	\$300,000.00
Therapeutic Innovations and Recovery's kitchen rehabilitation:	\$ 30,432.00

He said if the Board approved, then they would begin work on preparing the contracts to bring back for the consent agenda.

The Board concurred.

Final Plat of Hidden Hills Subdivision 2 – SUB 13-02

Mr. Shuttleworth stated that all the conditions of approval had been satisfied and all signatures obtained. He said the Final Plat of Hidden Hills Phase 2 was ready for signature by the Chairman of the Board of County Commissioners.

MOTION: Commissioner Small moved to approve the final plat of Hidden Hills Phase 2, SUB 13-02 and authorize the Chairman to sign the final plat. Chairman Pro Tem Delvin seconded and upon vote, the motion carried.

Proposed Willamette Heights CRID

Steve Becken and Daniel Ford provided the proposed estimate to complete design work for roads in the proposed Willamette Heights CRID. The design work would include all preliminary surveying, road design and plan preparation and final estimate of cost to construct the roads, including all CRID related costs except a cost/benefit appraisal. The work would take 45 to 50 days to complete and was estimated to cost approximately \$50,000.00. If the Board desired to have a cost/benefit appraisal done, they found one company to complete the appraisals; they estimated it would take 100 working days to complete the appraisals and the cost would be approximately \$45,000.00.

Mr. Becken stated that if the project went forward the funds could be recovered from property owners but if not, it would be expended only by the County. He also said these projects were not accounted for in the budget and they would have to find the money to pay for them. He recommended if the Board decided to go forward, they only proceed to the point of election before going further.

Commissioner Small said the Board had talked about doing as much as possible to get the details in order and he suggested they go ahead and complete the design work start to finish, including the appraisal and get that part of the puzzle complete.

Chairman Pro Tem Delvin suggested they start the design work and get it complete so they would have a pretty good idea on cost and could do a sampling so they were in the ballpark of what it would cost. He suggested they look at doing the appraisal after the design work was complete. Commissioner Small agreed with Commissioner Delvin and said he did not want to

pull the trigger until they knew that 38th would be constructed. Additionally, he requested Mr. Sparks review funding options and come back with a recommendation.

Mr. Becken said if they hired the engineer, the costs could go against the CRID, but if a private individual hired the engineer, it could not. He also confirmed they tracked expenditures by road projects. Mr. Ford said that West Richland had funding secured for design but would have to compete for funding for construction next year.

Benton County Tax Levy for 2014

Mr. Sparks said the Board certified taxes last week and then found out the Assessor left off the refunding levies for school districts in the approximate amount of \$750,000. He said in order to collect monies that were due they needed to re-certify and re-adopt the tax certification. He said doing this should not delay the Treasurer in mailing out the tax statements.

The Board briefly recessed, reconvening at 9:55 a.m.

MOTION: Commissioner Small moved to approve the resolution in the matter of Benton County Tax Levy for 2014 to recertify the taxes, rescinding Resolution 2014-059. Chairman Pro Tem Delvin seconded.

Discussion

Commissioner Small thanked the Treasurer's office for coming in on Saturday to get this done. Commissioner Delvin thanked them also.

Upon vote, the motion carried unanimously.

Unscheduled Visitors

Jim Wade, Kennewick, discussed his concern about the marijuana initiative and said he was against having any drugs in the County and was concerned about individuals driving under the influence.

Additionally, he discussed his concern about the initiative by Rivers to Ridges to raise taxes for their agenda. He said he was against the Board putting the issue on the ballot; if they wanted to have it on the ballot, they should get the signatures and pay to do it themselves.

Chairman Pro Tem Delvin commented that there was proposed legislation to re-write the marijuana initiative to share revenues with the locals.

Executive Session – Property Negotiation

The Board went into executive session at 10:00 a.m. for 10 minutes to discuss potential litigation with DPA Reid Hay. Also present were David Sparks, Cami McKenzie, Steve Becken, Daniel Ford, Jeff Liner, Ryan Brown, Steve Hallstrom, Melina Wenner and Loretta Smith Kelty. The

Board came out at 10:15. Mr. Hay announced the Board needed an additional five minutes. The Board came out at 10:23 a.m. Mr. Hay announced the Board discussed potential litigation and took no action.

Executive Session – Union Discussions

The Board went into executive session at 10:23 a.m. with DPA Steve Hallstrom for up to 15 minutes to discuss labor strategy. Also present were David Sparks, Cami McKenzie, Daniel Ford, Steve Becken, Ryan Brown, Melina Wenner, and Loretta Smith Kelty. The Board came out at 10:30 a.m. Mr. Hallstrom announced the Board discussed labor negotiations and took no action.

Claim for Damages

CC 2014-03 Received on February 3, 2014 from Russell Allen Harrington.

Vouchers

Check Date: 01/30/2014
Warrant #: 95547-95611
Total all funds: \$261,644.85

Check Date: 01/30/2014
Transfers #: 013001-013005
Total all funds: \$11,995.90

Check Date: 01/31/2014
Warrant #: 95262-95321
Total all funds: \$1,078.56

Check Date: 01/31/2014
Warrant #: 95620-95959
Total all funds: \$1,208,573.38

Check Date: 01/31/2014
Transfers #: 013101-013109
Total all funds: \$53,429.76

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

Resolutions

2014-114: Copier Lease Agreement w/Ricoh USA
2014-115: Appointment of K McLean to the Kiona Irrigation District Board of Directors
2014-116: Payment Authorization to Clearwater Tech, LLC dba Roto Rooter Plumbing & Drain Svcs

- 2014-117: Agreement w/nCourt LLC for Online/Web-Based Payment Services
- 2014-118: 2014 Monthly Payment for Operations & Facilities Budget
- 2014-119: Amended Agreement w/J Metro for District Court Indigent Defense Services
- 2014-120: Vacation & Abandonment of Right of Way of King Tull Road
- 2014-121: Rejection of Bid No. CB 13-18 for Crushing and Stockpiling
- 2014-122: Bid Authorization for Crushing and Stockpiling
- 2014-123: Contract w/Cascade Engineering Services Inc for Certifications of Radar Devices
- 2014-124: Line Item Transfer, Fund No. 0135-101, Dept. 000
- 2014-125: Memorandum of Understanding w/the One-Stop Partners for Workforce Programs
- 2014-126: Line Item Transfer, Inmate Benevolence Fund
- 2014-127: Line Item Transfer, Crime Victim Fund
- 2014-128: Line Item Transfer, Juvenile Fund
- 2014-129: Approval of Final Plat of Hidden Hills Phase 2 – SUB 13-02
- 2014-130: Benton County Tax Levy for 2014 – Rescinding Resolution 2014-059

There being no further business before the Board, the meeting adjourned at approximately 10:30 a.m.

Clerk of the Board

Chairman