

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Tuesday, July 8, 2014, 9:00 a.m.  
Commissioners' Conference Room  
Benton County Courthouse, Prosser, WA

**Present:** Chairman James Beaver  
Commissioner Shon Small  
Commissioner Jerome Delvin  
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; 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; Michelle Simpson, Treasurer's Office; Florinda Paez, GIS; Marty Groom, Public Works; Duane Davidson, Treasurer.

#### Approval of Minutes

The Minutes of July 1, 2014 were approved.

#### Consent Agenda

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

#### Auditor

- a. Management Team Letter to State Auditor

#### Building

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

#### Commissioners

- c. Line Item Transfer, Fund No. 0133-101, Dept. 000
- d. Setting Salaries for Elected Officials; Amending Resolution 2012-238

#### Facilities

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

#### GIS

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

#### Parks

- g. Amended Contract w/MacKay & Sposito for Shooting Range Site Plan

### **Prosecuting Attorney**

- h. Lease Agreement w/Ted & Amy Wong & Sexual Assault Response Center, aka Kids Haven

### **Public Works**

- i. Purchase Authorization of 3 Pup Trailers from Star Trailers
- j. Purchase Authorization of 3 Truck Cab & Chassis Units from Pacific Truck Centers
- k. Setting Solid Waste Fee for the Remainder of 2013-2014 Biennium Budget
- l. Authorization to Proceed to Bid for Pavement Marking

### **Grant Agreement w/WASPC**

Cpt. Vannoy was called out on duty so this agenda item was moved to the following week.

### **Terminating Agreement with Domestic Violence Services**

Tracy Diaz, Human Services, via/video conference said this contract would be terminated based on new legislation since they were now unable to accommodate the clause regarding private landlords. She indicated there would be no impact to the budget or services; they would just be switching the funding mechanism to accommodate the state's legislation.

**MOTION:** Commissioner Delvin moved to approve the resolution and letter terminating the Agreement between Benton & Franklin Counties Human Services and Domestic Violence Services of Benton & Franklin Counties and authorizing the Chairman to sign on behalf of the Board. Commission Small seconded and upon vote, the motion carried.

### **Conservation Futures Discussion**

Scott Woodward, Dee Frankfourth and David Comstock said they were requesting the Board refer the conservation futures program to the November 4 ballot for an advisory vote on a 10 year program. Mr. Woodward said that Benton County already had the Rivers to Ridges program in place and was ready to go. He indicated the next step was an advisory vote to Benton County voters to see if \$12 per year was a smart investment for the average household to preserve, create and maintain new recreational opportunities and protect land and wildlife.

He said the Board requested their group investigate the feasibility of a conservation futures program and to contact the public and a majority of the voters responded and said they liked the program. He said the Board also asked for oversight and they provided a recent county white paper from Spokane on the latest model; additionally, the ballot language had been worked out with the legal department.

Commissioner Delvin asked about their expectations after the advisory vote went to the public. Mr. Woodward said their expectation was for the Board to look at what the public had to say (either for or against) and honor the will of the voters, whatever that was (and refer to the ballot if expressed).

There was a discussion regarding 15% of proceeds being used for administrative and maintenance and operation of property and the remaining funds were for future projects.

Commissioner Small said he believed there was a place and time and it was his understanding from the people he talked to they were not ready for this tax. He expressed his concern that this issue would be on the same ballot as the criminal justice tax and that it might take away from that issue. He said he would rather see the criminal justice tax go forward and thought this issue would more appropriate another year.

Ms. Frankfourth said in working with the PA's office they had looked to more direct language (even though it was advisory, it was very direct on what it would be voted on a later time and was transparent on the cost to an average household; she said it was very clear what the voters would be saying yes to. She also stated the reason her organization worked with elected officials on dedicated funding for land and water conservations was because they realized they had the burden of balancing the budget and this was a dedicated fund. She said it gave the voters a chance to say "this is so important we are willing to pay for it".

Commissioner Small said he didn't know if the voters were aware of other issues the County was having, specifically the Crisis Response budget shortages.

**MOTION:** Commissioner Delvin moved to adopt the resolution for placement on the ballot of an advisory proposition for the establishment of a property tax for the funding of a conservation futures program in Benton County. Chairman Beaver seconded.

#### Discussion

Commissioner Delvin said that irrespective of how the 3/10 criminal justice vote came out, with the work of this group and the citizens, at a minimum it deserved to go to a vote for purposes of taxing themselves and he didn't have a problem letting them vote on it. He said the Board would then have to be comfortable enacting that but that was a whole next step and the advisory vote would give them good guidance.

Commissioner Small asked about the cost of the election and Auditor Brenda Chilton said it was a county-wide election with a cost of \$100,000 to \$120,000 and was allocated between the issues and would be paid entirely by the County and not the State since it was an even year election. Since the County was already paying for it, they could add what they wanted without any additional cost.

Chairman Beaver thanked them for doing the tasks that were asked of the group. He said he was not interested in automatically raising taxes and would not do that but if there was an advisory ballot it was important to let the community speak to them and tell them what they wanted. He said that public safety was number one on his list but he knew that quality of life issues ranked up there for people. He understood they had budget issues but if the community wanted to say whether they want to pay for quality of life, then it would be important to evaluate. He said he was extremely conservative financially but in favor of letting the voters decide.

Commissioner Small said he was looking at the big picture and whether it would affect the criminal justice tax and if it would pull votes away from that issue.

Upon vote, the motion carried with Commissioner Small opposing.

### **ATV on County Roads - Discussion**

Chairman Beaver said if the Board was going to have public hearings on the issue, he thought it was important to be clear about what they would be discussing and he wanted to be prepared.

Commissioner Delvin said he would also like an explanation of the authority given to the County on what types of vehicles were allowed, along with maps showing the county areas that would be affected so they knew where and what limitations they could include. He suggested a one or two page handout for the public explaining the law, what was allowed, and the county's options.

Florinda Paez, GIS, provided a county-wide map coordinated with county roads and posted speed limits, along with traffic counts and populated areas. She said they wanted to create larger maps that highlighted and focused in on those areas.

Commissioner Small said he wanted to look closely at the options of the State Bill 1632; he said the City of Prosser didn't want anyone under the age of 21 riding the ATV's on city streets. He wanted to look at adopting an ordinance that allowed them to cross state highways.

Commissioner Delvin said the public needed to know that not all vehicles were equal under that law and what the requirements were.

Chairman Beaver said he thought this was a liability nightmare for the County and he was real sensitive on how the County went forward. Commissioner Delvin said that should be part of the discussion with the public.

Commissioner Small commented that after looking at the map it did not appear there were as many 35 mph roads that connected as he thought. He said he wanted to look at the map closely to see if it was even reasonable to go forward.

### **Unscheduled Visitors**

Adam Fyall said that he neglected to include the Benton City EDC report on the agenda but they were present if the Board was ready to hear their presentation.

Bea Baker briefly updated the Board on the following issues:

- Working with folks that wanted to reopen business
- Advertising as a group for small businesses
- New construction – pharmacist
- Economic study for new residential areas
- Website upgrade should be up and running by August 1

- Conferences, revitalization, youth businesses, and tourism
- Annual spring car and bike show (money goes to youth and education)
- Benton City Days and Parade

**Other Business**

Commissioner Delvin asked the Board if it wanted to participate in the Benton City Parade together and the Board said yes.

He also discussed a letter from WSAC asking for issues from Benton County to be included with the fiscal sustainability issue and requested the Board send those agenda items to him to include.

Commissioner Small commented on the Matrics issue and that there was not an attitude from the group, just a proposal on how they would design the business plan. Once they had the presentation, they could change or tweak the plan at that time. He said there was discussion by the panel about signing a resolution and he expressed to them he did not want to do another interlocal resolution without time to review and decide if it wanted to go to the next phase.

Chairman Beaver discussed his concern that he didn't see a revenue stream that reflected a 50/50 partnership; that they had other bi-county operations that were not fair and he would be very skeptical of any new arrangements that would be along those same terms.

Mr. Sparks announced he hired a replacement for Keith Mercer and he would start next Wednesday.

**Vouchers**

Check Date: 07/03/2014

Payroll Checks

Warrant #: 237372-237460  
 Direct Deposit #: 95473-96068  
 Total all funds: \$2,037,786.37

Payroll Deductions

Taxes #: 10114071-101140712  
 Warrant #: 105085-105101  
 Total all funds: \$2,135,166.81

Check Date: 07/03/2014

Warrant #: 104978-105084  
 Total all funds: \$191,757.70

Transfers #: 070301-070305

Total all funds: \$271,422.65

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

**Resolutions**

- 2014-518: Line Item Transfer, Fund No. 0149-101, Dept. 000
- 2014-519: Line Item Transfer, Fund No. 0133-101, Dept. 000
- 2014-520: Setting Salaries for Elected Officials; Amending Resolution 2012-238
- 2014-521: Line Item Transfer, Fund No. 0000-101, Dept. 110
- 2014-522: Line Item Transfer, Fund No. 0000-101, Dept. 131
- 2014-523: Amended Contract w/MacKay & Sposito for Shooting Range Site Plan
- 2014-524: Lease Agreement w/Ted & Amy Wong & Sexual Assault Response Center, aka Kids Haven
- 2014-525: Purchase Authorization of 3 Pup Trailers from Star Trailers
- 2014-526: Purchase Authorization of 3 Truck Cab & Chassis Units from Pacific Truck Centers
- 2014-527: Setting Solid Waste Fee for the Remainder of 2013-2014 Biennium Budget
- 2014-528: Authorization to Proceed to Bid for Pavement Marking
- 2014-529: Termination of HS Agreement with Domestic Violence Services
- 2014-530: Placement on the Ballot of an Advisory Proposition – Conservation Futures Program

There being no further business before the Board, the meeting adjourned at approximately 10:15 a.m.

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Clerk of the Board

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Chairman