

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, July 26, 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; Financial Analyst Paul Schut; DPA Steve Hallstrom; Personnel Manager Lexi Wingfield; Public Services Administrator Fred Bowen; District Court Judge Terry Tanner; Human Services Manager Kyle Sullivan.

Approval of Minutes

The Minutes of July 19, 2016 were approved.

Consent Agenda

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

Facilities

- a. Line Item Transfer, Fund No. 0000-101, Dept. 110

Fairgrounds

- b. Contract w/Apollo Sheet Metal, Inc. for Installation of Lennox Unit
- c. Contract w/Big D's Construction of Tri-Cities, Inc. for Installation of Water Supply System

Human Services

- d. Amendment D w/WA State Dept of Commerce, Community Services & Housing Division
- e. Termination Letter for Greater Columbia Behavioral Health Contracts

Juvenile

- f. Contract w/J Blanco for Functional Family Therapy
- g. Payment Authorization to Tyco SimplexGrinnell System for Fire Alarm Monitoring

Public Safety

- h. Agreement w/Safe Harbor Crisis Nursery for My Friends Place for Overnight Youth Shelter

Public Works

- i. Line Item Transfer, Fund No. 0101-101, Dept. 500

Sheriff

- j. Line Item Transfer, Fund No. 0000-101, Dept. 125
- k. Agreement w/City of Kennewick for Use of Kennewick Firearms Range Facility
- l. Contract Extension w/Energy Northwest for Law Enforcement Services

Public Hearing - Supplemental Appropriation

Loretta Smith Kelty announced the public hearing on the supplemental appropriation was cancelled and they would come back at a later date and re-advertise.

Legal Financial Obligation (LFO) Impact Update

Ms. Smith Kelty said she had been working with a team to update the Board on the financial impacts of the LFO docket. She gave a Powerpoint presentation and discussed the following:

- Years 2013-2016 – Current Expense Revenue Categories
- Variance from 2015 to 2016 – forecasting a 19% decrease (to be down by the end of 2016 by approximately \$785,000)

District Court Administrator Jacki Lahtinen discussed the District Court Caseload and highlighted the following:

- Monthly civil infraction penalties were way down; partly due to the LFO's (however, if they decided not to pay their LFO's since they would not go to jail, they were also not paying their infractions)
- Additionally, infraction tickets were down 500 in one month
- Criminal - seeing a decrease in criminal case filings as well (2016 had a pretty good decrease every month)

Commissioner Delvin asked about whether the new officers were on board yet and Andy Miller via/videoconference stated that none of the cities had been able to fill the officer positions with the new 3/10 money.

Undersheriff Jerry Hatcher via/videoconference said they originally had hoped to be done filling the positions by September but were now pushing it back to February (and were not optimistic about hiring by then with the candidates that were applying). He said that hiring new officers was a pretty lengthy process.

Ms. Smith Kelty indicated the other funds (Crime Victim, Law Library, and Judicial Stable Trust) were down and they were seeing hits across the board, not just with Current Expense.

- Superior Court revenue – same situation

Clerk Josie Delvin said there was a national trend and it was coming from a ruling down from the Courts that the judges had to make a decision at the time of sentencing if the defendant had the future ability to pay certain fees; it also affected the ability for the Clerk to collect fees.

- Average Jail Population

Undersheriff Jerry Hatcher and Linda Ivey reviewed the average jail population from 2015-2016. Mr. Hatcher said they anticipated a drop in population with the LFO's (about 75) and were trying to mitigate those effects. He said they were constantly evaluating staffing levels to meet current population trends which were always fluctuating; there was \$761,000 not paid out in salaries due to open positions. He said he believed they were close to plateauing and were trying to move staffing levels and contract housing was up to help mitigate the drop in local population.

He added that with law enforcement the types of cases they were seeing were more complex and while the LFO cases went down, they continued to see an increase in mental health cases.

Commissioner Delvin said he wanted to know about the effects of the LFO in advance of the budget preparation so the budget submittals would reflect changes in revenue. He said if everything was down, he didn't see making up the difference from the general fund and the departments would need to look at their personnel staffing.

Commissioner Beaver said he agreed that if revenues were down, they needed to look at alternatives. The cities were aggressively pursuing alternatives to incarceration and the county needed to look to the future and how to address this if the money was not there. He said he was agreeable to a workshop on the issue, if needed.

Chairman Small said it was good information to see what had been happening the last six months and agreed they needed to start making adjustments.

Ms. Delvin commented that the Clerk was authorized to decide whether to go outside or utilize in house staff for the collections (and she was choosing to stay in house). However, she was also authorized to use a wage assignment without any further notices and she would be looking to utilize that and go aggressively after those defendants that had jobs.

Road Construction Closure

County Engineer Matt Rasmussen and Cary Roe, City of Kennewick updated the Board on the upcoming road closures during construction of a new middle school. The update included closures, connections and timeframes and impacts to Clodfelter Road area.

Old Engineering Building - Renovation

Fred Bowen said the estimated costs for modernization of the entire facility was between \$1.5 million to \$1.55 million. Additionally, the Planning Annex and parking lots appraised value was estimated at \$224,000 offsetting some of the costs. Mr. Bowen recommended the Board approve

entering into a contract with CKJT Architects for the development of the construction plans and specifications for the renovation of the Old Engineering Building located behind the Courthouse.

Commissioner Delvin asked whether Prosser WSU should be included. Mr. Bowen said there was plenty of room to include WSU into the renovated building and recommended the County keep the WSU building for storage.

MOTION: Commissioner Beaver moved to approve the Public Services Administrator to proceed with a Contract with CKJT for the development of construction plans and specifications for the renovation of the Old Engineering Building. Commissioner Delvin seconded and upon vote, the motion carried.

Quarterly Financial Update

Paul Schut updated the Board on the quarterly financial status as of June 30, 2016 as follows:

- Highlights
 - 75% through the biennium
 - Revenues at 76.41% (75.80% Amortized); up 20% in retail sales tax – mainly due to construction
 - Expenditures at 68.21%

Other Business

MATRICS Agreement

Commissioner Delvin said the Board signed the MATRICS agreement in 2015 but the cities had not ever signed it and they had not had a MATRICS meeting in some time. Additionally, he said that Franklin County and Pasco were still trying to figure out what they wanted to do. He recommended the Board sign a resolution rescinding that agreement and Ms. McKenzie said she would prepare the resolution for the Board's signature.

Mental Health Court

Commissioner Delvin said he talked with Tara Symons and Judge Butler about Mental Health Court and that temporary housing was a big issue. He said they discussed drafting a letter to Providence to consider building such a facility instead of placing them in the ER beds and maybe the County could partner (using Human Services funds).

The Board agreed to further consider the issue.

Judge Tanner (from the audience) said he agreed the biggest issue for mental health clients was housing.

ARC – Advisory Committee for Accessible Communities Act

Commissioner Delvin asked the Board if it was agreeable to establishing the advisory committee as previously requested by ARC. The Board agreed and Commissioner Delvin said he would have someone from ARC contact the County.

The Board recessed at 10:12 a.m. for approximately five minutes, reconvening at 10:20 a.m.

Executive Session – Pending Litigation

The Board went into executive session at 10:20 a.m. for approximately 30 minutes with DPA Ryan Brown to discuss pending litigation. Also present were special counsel Suzanne Kelly Michael, Susan Looker (Risk Pool), David Sparks, Loretta Smith Kelty, Cami McKenzie, Steve Hallstrom, and Lexi Wingfield. The Board came out at 10:45 a.m. Mr. Brown said the Board discussed pending litigation and took no action.

Vouchers

Check Date: 07/22/2016

Transfers #: 07221601-07221607

Total all funds: \$218,649.41

Warrant #: 142677-142819

Total all funds: \$2,112,011.69

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

Resolutions

- 2016-573: Termination Letter for Greater Columbia Behavioral Health Contracts
- 2016-574: Line Item Transfer, Fund No. 0000-101, Dept. 110
- 2016-575: Contract w/Apollo Sheet Metal, Inc. for Installation of Lennox Unit
- 2016-576: Contract w/Big D’s Construction of Tri-Cities, Inc. for Installation of Water Supply System
- 2016-577: Amendment D w/WA State Dept of Commerce, Community Services & Housing Division
- 2016-578: Contract w/J Blanco for Functional Family Therapy
- 2016-579: Payment Authorization to Tyco SimplexGrinnell System for Fire Alarm Monitoring
- 2016-580: Agreement w/Safe Harbor Crisis Nursery for My Friends Place for Overnight Youth Shelter
- 2016-581: Line Item Transfer, Fund No. 0101-101, Dept. 500
- 2016-582: Line Item Transfer, Fund No. 0000-101, Dept. 125
- 2016-583: Agreement w/City of Kennewick for Use of Kennewick Firearms Range Facility
- 2016-584: Contract Extension w/Energy Northwest for Law Enforcement Services

There being no further business before the Board, the meeting adjourned at approximately 10:45 a.m.

Clerk of the Board

Chairman