

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, January 24, 2012, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman James Beaver
Commissioner Shon Small
Commissioner Leo Bowman
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; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Human Services Manager Ed Thornbrugh; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; County Engineer Malcolm Bowie; DPA Ryan Brown; Eric Hsu, OPD; Sheriff Steve Keane; Sgt. Carlos Trevino; Treasurer Duane Davidson; District Court Administrator Jacki Lahtinen; Clerk Josie Delvin; Auditor Brenda Chilton; Rosie Sparks, Auditor's Office; Larry Moser, Public Works; Superior Court Administrator Pat Austin; Superior Court Judge Robert Swisher.

Approval of Minutes

The Minutes of January 10, 2012 were approved as corrected.

Consent Agenda

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

Assessor

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

Auditor

- b. Management Letter to WA State Auditor's Office
- c. Coding Correction/Line Item Transfer, Fund No. 0138-101, Dept. 000

Commissioners

- d. Line Item Transfer, Fund No. 0305-101, Dept. No. 000
- e. Reappointment of R Burtsfield to the Aging & Long Term Care Advisory Board

Fairgrounds

- f. Lease Amendment w/Sundown Training Center

Human Services

- g. Line Item Transfer, Fund No. 0108-101, Dept. No. 504

h. Line Item Transfer, Fund No. 0108-101, Dept. No. 560 & 504

Personnel

i. February Employee of the Month Awards

Public Works

j. Contract Award to A & B Asphalt, Inc. for Stockpiling & Crushed Screening

k. Public Hearing Franchise Authorization for PacifiCorp

l. Interlocal Agreement w/City of Prosser for Bituminous Surface Treatment 2012

Sheriff

m. Purchase Authorization from Zep Sales & Service for Cleaning Supplies

n. Purchase Authorization from Bob Barker Company Inc.

Superior Court

o. Line Item Transfer, Fund No. 0156-101, Dept. 000

Sustainable Development

p. Agreement w/J.T. Atkins & Company for Red Mountain Master Site Plan & Map Updates

Treasurer

q. 2011 Personal Property Uncollectibles

The Board briefly recessed, reconvening at 9:05 a.m.

Gang Unit Update

Sheriff Steve Keane and Sgt. Carlos Trevino updated the Board on the gang unit and briefly discussed the following:

- Transition with new members – training continued;
- Operational phase; working with new crime analyst; sending out information on crime trends;
- 4th Qtr 2011 Highlights
 - Public Education Meetings – 6 total; (1 conducted in Spanish for WA State Migrant Council to parents – targeting young children)
 - Suppression – targeted highly active gang members - executed 23 search warrants and 23 felony arrests;
 - Graffiti – 100% accountability – for cases that were considered solvable;
 - Home visits (feedback has been very positive);
 - Partnering w/law enforcement agencies; part of last gang sweep in December
- 2012 – New
 - Partnering w/ Teen Challenge (comprised of former gang/drug users) to assist with home visits;
 - Applying for grants – hope to fund informational pamphlets

Commissioner Bowman asked how they were measuring their successes. Sgt. Trevino replied they were translating information to arrests and getting feedback from parents and the community. He said it was very hard to show on paper at this point but he would look for ways to quantify the successes.

Commissioner Small commended the unit for executing 23 search warrants and asked if parents had been responsive to the program. Sgt. Trevino said the parents were very thankful and they were assisting them on what to look for (gang symbols, colors, nicknames, etc.).

Chairman Beaver also thanked the team and said he was encouraged by their efforts.

Superior Court – Legal Financial Obligation Update

Judge Swisher gave a history of the legal financial obligation process. He said when an individual was convicted with a felony the sentence included both jail time and a financial obligation (including state mandated obligations, cost recovery, and restitution). Originally this was collected by the Department of Justice, however, now it was the Clerk's responsibility. Currently the County held two afternoon dockets per month for legal financial obligations with 350-500 cases per docket and they needed some relief with extra dockets.

Clerk Delvin said the number of cases was causing problems, with lines going all the way to the Sheriff's office. Fights were breaking out in the hall, felons were mixing with the general public waiting in line for passports, etc., and individuals waiting in line were getting upset with her employees. Ms. Delvin gave statistics about the success of the collection program and that Benton County was held up as an example across the state and was number one in the state for collection. She said they wanted to continue their efforts by having a weekly docket to decrease the number of cases on each docket. She did say, however, the docket numbers might increase eventually because they were adding juvenile cases to collection.

Sheriff Keane said that crowding in the hallways was a problem with up to 500 felons and there were safety issues (both public and officer safety) associated with more warrants being issued.

Additionally, Judge Swisher said they wanted to have the same judicial officer on the docket to become familiar with an individual for consistency.

Andy Miller, via videoconference, said when they started the LFO docket, they didn't necessarily think two days would be adequate, but wanted to start small and increase later if needed, so it was not a real surprise. He also said they would like having the same judicial officer on the dockets for consistency. Additionally, he mentioned his office sent out surveys to crime victims and one of the top things commented on was restitution. He said when a victim received a check, they knew the County was working on these cases; he said he supported the request for additional dockets.

Eric Hsu said he currently had one contract defender spending two afternoons a month on the docket and they only got involved when a person had the potential to be incarcerated. He briefly discussed a new case in the Court of Appeals that found some irregularities that might cause public defense to be more involved in these cases.

Commissioner Bowman said they made a compelling argument but wanted to know if there was a cost and how it would be paid for. He also asked if the safety issues and lobby configuration could be addressed.

Ms. Delvin said there were costs associated with the PA's office, OPD, and court commissioner but no new costs associated with the Sheriff's office; additionally, the Collections Department was fully funded. She said she wanted to come back with a supplemental request with a revenue source to be paid from the Collection Fund. Additionally, she was working on a solution for the lobby area.

Chairman Beaver said he appreciated the fact they started with two days a month and said he would like to see a proposal for the Board to review.

Commissioner Small asked if changes were made if they would be able to collect additional money and Ms. Delvin said she believed they would. Commissioner Small said that officer safety, public safety, and employee safety was very important and agreed he wanted to see a proposal.

The Board briefly recessed, reconvening at 10:13 a.m.

Commissioner 2012 Goals & Objectives Discussion

Chairman Beaver recommended the Board pick a manageable number of goals (three to five) as it moved through the process so it could focus on a few to accomplish. He said it was still important to him to focus on the internal operations of Benton County by meeting with elected officials, reviewing financial analysis, and receiving the five to 10 years plans from the elected officials. However, the County had recommendations to upgrade IT and his number one priority was to upgrade the IT program. He said the County's ability to expand was not a brand new building, but the improvement of the IT program. Mr. Sparks said the Board would be receiving a report at the next meeting on the progress of the IT upgrades.

Commissioner Small agreed IT was a priority. He said his other goals included the following:

- Strategic planning for the 2013-2014 budget, to include financial analysis for big-ticket items. Additionally, he was interested in exploring a zero base budget instead of base line so he could justify expenditures to constituents.
- Manager accountability – he reviewed the “ladder of responsibility” and his mission for the county's leaders.
- Public Works Administrative Fee – he said he wanted to explore why county departments were being charged fees that were not required by the State. The Board briefly discussed the issue with Public Works and agreed it was a valid question and should be discussed more in-depth during a workshop.

Commissioner Bowman discussed conservation and how much was really saved by streamlining. He said what was really important to him was economic development and since the County was limited on what it could do, he wanted to spend some realistic time on what could be done. He said the Board could focus on appropriate land use rules and decisions, specifically for the Red Mountain area, to assist economic development. He discussed the importance of law enforcement and crime prevention and said the Board would need to find money to continue the gang unit program that was initially funded with one-time money and said he believed the way to

do that was with economic development. Commissioner Bowman also agreed IT was very important.

Chairman Beaver provided some information on the HAEIFC Loan/Grant Process to show how much money was provided for economic development in Benton County. Additionally, he discussed the agreements Benton County had with TRIDEC, PEDDA, Benton City EDC, and the Ports to assist with economic development.

Chairman Beaver requested Mr. Sparks to bring back a list of priorities that were discussed for the Board to approve.

The Board briefly recessed, reconvening at 11:19 a.m.

Executive Session – 4th Quarter Litigation

The Board went into executive session at 11:19 a.m. for approximately 15 minutes with DPA Ryan Brown to discuss 4th quarter litigation. Also present were David Sparks, Cami McKenzie, Melina Wenner, and Loretta Smith Kelty. The Board came out at 11:35 a.m. Mr. Brown said they needed an additional five minutes to discuss pending litigation and went back into executive session. The Board came out at 11:41 a.m. Mr. Brown said the Board discussed pending litigation but took no action.

Commissioner Assignment Update

Commissioner Bowman provided copies of the latest Legislative Bulletins that included information on the public records act reform and said that Senator Hewitt was aggressively pursuing tort reform, specifically relating to seatbelts. Additionally, he mentioned the King County case that determined some public defenders were considered employees (contractor v. employee issue). He asked to be excused since he had a meeting at 11:30 a.m. in Sunnyside.

Commissioner Small said he appreciated the work done by Maintenance last week to take care of the icy conditions at the facilities.

Chairman Beaver said he had several meetings this week and would report on them at the next meeting.

Claim for Damages

CC 2012-01: Received on January 19, 2012 from Frontier CMR Claims TPA

Vouchers

Check Date: 01/13/2012

Warrant #: 49547-49810

Taxes #: 011601121

Total all funds: \$932,637.91

Check Date: 01/17/2012
Payroll Draw Taxes
Taxes #: 10112014
Total all funds: \$33,927.04

Check Date: 01/17/2012
Warrant #: 233559-233581
Direct Deposit #: 70833-71035
Total all funds: \$113,338.33

Check Date: 01/20/2012
Warrant #: 49855-49957
Taxes #: 010101122, 050101121
Total all funds: \$369,994.45

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

Resolutions

- 2012-041: Line Item Transfer, Fund No. 0000-101, Dept. No. 101
- 2012-042: Coding Correction/Line Item Transfer, Fund No. 0138-101, Dept. 000
- 2012-043: Line Item Transfer, Fund No. 0305-101, Dept. No. 000
- 2012-044: Reappointment of R Burtsfield to the Aging & Long Term Care Advisory Board
- 2012-045: Lease Amendment w/Sundown Training Center
- 2012-046: Line Item Transfer, Fund No. 0108-101, Dept. No. 504
- 2012-047: Line Item Transfer, Fund No. 0108-101, Dept. No. 560 & 504
- 2012-048: Contract Award to A & B Asphalt, Inc. for Stockpiling & Crushed Screening
- 2012-049: Public Hearing Franchise Authorization for PacifiCorp
- 2012-050: Interlocal Agreement w/City of Prosser for Bituminous Surface Treatment 2012
- 2012-051: Purchase Authorization from Zep Sales & Service for Cleaning Supplies
- 2012-052: Purchase Authorization from Bob Barker Company Inc.
- 2012-053: Line Item Transfer, Fund No. 0156-101, Dept. 000
- 2012-054: Agreement w/J.T. Atkins & Company for Red Mountain Master Site Plan & Map Updates
- 2012-055: Canceling Taxes Assessed Upon 2011 Personal Property - Uncollectible

There being no further business before the Board, the meeting adjourned at approximately 11:46 a.m.

Clerk of the Board

Chairman