

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, April 19, 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; Clerk Josie Delvin; District Court Administrator Jacki Lahtinen; Grant DeJongh, Solid Waste; Paul Schut, Financial Analyst; Human Services Manager Kyle Sullivan; Erhiza Rivera and Yuliana Perez, Treasurer's Office; DPA Ryan Brown.

Approval of Minutes

The Minutes of April 12, 2016 were approved.

Consent Agenda

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

Facilities

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

GIS

- b. Intergovernmental Agreement w/City of W Richland for Color Digital Orthophotography
- c. Intergovernmental Agreement w/City of Kennewick for Color Digital Orthophotography
- d. Intergovernmental Agreement w/City of Richland for Color digital Orthophotography

Office of Public Defense

- e. Amended District Court Public Defense Agreement w/L Mapes
- f. Termination of District Court Public Defense Contract w/M Alexander
- g. Termination of Public Defense Contract Investigator Services w/Dan Couture
- h. Termination of Superior Court Contract w/J Briggs for LFO Matters
- i. Agreement w/J Greenwood for Public Defense Transcription Services
- j. Superior Court Public Defense Services Agreement w/S Ajax
- k. Superior Court Public Defense Services Agreement w/S Johnson

- l. Superior Court Public Defense Services Agreement w/S Silverthorn
- m. Superior Court Public Defense Services Agreement w/E Scott
- n. Juvenile Court Public Defense Services w/M Alexander
- o. Juvenile Court Public Defense Services w/C Bennett
- p. Juvenile Court Public Defense Services w/A Rado
- q. Juvenile Court Public Defense Services w/D Purcell
- r. Amended District Court Public Defense Services w/C Briggs

Parks

- s. Interlocal Agreement w/City of Richland for New Trailhead Park Parking Lot
- t. Award of Contract to Premier Excavation for Construction of Horn Rapids Park Parking Lot

Planning

- u. Closing Petty Cash Drawer; Rescinding Resolution 93-319
- v. Appointment of R Burrows to Planning Commission

Public Safety Tax

- w. Line Item Transfer, Fund No. 0148-101, Dept. 121
- x. Line Item Transfer, Fund No. 0000-101, Dept. 138
- y. Line Item Transfer, Fund No. 0148-101, Dept. 171

Public Works

- z. Award of CE 1978 CRP Project to Contractors Equipment Maintenance Co., Inc.
- aa. Lease Agreement w/Ricoh USA, Inc.

Sheriff

- bb. Line Item Transfer, Fund No. 0000-101, Dept. 118
- cc. Line Item Transfer, Fund No. 0000-101, Dept. 120
- dd. Purchase of 2015 KIA Sedona from Leskovar Mitsubishi

Finance Update

Paul Schut briefed the Board on the financial update, indicating a few numbers had been changed from the original version:

- Highlights
 - 62.50% through the biennium
 - Revenues were at 57.25% of budgeted revenue
 - Expenditures were at 56.89% of budgeted expenditures
- Revenue Codes – consolidating line items to streamline and more easily track and forecast
- Revenue – Retail Sales Tax – Construction was 12% higher than last year; building permits were over 30% higher (residential construction; single family dwellings; cold storage facility and school); additional developments coming up so that would continue to grow
- Expenditures - 12 departments were 5% or more behind on expenditures; some reasons were office reorganizations and fuel savings (with fuel price being the main factor)

PEDA Quarterly Update

Deb Heintz introduced David Stockdale as the new City Administrator for Prosser and briefly highlighted the following:

- Offering classes for non-profits to assist them in getting financially prepared
- ConAgra has sold – new owner coming in
- Catholic Charities – 51 apartment units and there were starting the process to rent
- Leadership Prosser
- Grant Writer Program
- Historic Downtown Prosser –programs
- PEDDA – annual meeting on May 3, 2016

David Stockdale said he started two months ago and was very excited. He talked about future projects including expansion of infrastructure, attracting businesses, and expanding festivals and events.

Pollution Emission Reduction Policy

Grant DeJongh said the State of Washington was required to consider whether a recipient of capital funds for infrastructure or capital projects had policies in place for the limitation and reduction of potential pollution emissions. He said the Road Department was looking at an infrastructure improvement grant and in order to be considered, Benton County needed to have a formal policy in place. He said that many of the policies and stipulations were already in practice, but this would formalize the process and allow Benton County to benefit from possible grants.

MOTION: Commissioner Delvin moved to approve the resolution establishing a potential pollution emission reduction policy. Commissioner Beaver seconded and upon vote, the motion carried.

Other Business

Kyle Sullivan said the Franklin County Board had questions and specific concerns about a conflict of interest (real or perceived) with hiring Rick Weaver as a consultant. He said the committee was well represented including Commissioner Koch and Franklin County Administrator and the decision to recommend Mr. Weaver was unanimous by the committee.

He said that Commissioner Peck said he wanted a list of the individuals that voted and wanted to reach out to them and see if they were comfortable with Rick Weaver.

The Board discussed the upcoming bi-county meeting and whether they would be able to vote and move forward on this. Commissioner Delvin said he felt they had done the homework and hopefully they could vote and work on a contract with Rick Weaver.

Mr. Sullivan said he had worked out some language regarding a non-compete if there was a potential conflict and would review that language with the prosecuting attorney.

Mr. Sparks said they needed to expedite this matter since it was getting increasingly hard to retain and recruit employees for Human Services due to the concern about Human Services dissolving.

Ryan Brown said he anticipated no decisions would be made after the executive session. The Board briefly recessed, reconvening at 9:50 a.m.

Executive Session – Litigation Update

The Board went into executive session at 9:50 a.m. for up to 15 minutes to discuss pending litigation with DPA Ryan Brown. Also present were David Sparks, Loretta Smith Kelty and Cami McKenzie. The Board came out at 10:05 a.m. Mr. Brown said the Board discussed pending litigation and no action was taken.

Vouchers

Check Date: 04/11/2016

Procurement Cards: #0416
Total all funds: \$430,972.89

Check Date: 04/15/2016

Payroll Draw Checks
Warrant #: 239560-239562
Direct Deposit #: 113423-113602
Total all funds: \$99,862.18

Payroll Draw Deductions Transfers
Taxes #: 101160415
Total all funds; \$32,938.27

Warrants #: 137728-137903
Total all funds: \$4,842.27

Transfers #: 04151601-04151607
Total all funds: \$284,326.48

Warrants #: 137904-138085
Total all funds: \$586,901.21

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

Resolutions

- 2016-314: Line Item Transfer, Fund No. 0000-101, Dept. 110
- 2016-315: Intergovernmental Agreement w/City of W Richland for Color Digital Orthophotography
- 2016-316: Intergovernmental Agreement w/City of Kennewick for Color Digital Orthophotography

- 2016-317: Intergovernmental Agreement w/City of Richland for Color digital Orthophotography
- 2016-318: Amended District Court Public Defense Agreement w/L Mapes
- 2016-319: Termination of District Court Public Defense Contract w/M Alexander
- 2016-320: Termination of Public Defense Contract Investigator Services w/Dan Couture
- 2016-321: Termination of Superior Court Contract w/J Briggs for LFO Matters
- 2016-322: Agreement w/J Greenwood for Public Defense Transcription Services
- 2016-323: Superior Court Public Defense Services Agreement w/S Ajax
- 2016-324: Superior Court Public Defense Services Agreement w/S Johnson
- 2016-325: Superior Court Public Defense Services Agreement w/S Silverthorn
- 2016-326: Superior Court Public Defense Services Agreement w/E Scott
- 2016-327: Juvenile Court Public Defense Services w/M Alexander
- 2016-328: Juvenile Court Public Defense Services w/C Bennett
- 2016-329: Juvenile Court Public Defense Services w/A Rado
- 2016-330: Juvenile Court Public Defense Services w/D Purcell
- 2016-331: Amended District Court Public Defense Services w/C Briggs
- 2016-332: Interlocal Agreement w/City of Richland for New Trailhead Park Parking Lot
- 2016-333: Award of Contract to Premier Excavation for Construction of Horn Rapids Park Parking Lot
- 2016-334: Closing Petty Cash Drawer; Rescinding Resolution 93-319
- 2016-335: Appointment of R Burrows to Planning Commission
- 2016-336: Line Item Transfer, Fund No. 0148-101, Dept. 121
- 2016-337: Line Item Transfer, Fund No. 0000-101, Dept. 138
- 2016-338: Line Item Transfer, Fund No. 0148-101, Dept. 171
- 2016-339: Award of CE 1978 CRP Project to Contractors Equipment Maintenance Co., Inc.
- 2016-340: Lease Agreement w/Ricoh USA, Inc.
- 2016-341: Line Item Transfer, Fund No. 0000-101, Dept. 118
- 2016-342: Line Item Transfer, Fund No. 0000-101, Dept. 120
- 2016-343: Purchase of 2015 KIA Sedona from Leskovar Mitsubishi
- 2016-344: Establishing a Potential Pollution Emission Reduction Policy

There being no further business before the Board, the meeting adjourned at approximately 10:05 a.m.

Clerk of the Board

Chairman