

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, December 16, 2014, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman James Beaver
Commissioner Shon Small
Commissioner Jerome Delvin
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; Public Works Manager Daniel Ford; Planning Manager Mike Shuttleworth; DPA Ryan Brown; Auditor Brenda Chilton; Clerk Josie Delvin; District Court Administrator Jacki Lahtinen; Bob Woody, IT Department; GIS Manager Mary Phillips; Michelle Simpson, Treasurer's Office; John Donley, Fairgrounds Office Manager; Paul Schut, Commissioners' Office; Linda Robb, Human Services Manager; Superior Court Judge Cameron Mitchell; Jennifer Bowe, Juvenile; Darryl Banks, Juvenile; R.J. Lott, Planning; Facilities Manager Dean Docken; Dan Mack, Public Works.

Approval of Minutes

The Minutes of December 9, 2014 were approved.

Consent Agenda

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

Animal

- a. Contract w/Vista Veterinary Hospital, Inc. for Spay & Neutering Services
- b. Contract w/Vista Veterinary Hospital, Inc. for Veterinarian Medical Services
- c. Contract w/S Morris Co. for Pet Cremation Services

Auditor

- d. Surplus of Personal Property

Commissioners

- e. Organization of Benton County Commissioners for Year 2015
- f. Columbia River Treaty Letter to Department of Ecology
- g. Letter to US Dept of Energy

Coroner

- h. Line Item Transfer, Fund No. 0000-101, Dept. 109

District Court

- i. Line Item Transfer, Fund No. 0000-101, Dept. 111

Facilities

- j. Amended Contract w/Apollo Sheet Metal, Inc. for HVAC Services
- k. Amended Contract w/Kone, Inc. for Elevator Maintenance and Repair Services
- l. Contract w/Testcomm, LLC for Courthouse HVAC Upgrade

Fairgrounds

- m. Reappointment of M Holstein to Fairgrounds Improvement Board
- n. Reappointment of A Mattiessen to Fairgrounds Improvement Board
- o. Reappointment of D McDaniel to Fairgrounds Improvement Board
- p. Reappointment of J Van Meighem to Fairgrounds Improvement Board
- q. Reappointment of J Wiggins to Fairgrounds Improvement Board
- r. Line Item Transfer, Fund No. 0124-101, Dept. 000

Human Services

- s. Amended Agreement w/Central WA Comprehensive Mental Health for Substance Abuse Services
- t. Amended Agreement w/Somerset Counseling Center for Substance Abuse Services
- u. Amended Agreement w/Nueva Esperanza Counseling Center for Substance Abuse Services

Information Technology

- v. Purchase Authorization of Dell Laptop for Sheriff's Custody
- w. Purchase Authorization of Fiber Services from Paramount Communications Inc. for Courthouse HVAC & Façade Renovations

Juvenile

- x. Line Item Transfer, Fund No. 0115-101, Dept. 171
- y. Line Item Transfer, Fund No. 0115-101, Dept. 174
- z. Amended Contract w/Connections Consulting for Interpreter Services
- aa. Amended Contract w/Inter-City Legal Processing & Messenger Services

Office of Public Defense

- bb. Superior Court Indigent Defense Agreement w/S Ajax
- cc. Superior Court Indigent Defense Agreement w/R Swinburnson
- dd. Superior Court Indigent Defense Agreement w/K Hudson
- ee. Superior Court Indigent Defense Agreement w/D Hanson
- ff. Superior Court Indigent Defense Agreement w/C Harkins
- gg. Amended Superior Court Indigent Defense Agreement w/S Cornish
- hh. District Court Indigent Defense Agreement w/M Cano
- ii. District Court Indigent Defense Agreement w/J Briggs
- jj. District Court Indigent Defense Agreement w/B Pang
- kk. District Court Indigent Defense Agreement w/E Riley
- ll. District Court Indigent Defense Agreement w/B Riley
- mm. District Court Indigent Defense Agreement w/D Purcell

Personnel

- nn. Amended Contract w/Public Safety Testing, Inc. for Civil Service Testing
- oo. Appointment of PayneWest Insurance as Broker/Agent for Insurance Policies & Bonds
- pp. Amended Contract w/J&J Security & Transport, Inc. for Court Security Services

Planning

qq. Closing Out Cash Drawers; Rescinding Resolution 05-780

Public Works

rr. Line Item Transfer, Fund No. 0155-101, Dept. 000

ss. Contract Amendment w/Clean Harbors Environment Services, Inc. for Hazardous Waste

tt. Contract w/DeAtley Crushing Company for Crushing & Stockpiling

uu. Equipment Rental Rates Schedule for County Road Equipment

vv. Lease Agreement w/Pearson for Travis Stockpile Site

ww. Contract w/Fowler General Construction, Inc. for Maintenance Facility

Sheriff

xx. Line Item Transfer, Fund No. 0000-101, Dept. 118

yy. Line Item Transfer, Fund No. 0000-101, Dept. 119

zz. Line Item Transfer, Fund No. 0000-101, Dept. 120

aaa. Line Item Transfer, Fund No. 0000-101, Dept. 121

bbb. Line Item Transfer, Fund No. 0000-101, Dept. 125

ccc. Line Item Transfer, Fund No. 0116-101, Dept. 000

ddd. Amended Agreement w/Dept. of Corrections for Jail Bed Space

eee. Agreement w/Pronto Process Service, Inc. for Process & Delivery Services

Treasurer

fff. Amended Schedule for Armored Car Service Agreement w/Garda CL Northwest, Inc.

ggg. Line Item Transfer, Fund No. 0000-101, Dept. 124

Chairman Beaver said he wanted to clarify the assignment for SECOMM; that Commissioner Small would still have the Emergency Services assignment but that Commissioner Delvin would take over the special committee assignment for SECOMM.

Public Hearing - Community Development Block Grant

The public hearing was cancelled.

Barker Ranch Easement Use Agreement

Chairman Beaver said this item was pulled from the agenda.

Contract w/D. Murphy Architects

Chairman Beaver said this item was also pulled from the agenda. There were contract issues that still needed to be worked through the PA's office.

Fairgrounds Improvement Board – End of Year Summary

R.J. Lott and John Donley presented the year-end summary and the following proposed projects:

- Upgrade to the restrooms at the horse arena
- Improvements to swamp coolers
- Installation of adult shade trees

- Install a public address system
- Semi-permanent stage for performing artists
- Improved soundproofing/acoustics

Additionally, each of the five members wanted to serve another two year term on the Fairgrounds Improvement Board and they were appointed on the consent agenda. Mr. Lott said he wanted to send out a thank you to the Board members and the Board agreed.

There was a discussion on funding the projects. Mr. Donley said the Fairgrounds Improvement Fund provided most of that, as well as the maintenance fund for smaller projects. Mr. Sparks stated they used some of the REET 1/4 % (but they had to be included in the capital facilities plan and comprehensive plan to qualify).

Contract w/D. Murphy Architects – cont.

Judge Mitchell and Mr. Banks provided an updated work plan and said they were not aware of any difficulty with the contract. Commissioner Small commented that it was important to have both administrators and both PA's approval on this project. Mr. Sparks stated this project was outside the scope of the regular contracts and he wanted to make sure the scope was properly tied to the contract so they didn't have any issues arise.

Preliminary Plat – Beverly Meadows – SUB 2014-002

Steve Donovan, Planning stated this was a closed record hearing and the Board could not take any new testimony. He then reviewed the application to divide the 18.5 acres into 56 lots and said the Planning Commission voted to recommend approval of the preliminary plat with 17 conditions. He said the conditions were initially generated by county staff and were reviewed and agreed to by the Planning Commission and the applicant.

MOTION: Commissioner Small moved to approve the Preliminary Plat of Beverly Meadows as presented and adopt the Planning Commission's recommendations, findings and conclusions with the 17 conditions. Commissioner Delvin seconded and upon vote, the motion carried unanimously.

Human Services Agreement with Housing Authority - City of Kennewick

Linda Robb presented the proposed Priority and Subordination Agreement & Regulatory Agreement with the Housing Authority for the City of Kennewick. She said it was an agreement with restrictive covenants to build housing for extremely low income residents of Benton County only. Ms. Robb said she received the final version on Friday from the attorneys and was asking the Commissioners to go forward to assist with their deadline and get the project off the ground.

MOTION: Commissioner Delvin moved to approve the Priority and Subordination Agreement as proposed. Commissioner Small seconded.

Lona Hammer, Executive Director for Housing Authority for the City of Kennewick (via/videoconference) wanted to clarify the agreement was circulated to all parties and the Board had version 3, which was the version with dates included that she was asking to have approved.

Ms. Robb confirmed that was the version in front of the Board.

Upon vote, the motion carried unanimously.

Unscheduled Visitors

Richard Bloom, Chairman of Solid Waste Advisory Committee, said they had been looking hard to replace the moderate risk waste facility and were looking at the money required for operating and maintenance costs. He said it appeared there would be residual money not needed to support spring cleaning and within the current budget structure they could build a facility and follow along with a satellite facility to service the entire community. The City of Richland had indicated it would make land available to sell near to the current land facility and they also wanted to look at the facility on Ely Street in Kennewick. He said the new approach would be to base operations in Richland but have satellite offices in other communities only to be staffed on a set schedule.

Commissioner Small expressed concern they had not received information on how much money would be coming from the insurance company for replacement of the building. Mr. Bloom said the City did not have a basis for the replacement cost so that would need to be established. Commissioner Small said he was not interested in paying a consultant to say how much money they should be getting. Mr. Bloom indicated the proposal would be to get today's value of the building, to get an appraised value of the County's shop, and to look at the availability of the two acres for sale by Richland so they could bring a proposal.

Chairman Beaver said they should go through the process but he was concerned about the expectation of the County's contribution toward a facility.

The Board indicated it would look at a proposal if one came forward.

Ryan Brown updated the Board on the following litigations:

- CID lawsuit went to trial (defense verdict was issued and the case was dismissed)
- Hearing on Saddle Mountain Appeal – dismissed
- Barker Ranch Easement agreement was pulled; he received a call from attorney for Barker Ranch and he asked why Benton County should enter into the agreement. One of their issues was they were not getting motorized access to the easement; he was told that was not accurate and more importantly was not addressed by the agreement. Additionally, there was some confusion regarding the Tapteal trail and the attorney indicated he would take another look into it and get back to him in a week or two.

Josie Delvin said it was her understanding the Clerk's Office would be moving to the portable trailers on Friday and she wanted to be able to close her office to do that and she would need Board approval to close.

MOTION: Commissioner Delvin moved to approve the Benton County Clerk to close the Prosser office only on December 19, 2014. Commissioner Small seconded and upon vote, the motion carried.

David Sparks said the Commissioners' would be moving next week and would the Board would be meeting in the Planning Department Hearing Room for up to two months. He said everyone should be aware there would not be video conferencing or intranet video streaming for up to two months (end of February).

Commissioner Beaver said he wanted approval for ECA travel next year since they were fully reimbursed; he said he was not sure why the travel budget did not get reimbursed accordingly and Mr. Sparks said it was a State Auditor requirement.

MOTION: Commissioner Small moved to approve Commissioner Beaver to attend the ECA conference. Commissioner Delvin seconded and upon vote, the motion carried.

MOTION: Chairman Beaver moved to approve Commissioner Delvin to attend the NACO conference in February. Commissioner Small seconded and upon vote, the motion carried.

Vouchers

Check Date: 12/10/2014

Procurement Cards # 1214
Total all funds: \$163,638.57

Check Date: 12/15/2014

Payroll Draw Checks
Warrant #: 238023-238033
Direct Deposit #: 100236-100432
Total all funds: \$105,013.66

Payroll Draw Deductions
Taxes #101141215
Total all funds: \$34,051.28

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

Claim for Damages

CC 2014-24: Received on December 3, 2014 from Timothy Binford

CC 2014-25: Received on December 10, 2014 from Wayne Elston

Resolutions

- 2014-993: Priority and Subordination Agreement – Housing Authority – City of Kennewick
- 2014-994: Contract w/Vista Veterinary Hospital, Inc. for Spay & Neutering Services
- 2014-995: Contract w/Vista Veterinary Hospital, Inc. for Veterinarian Medical Services
- 2014-996: Contract w/S Morris Co. for Pet Cremation Services
- 2014-997: Surplus of Personal Property
- 2014-998: Organization of Benton County Commissioners for Year 2015
- 2014-999: Columbia River Treaty
- 2014-1000: Line Item Transfer, Fund No. 0000-101, Dept. 109
- 2014-1001: Line Item Transfer, Fund No. 0000-101, Dept. 111
- 2014-1002: Amended Contract w/Apollo Sheet Metal, Inc. for HVAC Services
- 2014-1003: Amended Contract w/Kone, Inc. for Elevator Maintenance and Repair Services
- 2014-1004: Contract w/Testcomm, LLC for Courthouse HVAC Upgrade
- 2014-1005: Reappointment of M Holstein to Fairgrounds Improvement Board
- 2014-1006: Reappointment of A Mattiessen to Fairgrounds Improvement Board
- 2014-1007: Reappointment of D McDaniel to Fairgrounds Improvement Board
- 2014-1008: Reappointment of J Van Meighem to Fairgrounds Improvement Board
- 2014-1009: Reappointment of J Wiggins to Fairgrounds Improvement Board
- 2014-1010: Line Item Transfer, Fund No. 0124-101, Dept. 000
- 2014-1011: Amended Agreement w/Central WA Comprehensive Mental Health for Substance Abuse Services
- 2014-1012: Amended Agreement w/Somerset Counseling Center for Substance Abuse Services
- 2014-1013: Amended Agreement w/Nueva Esperanza Counseling Center for Substance Abuse Services
- 2014-1014: Purchase Authorization of Dell Laptop for Sheriff’s Custody
- 2014-1015: Purchase Authorization of Fiber Services from Paramount Communications Inc. for Courthouse HVAC & Façade Renovations
- 2014-1016: Line Item Transfer, Fund No. 0115-101, Dept. 171
- 2014-1017: Line Item Transfer, Fund No. 0115-101, Dept. 174
- 2014-1018: Amended Contract w/Connections Consulting for Interpreter Services
- 2014-1019: Amended Contract w/Inter-City Legal Processing & Messenger Services
- 2014-1020: Superior Court Indigent Defense Agreement w/S Ajax
- 2014-1021: Superior Court Indigent Defense Agreement w/R Swinburnson
- 2014-1022: Superior Court Indigent Defense Agreement w/K Hudson
- 2014-1023: Superior Court Indigent Defense Agreement w/D Hanson
- 2014-1024: Superior Court Indigent Defense Agreement w/C Harkins
- 2014-1025: Amended Superior Court Indigent Defense Agreement w/S Cornish
- 2014-1026: District Court Indigent Defense Agreement w/M Cano
- 2014-1027: District Court Indigent Defense Agreement w/J Briggs
- 2014-1028: District Court Indigent Defense Agreement w/B Pang
- 2014-1029: District Court Indigent Defense Agreement w/E Riley
- 2014-1030: District Court Indigent Defense Agreement w/B Riley

- 2014-1031: District Court Indigent Defense Agreement w/D Purcell
- 2014-1032: Amended Contract w/Public Safety Testing, Inc. for Civil Service Testing
- 2014-1033: Appointment of PayneWest Insurance as Broker/Agent for Insurance Policies & Bonds
- 2014-1034: Amended Contract w/J&J Security & Transport, Inc. for Court Security Services
- 2014-1035: Closing Out Cash Drawers; Rescinding Resolution 05-780
- 2014-1036: Line Item Transfer, Fund No. 0155-101, Dept. 000
- 2014-1037: Contract Amendment w/Clean Harbors Environment Services, Inc. for Hazardous Waste
- 2014-1038: Contract w/DeAtley Crushing Company for Crushing & Stockpiling
- 2014-1039: Equipment Rental Rates Schedule for County Road Equipment
- 2014-1040: Lease Agreement w/Pearson for Travis Stockpile Site
- 2014-1041: Contract w/Fowler General Construction, Inc. for Maintenance Facility
- 2014-1042: Line Item Transfer, Fund No. 0000-101, Dept. 118
- 2014-1043: Line Item Transfer, Fund No. 0000-101, Dept. 119
- 2014-1044: Line Item Transfer, Fund No. 0000-101, Dept. 120
- 2014-1045: Line Item Transfer, Fund No. 0000-101, Dept. 121
- 2014-1046: Line Item Transfer, Fund No. 0000-101, Dept. 125
- 2014-1047: Line Item Transfer, Fund No. 0116-101, Dept. 000
- 2014-1048: Amended Agreement w/Dept. of Corrections for Jail Bed Space
- 2014-1049: Agreement w/Pronto Process Service, Inc. for Process & Delivery Services
- 2014-1050: Amended Schedule for Armored Car Service Agreement w/Garda CL Northwest, Inc.
- 2014-1051: Line Item Transfer, Fund No. 0000-101, Dept. 124

There being no further business before the Board, the meeting adjourned at approximately 9:50 a.m.

Clerk of the Board

Chairman