

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, June 21, 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; DPA Ryan Lukson; District Court Administrator Jacki Lahtinen; Marianne Ophardt, WSU – Benton County; Human Services Manager Kyle Sullivan; Clark Posey and RJ Lott, Planning; Yuliana Perez, Treasurer's Office; Personnel Manager Lexi Wingfield; Public Services Administrator Fred Bowen; Taylor Ranger and Amanda Garcia, Auditor's Office.

Approval of Minutes

The Minutes of June 14, 2016 were approved.

Consent Agenda

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

Auditor

- a. Line Item Transfer, Fund No. 0000-101, Dept. 102

Human Services

- b. Grant Agreement w/Benton Franklin Community Action Committee for Funding of Security & Alarm System
- c. 3rd Amended Agreement w/DSHS for Prevention Services
- d. 1st Amended Contract w/Inter-City Legal Processing & Messenger Service
- e. Agreement w/J Crow for Community Prevention Coordinator

Juvenile

- f. 1st Amendment w/Aramark Correctional Services for Food Services

Office of Public Defense

- g. Amending Interlocal Agreement w/City of Richland for Costs of Mental Health Court
- h. Amending Interlocal Agreement w/City of Kennewick for Costs of Mental Health Court

Personnel

- i. Reappointment of R Knight to the Civil Service Commission Board

- j. Reappointment of A Taylor to the Civil Service Commission Board
- k. Establishing an Adult Drug Court Coordinator Classification and Salary Grade

Planning

- l. Reappointment of M Kaspar to the Planning Department Commission

Public Works

- m. Authorizing the Transfer of Capital Equipment from ER&R to County Road

Public Hearing - Short Plat Vacation – 2016-001

RJ Lott summarized the short plat application submitted requesting the drainage easement be vacated off Lot 1 of Short Plat 3166. KID replied and said the drainage easement might be needed for overflow to the irrigation pond; however, it was determined that pond was not near this easement. Based upon the information received, the Planning Department recommended approval of the vacation of the drainage easement as presented.

Chairman Small asked if someone spoke to KID and Mr. Lott said the applicants spoke to them and cleared that up.

Public Testimony

Hoyel Yang said his property was located downstream from this property and if changes were made, he wanted to know if his property would be vacated as well or would it remain in place.

Mr. Lott said his property would remain in place and he would have to apply to vacate separately.

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

MOTION: Commissioner Delvin moved to approve the vacation of the 20-foot drainage easement on Lot 1 of Short Plat 3166 and subsequently Lot 4 of Short Plat 1802. Commissioner Beaver seconded and upon on vote, the motion carried.

Public Hearing – Supplemental Budget Adjustments

Loretta Smith-Kelty presented the supplement in the amount of \$100,000 for the Election Reserve Fund to support expenditures associated with the presidential primary election. Mr. Sparks said the money was in the fund, it just needed the appropriation.

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

MOTION: Commissioner Delvin moved to approve the budget adjustment to the 2015-2016 Election Reserve Fund 0111-101 in the amount of \$100,000. Commissioner Beaver seconded and upon vote, the motion carried.

Lexi Wingfield presented the supplement for the Workmen’s Compensation Fund in the amount of \$1,165,000. She said it was needed due to the increased costs in claims.

She indicated that in the 2013-2014 budget there were 119 claims that averaged about \$9,000 for a total of \$1,121,000. She said for the 2015-2016 budget there were 86 claims with an average cost of \$13,000 (at \$1,150,000 so far).

Commissioner Delvin asked where the increases were coming from and Ms. Wingfield indicated Corrections had gone up and that Corrections and Juvenile were the biggest leaders. She said that Patrol had gone up a little but the rest were down and Roads was half what it was from the prior budget. She stated she talked to the Undersheriff about the increase from work crew claims.

Commissioner Delvin inquired about bringing in a worksite safety person to review if changes could be made and Ms. Wingfield indicated she would look into that.

There was a discussion about the claims stemming from violence in the jail and Commissioner Beaver said the severity of violence in the jail was not going away and he was not opposed to an industrial hygienist coming in to review the issue.

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

MOTION: Commissioner Delvin moved to approve the budget adjustment to the 2015-2016 Workmen's Compensation Fund 0503-101 in the amount of \$1,165,000. Commissioner Beaver seconded and upon vote, the motion carried.

Byrne Justice Grant

Cpt. Vannoy via/videoconference said the Sheriff's office wanted to participate in 2016 Byrne Justice Assistance Grant to be distributed to KPD and Benton County as agreed upon by both parties. He said they wanted to use the money to purchase a moving target "live fire" training system and handheld thermal imaging devices.

MOTION: Commissioner Delvin moved to approve the 2016 Byrne Justice Assistance Grant (JAG) and authorize the Chairman to sign the Interlocal Agreement between the City of Kennewick and County of Benton in the amount of \$9,373.00. Commissioner Beaver seconded and upon vote, the motion carried.

Justice Center Roof Replacement

Fred Bowen requested the Board authorize him to proceed with advertising for bids from contractors for the re-roofing of the five buildings at the Justice Center. He said this would give the County a 30-year no dollar limit warranty and his understanding was that no matter what happened, the warranty covered it. The estimated cost was \$3,990,000 with tax.

MOTION: Commissioner Delvin moved to authorize the Public Services Administrator to proceed with advertising for bids from qualified Contractors for re-roofing of the 5 (five) structures at the Justice Center Campus in Kennewick. Commissioner Beaver seconded.

Discussion

Chairman Small asked if they had tried to patch and fix the roofs and Mr. Bowen indicated they had.

Upon vote, the motion carried.

Parking Lot – Kennewick Annex

Fred Bowen discussed the south parking lot at the Kennewick Annex and the problems with the configuration. He said by removing a portion of the center island and constructing a ramp leading back to the main entrance would allow traffic to circle through the parking lot and exit out, reducing traffic congestion. Other improvements would be included as well and the estimated cost was \$57,000. He said the previous estimate was at \$47,000 but the County Engineer indicated the seal coat was left off so they would rather include that now instead of doing a change order later.

MOTION: Commissioner Beaver moved to approve the County Roads Department to move forward with advertisement for bids to construct the proposed modifications to the Kennewick Annex Parking lot. Commissioner Delvin seconded and upon vote, the motion carried

WSU Regional Livestock & Forages Update

Don Llewellyn, Regional Livestock specialist, updated the Board on the following issues:

- Beef cattle nutrition and reproduction, safety and feeding programs
- Journals, articles, etc. that he authored
- Presentations at national and state levels
- Grants
- Work w/Dept. of Animal Sciences at WSU
- Team taught beef production
- Work w/National Beef Quality Assurance Program
- Programs and education and training for youth

Steve Norberg, Regional Forage Specialist, updated the Board on the following:

- Alfalfa Variety Trials and Impacts
- Three main extension programs
 - Alfalfa variety trials
 - Forage nutrient management
 - Improved forage systems
- 20 Seed Cooperators
- 2015 NACCA National Finalist – crop production
- 2015 NACCA Western Region Research Poster winner
- Timothy Nitrogen Research
- Intercropping corn with soybeans

- Growth of the NW Hay Expo
- Convention – World Congress of Agriculture in China

Unscheduled Visitors

Bill Hinkle said he represented a number of entities in government and was currently working with Hopesource to assist veterans. Additionally, he discussed the accountable communities of health and applying for a federal grant that would work in concert with community health. He said he wanted to introduce himself and looked forward to meeting individually with the Commissioners and to being a bridge organization to assist the County with its transition with Human Services and community health.

Other Business

Kyle Sullivan said they had a meeting with Franklin County to discuss Franklin County's concern about the non-compete letter than was an exhibit to the contract with Rick Weaver. He said originally it was supposed to be a small meeting but had morphed into something else and there were several people in attendance.

He said the purpose of the meeting was to clean up language in the letter but that it was not ultimately addressed. He said that Franklin County continued to have a problem with Rick Weaver completing the consultation due to the potential or perceived conflict of interest for completing services in the future.

Mr. Sparks said he was at the meeting and Franklin County was adamant there was a conflict of interest, even though the contract stated it would not be a conflict.

Chairman Small asked Mr. Sullivan to state what Mr. Weaver's initial motive was to assist Benton and Franklin Counties. Mr. Sullivan said that in 2020 there would be a lot of changes in health care and he wanted to be able to present to the MCO's that there was a system that worked well in the hopes it would be something they would accept instead of telling them what the system should look like.

The Board discussed GCBH completing an RFP for Crisis to get it settled and then filling the rest of the holes in the system. Mr. Sullivan said that GCBH would be willing to move forward and make a decision on what happens with Crisis Response but they would prefer to take direction from the counties.

Chairman Small reminded the Board that a lot of entities were on the committee that made the recommendation to move forward with Rick Weaver.

Commissioner Beaver said he didn't think that Crisis was broken but it was the partnership that was broken. He said he shared the Board's concern about the delay, but if Franklin County did not want to move forward, was Benton County going to do it alone.

There was discussion regarding Franklin County wanting to hire the consultant from Texas but he was not available until the first week in August. They did not know if Franklin County was drawing a line in the sand, but stated their concern was not wanting Comprehensive to exclude themselves from future services. Ultimately, it was not their #1 option but they had not yet taken it off the table.

The Board was reminded by the attorneys that Benton County had a bi-county contract for Crisis until June 30, 2017 and were locked into that and would not get funding for Crisis without a mutual termination of that agreement.

Commissioner Small also asked whether there was a staffing problem at Crisis and Mr. Sullivan said they were doing the job and doing it well but staffing was a concern. He was using a lot of overtime because they had holes but it was time to move forward.

Ryan Brown, via/videoconference said he shared their frustration but wanted to reiterate the Board could not ignore its partnership and existing costs and just ask the RSN to contract it out because that money was obligated. He said the Board needed to finish working with Franklin County to see if they had drawn a line with contracting with Rick Weaver and then state their position. They could then work on terminating the contract and contract individually with the RSN to get Crisis.

Chairman Small said he proposed that Benton County go ahead and contract with Rick Weaver to provide consultation and that the services and needs would be the same in Benton & Franklin Counties. He said they could maybe then go to Bexar County in Texas and look at implementing their program. However, the primary focus was to contract out Crisis and while they were doing that they could look at implementing additional needs and services that would benefit the community.

The Board agreed to have another bi-county meeting to see if Franklin County would be willing to contract with Comprehensive and that it should be public record if it was no longer their position that they wanted to do that.

Legal Financial Obligations

Commissioner Delvin asked if they could have David Sparks and Loretta Smith Kelty do a presentation regarding the LFO's and how it affected the budgets and the jail. He also asked to have all the affected departments come in because he wanted a sense of what the effects of the LFO's were on their budget prior to preparing for the next biennium. If there was a reduction in funding, that should be addressed in the budgets.

The Board recessed reconvening at 10:28 a.m.

Executive Session – Potential Litigation

The Board went into executive session at 10:28 a.m. for up to 10 minutes with DPA Ryan Lukson to discuss potential litigation. Also present were Loretta Smith Kelty, David Sparks, and Cami

McKenzie. The Board came out at 10:37 a.m. Mr. Lukson said the Board discussed potential litigation but took no action.

Claim for Damages

CC 2016-11: Received on June 23, 2016 from Carolina Dickerson

Vouchers

Check Date: 06/10/2016

P-Cards #: 0616
Total all funds: \$246,746.46

Check Date: 06/15/2016

Payroll Draw Checks
Warrant #: 239714-239716
Direct Deposit #: 115094-115271
Total all funds: \$105,603.13

Payroll Draw Deductions Transfers
Taxes #: 101160619
Total all funds: \$34,831.86

Check Date: 06/17/2016

Warrant #: 140773-140892
Total all funds: \$2,746.75

Transfers #: 06171601-06171606
Total all funds: \$45,392.98

Warrant #: 140893-141082
Total all funds: \$439,445.05

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

Resolutions

- 2016-495: Interlocal Agreement Between City of Kennewick and Benton County for 2016 Byrne Justice Assistance Grant - JAG
- 2016-496: Line Item Transfer, Fund No. 0000-101, Dept. 102
- 2016-497: Grant Agreement w/Benton Franklin Community Action Committee for Funding of Security & Alarm System
- 2016-498: 3rd Amended Agreement w/DSHS for Prevention Services

- 2016-499: 1st Amended Contract w/Inter-City Legal Processing & Messenger Service
- 2016-500: Agreement w/J Crow for Community Prevention Coordinator
- 2016-501: 1st Amendment w/Aramark Correctional Services for Food Services
- 2016-502: Amending Interlocal Agreement w/City of Richland for Costs of Mental Health Court
- 2016-503: Amending Interlocal Agreement w/City of Kennewick for Costs of Mental Health Court
- 2016-504: Reappointment of R Knight to the Civil Service Commission Board
- 2016-505: Reappointment of A Taylor to the Civil Service Commission Board
- 2016-506: Establishing an Adult Drug Court Coordinator Classification and Salary Grade
- 2016-507: Reappointment of M Kaspar to the Planning Department Commission
- 2016-508: Authorizing the Transfer of Capital Equipment from ER&R to County Road
- 2016-509: Short Plat Vacation 2016-001 ~ RJ Lott
- 2016-510: Supplemental Budget Adjustment – 2015-2016 Election Reserve Fund
- 2016-511: Supplemental Budget Adjustment – 2015-2016 Workmen’s Compensation Fund

There being no further business before the Board, the meeting adjourned at approximately 10:37 a.m.

Clerk of the Board

Chairman