

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, June 5, 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; County Engineer Malcolm Bowie; Planning Manager Mike Shuttleworth; Treasurer Duane Davidson; Eric Hsu, OPD; Clerk Josie Delvin; Jacki Lahtinen, District Court; DPA Ryan Brown; R.J. Lott, Planning; Central Services Manager Randy Reid; Stuart Holmes and Rosie Sparks, Auditor's Office; Sheriff Keane; Robert Heard and Teri Holmes, Central Services; Erhiza Rivera, Treasurer's Office.

Approval of Minutes

The Minutes of May 22, 2012 were approved.

Consent Agenda

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

Commissioners

- a. Award of Contract for Official County Newspaper
- b. Residual Equity Transfer from Interest Suspense Fund (6421-101) to Current Expense Fund (0000-101)
- c. Letter to Sundowns Training Center

Facilities

- d. Contract w/System Solutions for Superior Court Sound Systems
- e. Invitation for Bids for Janitorial Services

Human Services

- f. Agreement w/Lourdes Counseling Center for Goals of the Ten-Year Homeless Housing Plan

Office of Public Defense

- g. Superior Court Indigent Defense Amended Agreement w/M McMillen

Prosecuting Attorney

- h. Settlement Agreement w/Teamsters Local 839, Representing Juvenile Detention Unit

Public Works

- i. Setting Public Hearing on the Creation of a County Road Improvement District
- j. Lease Agreement w/Altha Simmelink for Stockpiling
- k. Reimbursable Accounts Schedule of Charges; Amending Resolutions 428, 1557, 2182, 71-19, 72-382, 74-369 & 81-485

Sheriff

- l. Contract Amendment w/WA State Military Department for E11-242 Services
- m. Purchase Authorization w/911 Supply, LLC for Uniforms
- n. Authorization to Purchase Axis Security Camera System for the Agrium Chemical Plant

Public Hearing – SPV 12-04

R.J. Lott said the Planning Department received a request for the vacation of a 30 by 50-foot private road turnaround easement, a 10-foot utility easement and a 30-foot ingress-egress, road and utility easement on Short Plat 3043.

He said they received a comment from Public Works after the staff memo was prepared and they expressed concern that vacation of the easements would create a non-continuous easement in this string of short plats. He said the original purpose of the easement was access into lots but they were not used for access nor have they ever been developed so his office recommended approval.

Public Testimony

Adam Hamel, Pasco, said he was present in case something arose that he needed to address but he did not have any issues.

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

MOTION: Commissioner Small moved to approve the vacation of the easements described on Short Plat 3043, conditioned upon the applicant recording a document that relinquishes that portion of the underlying 30-foot ingress-egress, road and utility easement AF 2005-025044 that lies within Short Plat 3043. Additionally, that the applicant provide the Planning Department with a copy of the recorded document prior signing of the resolution by the Board of Commissioners. The document must be recorded within one year of the date of approval or it would become null and void. Commissioner Bowman seconded and upon vote, the motion carried unanimously.

Public Hearing - Horse Heaven Cemetery Ordinance

Adam Fyall presented an ordinance to establish rules, hours, penalties, etc. for the Horse Heaven Cemetery for the Board's approval.

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

MOTION: Commissioner Bowman moved to approve the resolution adopting the ordinance relating to the Horse Heaven Cemetery, adding a new chapter to Title 6.A of the Benton County Code. Commissioner Small seconded.

Discussion

Commissioner Small thanked Mr. Fyall for his work on this ordinance and said the residents in that area were greatly appreciative. Chairman Beaver agreed.

Upon vote, the motion carried unanimously.

Office of Public Defense – 2011 Annual Report/2012 Strategic Plan

Eric Hsu presented the annual report and strategic plan for the Office of Public Defense and briefly discussed the following items:

2011 Annual Report Highlights

- Slight decrease in filings in District Court (–4.05%); increase in Superior Court (about 8%); believes this deserved some attention moving forward
- Strategic Initiatives
 - Internship Program (Rule 9) has been very productive. Entered into a partnership w/Charter College and now will be hiring an intern at the end of the summer
 - Continuing to grow alliances with non-profits; some low-level crimes being committed by individuals with many other issues - goal is to refer them to other programs to get help instead of just defending
 - Structured approval process for investigators – very strict funding limit; level of service has remained but expenditures have reduced
 - Homicide Roster – compiling a list of highly qualified attorneys who agreed they would be the only attorney on a case so to reduce duplication of work and billing

2012 Strategic Plan Highlights

- Communication Restructuring – key aspect is website; make it more accessible and expand offerings of information by educating the public
- Veteran’s Cases – creating tools to assist with resources; large amount of cases are veteran related
- Contract review for public defender contracts; analyze County’s relationship with contractors regarding PERS eligibility in light of King County case

IT Strategic Plan Update

Randy Reid, Robert Heard, and Teri Holmes updated the Board on the progress of the IT Strategic Plan. It included completed objectives for years 1 and 2; remaining objectives for

2012; migration to Microsoft (schedule and implementations); other strategic plan objectives - wireless overlay expansion, virtualization, staff training and reorganization (to include a split between applications and infrastructure expertise).

Additionally, Mr. Reid said the department had been working on other projects including email archiving, moving phone system and internet, etc. out to the Fairgrounds, and updating Ascend.

The Board thanked the Department for its work. Commissioner Small specifically asked them to expedite the wireless expansion so he could access the internet in dead spots at the County.

Yakima River Basin – Intergovernmental Agreement

Chairman Beaver presented the draft agreement and said the funding request for Benton County was \$10,000. He added that at some point he saw see more requests coming back to Benton County.

Commissioner Bowman wanted to know if the impacts of the study would be the same for Benton County as it was to Yakima County or Kittitas County and expressed concern about the value to Benton County. Additionally, he wanted to know if Benton County could withdraw from the agreement on its own at any time.

Commissioner Small also noted if Benton County backed out there would not be a refund. He said he believed there was a need for water but was also concerned about Yakima County applying for grants in the name of Benton County without further concurrence and wanted to clean up some language so Benton County had a say before applying for grants.

The Board agreed with making the changes to allow Benton County to withdraw on its own and to strike the language regarding Yakima County applying for grants without Benton County's concurrence. DPA Ryan Brown said he would contact Yakima County about the changes the Board wanted.

Commissioner Assignment Update

Commissioner Bowman said that he and Adam Fyall were asked to be in Olympia on June 26 to speak in support of the McWhorter Ranch sale and to write an additional letter. He asked the Board for permission to go to Olympia to speak about this issue. The Board agreed.

He provided an example of a written committee report; additionally, commented that property owners on Red Mountain were spending \$17 million of their own money to get water to their property.

He attended the Salmon Recovery annual meeting last month and would be providing information to the Tri-City Editorial Board.

Commissioner Small said he attended a meeting with Richland, Kennewick, and Franklin County about merging the 911 dispatch. He said a questionnaire was sent out to different agencies

asking for the pros and cons of the program so they would be compiling that information when it was received.

Additionally, he was working on the CID/Piert Road issue and was trying to get that resolved.

Chairman Beaver said he attended meetings for the Chamber and Council of Government and met with some constituents. Additionally, he was encouraged by the progress of the IT plan and Office of Public Defense performance.

The Board briefly recessed, reconvening at 10:30 a.m.

Executive Session – Pending Litigation

The Board went into executive session with DPA Ryan Brown at 10:30 a.m. for approximately 15 minutes to discuss pending litigation. Also present were David Sparks, Loretta Smith Kelty, Melina Wenner, and Cami McKenzie. The Board came out at 10:46 a.m. Mr. Brown said the Board discussed pending litigation but no action was taken.

Other Business

Commissioner Bowman said that Emergency Services was requesting an annual meeting with the Board, apparently a tabletop exercise. Mr. Sparks said the Board had not ever held an annual meeting with Emergency Services in the past. Commissioner Small said he would review the matter further to see if the Board should meet.

Vouchers

Check Date: 5/25/2012
Warrant #: 58596-58920
Transfer #01010512, 05010512, 05121, 05123
Total all funds: \$641,990.53

Check Date: 6/1/2012
Warrant #: 58936-59142
Total all funds: \$417,827.14

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

Resolutions

2012-286: Award of Contract for Official County Newspaper
2012-287: Residual Equity Transfer from Interest Suspense Fund (6421-101) to Current Expense Fund (0000-101)
2012-288: Contract w/System Solutions for Superior Court Sound Systems
2012-289: Invitation for Bids for Janitorial Services

- 2012-290: Agreement w/Lourdes Counseling Center for Goals of the Ten-Year Homeless Housing Plan
- 2012-291: OPD - Superior Court Indigent Defense Amended Agreement w/M McMillen
- 2012-292: Settlement Agreement w/Teamsters Local 839, Representing Juvenile Detention Unit
- 2012-293: Setting Public Hearing on the Creation of a County Road Improvement District – CRID No. 22
- 2012-294: Lease Agreement w/Altha Simmelink for Stockpiling
- 2012-295: Reimbursable Accounts Schedule of Charges; Amending Resolutions 428, 1557, 2182, 71-19, 72-382, 74-369 & 81-485
- 2012-296: Contract Amendment w/WA State Military Department for E11-242 Services
- 2012-297: Purchase Authorization w/911 Supply, LLC for Uniforms
- 2012-298: Authorization to Purchase Axis Security Camera System for the Agrium Chemical Plant
- 2012-299: Adoption of Ordinance 522 Relating to the Horse Heaven Cemetery

There being no further business before the Board, the meeting adjourned at approximately 10:47 a.m.

Clerk of the Board

Chairman