

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, May 24, 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; DPA Ryan Brown; Clerk Josie Delvin; Assessor Bill Spencer; Treasurer Duane Davidson; Dale Wilson, Steve Brown, and Ken Williams, Building Department; Personnel Manager Lexi Wingfield; Financial Analyst Paul Schut; Public Services Administrator Fred Brown; OPD Manager Eric Hsu.

Approval of Minutes

The Minutes of May 17, 2016 were approved.

Review Agenda

Item "i" was pulled at the request of the Office of Public Defense.

Consent Agenda

MOTION: Commissioner Delvin moved to approve the consent agenda items "a" through "u", pulling "i" (OPD Agreement w/J. Chambers). Commissioner Beaver seconded and upon vote, the Board approved the following:

BOE

- a. Appointment of J Deichman to the Board of Equalization

Commissioners

- b. Salary Schedule for Commissioners' Administrators, Managers & Asst. Managers
- c. 2017-2018 Hearing Dates for Biennium Budgets

Facilities

- d. Amended Contract w/Meier Enterprises, Inc. on Office of Public Defense & Prosecuting Attorney Remodel

Information Technology

- e. Line Item Transfer, Fund No. 0502-101, Dept. 000
- f. Purchase of Video Conference Equipment for Assessor's Office From Dell Premier
- g. Purchase of Dell OptiPlex Workstation & Dual Monitors for Public Works

Office of Public Defense

- h. Termination of Public Defense Agreement w/J Chambers on Homicide & Persistent Offender Cases

Personnel

- j. Applicable Tax Authorization by Sterling Info Systems, Inc. for Employment Screenings
- k. Contract w/Tri-Cities Monitoring for Court Security Services
- l. Contract w/Mid-Columbia Forklift, Inc. for Forklift Training & Certification
- m. Line Item Transfer, Fund No. 0000-101, Dept. 127
- n. Line Item Transfer, Fund No. 0000-101, Dept. 114
- o. Line Item Transfer, Fund No. 0504-101, Dept. 000

Planning

- p. Vacation of 30-Ft Ingress Egress Easement, File No. SPV 2015-007

Prosecuting Attorney

- q. Settlement Agreement

Public Safety Tax

- r. Agreement w/Benton Franklin Health District Nurse Family Partnership

Public Works

- s. Payment Authorization to Roadwise, Inc. for On-Site Grader Training
- t. Purchase & Sale Agreement w/Benton County Fire District 1 for Parcel 1-1189-202-004-7002

Sheriff

- u. Contract w/Washington Communications LLC for Installation & Maintenance of Electronic Equipment

Washington Counties Risk Pool Presentation

Lexi Wingfield introduced Derek Bryan, the new executive director for the Risk Pool.

Mr. Bryan gave a Powerpoint presentation and discussed the following:

- Structure/Membership/Organization
- Administration
- WCRP Finances
- Benton County Liability Program Assessments
- Member Services
- Benton County Certification
- Claims Frequency & Severity
- Conclusion
 - WCRP – financially strong, experienced, innovative
 - Benton County – activity in vehicle operations/law enforcement; active in training and scholarship usage; encourage committee involvement and continue to utilize pre-defense program

- WCRP Focus on the Future – Corrections; Cyber Risk; Drones/UAE; Immunities; Environmental and Pollution
- Benton County focus on the future? Policies/procedures; land use/zoning; proactive vs. reactive; succession planning

Financial Update – Revenue – As of April 30, 2016

Paul Schut gave a Powerpoint presentation and reviewed the following:

- Currently: 66.67% thru the biennium
- Revenue: 69.01% of Budget
- Tax Revenue
 - Property tax – 74.33% of budget; 53.59% collection rate for 2016
 - Sales Tax – 77.96% of budget; continuing on same trends
- Licenses/Permits – 69.84% of budget
- Intergovernmental – 59.91% of budget
- Charges for Goods & Services – 60.14% of budget
 - General Government – 63.63% (billing has moved from Treasurer’s office to Commissioners’ office)
 - Security of Persons & Property – billings are being sent out on time; total is down 25% from previous years for jail revenue – due to general population (contracts) and local prisoners
- Fines & Forfeitures – currently running at 64.00% of budget

Discussion

Commissioner Beaver commented that jail was expensive and they had a problem that was not going away. He said the trend across the state was to find alternatives to incarceration; the fixed cost on the jail has not changed so that would imply the bed day rate would be considerably higher. Mr. Sparks said that was correct.

Commissioner Beaver said he wanted to have a serious conversation with the Sheriff regarding this issue. Commissioner Delvin said that was fine with him and said they needed to start looking at trending and if they were not collecting on LFO’s, they also needed to look at that.

Chairman Small talked about jail costs and that in the big picture did not feel the costs had gone up that much but they needed to address the bed day rate.

Mr. Sparks talked about liabilities in the jail and said he did not believe that more contracts was the answer; he said they could fill up the jail and reduce the bed day rate but they still had the jail costs and liabilities.

Animal Control Workshop

Dale Wilson and Steve Brown reviewed the operations in Animal Control, including staffing levels, intakes, and calls for service. Mr. Wilson said the current staffing levels were inadequate

to continue normal operations of seven (7) days a week with limited hours to the public five (5) days per weeks.

He said they were requesting to reinstate the full time grade 10 position and eliminate one of the part-time positions and the request was in line with the resolution establishing the salary grades for the animal control officers. Additionally, the proposal included consolidation of code enforcement duties and Fairgrounds publicity duties.

The Board discussed the proposal and said it did not see the connection with the Fairgrounds, however, would be okay with the rest of the proposal.

Mr. Sparks said it was not noted that this was a unique opportunity to have a part-time person work at Animal Control with prior experience at selling at the TRAC and so could assist with marketing at the Fairgrounds.

Commissioner Delvin said it was his desire to ultimately lease out the Fairgrounds. Commissioner Beaver said they already tried to do that and were not successful.

Mr. Sparks said the Board had recently spent a lot of money at the Fairgrounds and just agreed to spend \$1.6 million on remodeling some buildings. Additionally, he reminded the Board the last time they turned over the Fairgrounds operations it came back with a huge liability.

The Board agreed to go forward with the proposal but without the Fairgrounds piece.

Office of Public Defense 2015 Annual Report

Eric Hsu updated the Board on the following issues:

2015 Challenges

- Benton/Franklin OPD split
- Adult caseload 9% increase
- LFO
- Mental Health Evaluations

Office of Public Defense 2016 Strategic Plan

2016 Focus

- Performance Standards Monitoring
- Supervisory Restructure & Training
- Public Defender Training & Mentorship

Benton City Contract for Law Enforcement Discussion

Commissioner Delvin said there was an email sent out by Ryan Brown that stemmed from questions asked by Sheriff's Department to review whether the Sheriff's office needed to enforce

ordinances in Benton City relating to a contract with Benton City for law enforcement services since 1989.

DPA Ryan Brown said there was an agreement in place with Benton City for Benton County to take care of the criminal justice including sheriff patrol, prosecution, public defense, etc. He discussed the costs for services through the years and amendments and the cost increases and that there was only a 3.3% cumulative increase since the agreement began. He said it was just something he thought the Board might want to look at as information and food for thought.

Commissioner Delvin asked Benton City Mayor Linda Lehman (present in the audience) if the service seemed to be satisfactory for the citizens and whether there were any complaints.

Mayor Lehman said there was occasionally a complaint, but they were really thankful they were there and had made a good presence in the community.

Commissioner Delvin said they might be having a discussion with the Sheriff's office to review the issue. Mayor Lehman said it was less than 10% of their budget.

The Board agreed to have a workshop on the issue.

Other Business

Commissioner Delvin discussed the NACO National conference and that he would not be attending and wanted to know if the Board was agreeable to allowing the State (WSAC) to get the County's delegate vote. The Board did not object.

Commissioner Beaver said he received a call from Terry Blankenship (Domestic Violence Board) about swapping a piece of property over by the Animal Control facility. He said they were building on the property and the County's property was better suited for their facility.

Ms. Smith Kelty said that Paul Schut would be responding to that inquiry when he returned back from vacation.

Commissioner Beaver discussed the .09 money and said it was important to give administration direction that the cities needed to rescind the current debt participation agreements they had with the County before the County would formulate the ratio for distribution of the .09 money.

Mr. Sparks stated that West Richland signed it but the others were waiting to see what the funding formula was before they terminated the agreement. He said the debt participation agreements indicated that all the money would be used to pay off debt so until they released the agreement there should not be a conversation. He said they had the paperwork and were presented with a funding formula and it was the County's responsibility for administering the .09 money.

The Board agreed to wait until the cities terminated the debt participation agreements before moving forward on the .09 money.

The Board recessed, reconvening at 10:50 a.m.

Executive Session – Pending Litigation

The Board went into executive session at 10:50 a.m. for up to 30 minutes with DPA Ryan Brown to discuss pending litigation. Also present were David Sparks, Loretta Smith Kelty, Eric Hsu, Cami McKenzie, and Steve DiJulio via/telephone conference. The Board came out at 11:08 a.m. Mr. Brown said the Board discussed pending litigation and no action was taken.

MOTION: Commissioner Beaver moved to approve the resolution authorizing the settlement agreement as presented. Commissioner Delvin seconded and upon vote, the motion carried.

Claim for Damages

CC 2016-07: Received on May 25, 2016 from Jennifer Bard

CC 2016-08: Received on May 26, 2016 from Gabriel Gvillen

Vouchers

Check Date: 05/20/2016

Warrant #: 139308-139493

Total all funds: \$3,602.08

Transfers#: 05201601-05201610

Total all funds: \$765,221.65

Warrant #: 139494-139696

Total all funds: \$804,353.88

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

Resolutions

2016-419: Settlement Agreement – Jayne Fuentes et al v. Benton County

2016-420: Appointment of J Deichman to the Board of Equalization

2016-421: Salary Schedule for Commissioners' Administrators, Managers & Asst. Managers

2016-422: 2017-2018 Hearing Dates for Biennium Budgets

2016-423: Amended Contract w/Meier Enterprises, Inc. on Office of Public Defense & Prosecuting Attorney Remodel

2016-424: Line Item Transfer, Fund No. 0502-101, Dept. 000

2016-425: Purchase of Video Conference Equipment for Assessor's Office From Dell Premier

2016-426: Purchase of Dell OptiPlex Workstation & Dual Monitors for Public Works

2016-427: Termination of Public Defense Agreement w/J Chambers on Homicide & Persistent Offender Cases

- 2016-428: Applicable Tax Authorization by Sterling Info Systems, Inc. for Employment Screenings
- 2016-429: Contract w/Tri-Cities Monitoring for Court Security Services
- 2016-430: Contract w/Mid-Columbia Forklift, Inc. for Forklift Training & Certification
- 2016-431: Line Item Transfer, Fund No. 0000-101, Dept. 127
- 2016-432: Line Item Transfer, Fund No. 0000-101, Dept. 114
- 2016-433: Line Item Transfer, Fund No. 0504-101, Dept. 000
- 2016-434: Vacation of 30-Ft Ingress Egress Easement, File No. SPV 2015-007
- 2016-435: Settlement Agreement
- 2016-436: Agreement w/Benton Franklin Health District Nurse Family Partnership
- 2016-437: Payment Authorization to Roadwise, Inc. for On-Site Grader Training
- 2016-438: Purchase & Sale Agreement w/Benton County Fire District 1 for Parcel 1-1189-202-004-7002
- 2016-439: Contract w/Washington Communications LLC dba Day Wireless for Installation & Maintenance of Electronic Equipment

There being no further business before the Board, the meeting adjourned at approximately 11:09 a.m.

Clerk of the Board

Chairman