

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, March 4, 2014, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman James Beaver
Commissioner Shon Small
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Absent: Commissioner Jerome Delvin (NACO Conference)

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kely; Adam Fyall, Sustainable Development Manager; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Public Works Manager Steve Becken; Ed Thornbrugh, Human Services; Planning Manager Mike Shuttleworth; DPA Ryan Brown; Jacki Lahtinen, District Court; Clerk Josie Delvin; Auditor Brenda Chilton; County Engineer Daniel Ford; Sheriff Steve Keane; Donna Holmes, Solid Waste; Pat Austin, Superior Court Administration; Erhiza Rivera, Treasurer's Office; Superior Court Judges Cameron Mitchell and Bruce Spanner; Treasurer Duane Davidson; DPA Steve Hallstrom.

Approval of Minutes

The Minutes of February 25, 2014 were approved.

Consent Agenda

MOTION: Commissioner Small moved to approve the consent agenda items "a" through "m" and said he wanted to discuss the addition of item "o" (Amendment to Comprehensive Plan, Rescinding Resolution 2014-176). Chairman Beaver seconded.

Item "o" – Amendment to Comprehensive Plan – Rescinding Resolution 2014-176

Susan Walker stated that when the Board adopted the Amendment to the Comprehensive Plan for the Urban Growth Area filed by the City of Kennewick (CPA 13-01) the reference to the maps were in error and it was not in proper resolution form. She said the new resolution corrected the map numbers and attached the findings to the correct resolution format. Ms. Walker stated there was a publication date deadline and they had 10 days to publish in the paper and by making this correction, they could stay within the time frame.

MOTION: Commissioner Small moved to add item “o” as presented to the consent agenda. Chairman Beaver seconded and upon vote, the motion carried.

Upon vote, the Board approved the consent agenda as amended with the inclusion of item “o” as follows:

Auditor

- a. Lease Agreement w/Fred Meyer Stores, Inc. for Space at Richland Annex Office

Commissioners

- b. Selecting Integrus Architecture for Jail Analysis/Study

Human Services

- c. Appointments to the Human Services Advisory Board
- d. Grant Agreement w/Therapeutic Innovations & Recovery for Homeless Housing Plan
- e. Grant Agreement w/Housing Authority City of Kennewick for Homeless Housing Plan
- f. Grant Agreement w/Domestic Violence Services for Homeless Housing Plan

Information Technology

- g. Purchase Authorization of Record Software & Sound Card From Jo Bee Company

Juvenile

- h. Payment Authorization to Apollo Heating & Air for Maintenance & Repairs

Parks

- i. Line Item Transfer, Fund No. 0110-102, Dept. 000

Personnel

- j. Authorization to Proceed w/Request for Qualifications for Security Camera Project Consultant

Public Works

- k. Award of Bituminous Surface Treatment to Granite Construction Company
- l. Line Item Transfer, Fund No. 0114-101, Dept. 000
- m. Line Item Transfer, Fund No. 0501-101, Dept. 650

Sheriff

- n. Contract w/Full Throttle Motorcycle Accessories, LLC for Parts & Repairs

Planning

- o. Amendment to the Benton County Comprehensive Plan – Urban Growth Area – File CPA 13-01 – Rescinding Resolution 2014-176

Law & Justice Council Proposal – Sales & Use Tax for Funding Law & Justice Needs

Eric Hsu presented the resolution and funding package for placement on the ballot of a proposition for an increase in sales and use tax. He said it received unanimous support from the Law & Justice Council.

Sheriff Keane said he knew public safety was a top priority for this Board. He stated that law enforcement was changing and they were required to obtain search warrants for every search they conduct and deputies and officers were spending a lot more time with their investigations. He said it took a lot of specialized training and forensic analysis and a lot of time was dictated by technology and case law and the cost of doing business was going up. He said he was in

agreement that it was time to take this issue to the voters to see if a criminal justice sales tax was the way to handle these issues.

Kennewick Police Chief Ken Hohenberg said he agreed with the priority of Benton County and the cities of the importance of public safety. He said they looked at the strategic needs of the county and all entities and the prevention of gang violence and the proposed plan had that built into it. He said they also looked into the metro drug task force since that funding was going away. Chief Hohenberg presented letters of support from business members, the Cities of Prosser, Richland, West Richland, and Kennewick and read a letter into the record from a group “Citizens for Safe Communities” giving their support of the tax measure.

Commissioner Small said he made several contacts (close to 300) to talk about this issue and most were very supportive of this issue.

Chairman Beaver said he supported the issue the last time it went to a vote. Additionally, he commented that all things the Board could talk about (expansion of economic development, tourism, etc.) was not possible without public safety and it was paramount in their ability to move forward. He said if this community was not seen as safe, the others things they were trying to sell would not be desirable. He said he heard from Commissioner Delvin and that he was fully supportive of this issue.

MOTION: Commissioner Small moved to approve the resolution in the matter of placement on the ballot of a proposition for an increase in sales and use tax for funding law and justice needs in Benton County. Chairman Beaver seconded.

Discussion

Jerry Martin (from the audience) asked if he could make comments regarding this issue before the vote of the Board.

Chairman Beaver responded this was not a public hearing and said he could make his comments during unscheduled visitors.

Upon vote, the motion carried unanimously.

The Board briefly recessed, reconvening at 9:33 a.m.

Chairman Beaver said he moved the Law & Justice presentation first since there were several people present in the audience and could leave after the presentation.

Public Hearing – Adoption of Benton County Solid Waste Plan

Donna Holmes said the solid waste plan was required to be reviewed every five years and revised as necessary per RCW 70.95.110; the last update was in 2007. She indicated it needed to be updated to delete the section about the hazardous waste facility that burned down and include that they were now conducting mobile events. Ms. Holmes said the plan was amended

accordingly, went through the review process with the cities and the Washington Utilities and Transportation Commission, and given a Certificate of Non-Significance by the Benton County Planning Commission. She said there was a requirement for a public hearing to have the plan included in the Benton County Comprehensive Plan.

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

MOTION: Commissioner Small moved to approve the Benton County Solid Waste Plan as presented. Chairman Beaver seconded and upon vote, the motion carried.

WTSC Grant Funding

Lt. White via/video conference, said the Sheriff's Office submitted a school zone grant request for \$5,600 to purchase four radar packages and the funding was approved by the Washington Association of Sheriffs & Police Chiefs. He requested the Board approve the resolution accepting the grant funding to purchase the four radar packages.

Commissioner Small asked if the grant included everything that was needed and Lt. White stated it did; also that the request to the Board initially included a universal speedometer interface but they would only be purchasing the four radar packages.

MOTION: Commissioner Small moved to approve the acceptance of grant funding from Washington Association of Sheriffs & Police Chiefs for Traffic Safety Equipment and authorize the purchase of four (4) MPH Python III Radar Packages from Washington State Contract No. 01611 for an amount not to exceed \$5,600. Chairman Beaver seconded and upon vote, the motion carried unanimously.

Chairman Beaver announced the Board would have an executive session regarding labor disputes after other business.

Unscheduled Visitors

Jerry Martin said he was hoping to speak to the Board before they voted on the sales tax. He said he was representing himself and on behalf of the Tri-Cities Tea Party and then read a letter into the record opposing the vote to increase the sales tax and requesting the alternative plan of a performance audit to find money. He said they would campaign against this message and believed it would not pass.

Commissioner Small said he would like to take some to review the issue.

Chairman Beaver said this was not the only issue they were asked to look at and this issue would go to the community and the voters would answer the question. He said he understand Mr. Martin was out-voted as part of the citizens advisory committee and that he was going with the recommendation of the committee. He stated that the County was audited every year by the State Auditor and had performance audits daily by the public. He said they took the issue of spending money very seriously and were just trying to do the right thing.

Commissioner Small said he appreciated Mr. Martin's concern to make sure that government was doing the right thing and he said they were doing everything they could and were in the process of trying to reduce the County footprint.

Mr. Martin said he was not mad and was not complaining but seeking an opportunity to present a contrary argument for the sales tax. He said he realized he did not make a compelling argument to the Board. However, he cautioned the Board to take note that the sales tax would not get approved and the Board needed to have a backup plan. He asked the Board to review his proposal for performance audits independent from its decision.

Other Business

Adam Fyall gave a Powerpoint presentation regarding his trip with Commissioner Beaver to the ECA conference in Washington D.C. and summarized their "Hanford on the Hill" Trip. It included Congressional & Agency Meetings on February 25 and 26 and ECA Peer Exchange & Board Meetings on February 27 and 28.

Chairman Beaver complimented Mr. Fyall on the presentation and said he couldn't say enough about that work that Adam did on this issue.

Executive Session – Labor Dispute

The Board went into executive session at 10:13 a.m. for up to 15 minutes to discuss a strategy for a grievance on a labor dispute with DPA Steve Hallstrom. Also present were Ryan Brown, Dan Ford, Steve Becken, Loretta Smith Kelty, Melina Wenner, David Sparks, and Cami McKenzie. The Board came out at 10:23 a.m. Mr. Hallstrom stated the Board discussed a strategy for a grievance and no action was taken.

Vouchers

Check Date: 02/28/2014
Transfers #: 022801-022807
Total all funds: \$165,092.47

Check Date: 02/28/2014
Warrant #: 97228-97561
Total all funds: \$1,120,310.64

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

Resolutions

2014-190: **This Resolution number skipped in error**
2014-191: Amendment to the Benton County Comprehensive Plan – Urban Growth Area – File CPA 13-01 – Rescinding Resolution 2014-176
2014-192: Lease Agreement w/Fred Meyer Stores, Inc. for Space at Richland Annex Office

- 2014-193: Selecting Integrus Architecture for Jail Analysis/Study
- 2014-194: Appointments to the Human Services Advisory Board
- 2014-195: Grant Agreement w/Therapeutic Innovations & Recovery for Homeless Housing Plan
- 2014-196: Grant Agreement w/Housing Authority City of Kennewick for Homeless Housing Plan
- 2014-197: Grant Agreement w/Domestic Violence Services for Homeless Housing Plan
- 2014-198: Purchase Authorization of Record Software & Sound Card From Jo Bee Company
- 2014-199: Payment Authorization to Apollo Heating & Air for Maintenance & Repairs
- 2014-200: Line Item Transfer, Fund No. 0110-102, Dept. 000
- 2014-201: Authorization to Proceed w/Request for Qualifications for Security Camera Project Consultant
- 2014-202: Award of Bituminous Surface Treatment to Granite Construction Company
- 2014-203: Line Item Transfer, Fund No. 0114-101, Dept. 000
- 2014-204: Line Item Transfer, Fund No. 0501-101, Dept. 650
- 2014-205: Contract w/Full Throttle Motorcycle Accessories, LLC for Parts & Repairs
- 2014-206: Placement on the Ballot of a Proposition for an Increase in Sales & Use Tax for Funding Law & Justice Needs in Benton County
- 2014-207: Approval of Benton County Solid Waste Plan
- 2014-208: WSP Grant

There being no further business before the Board, the meeting adjourned at approximately 10:23 a.m.

Clerk of the Board

Chairman