

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Tuesday, August 21, 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; DPA Ryan Brown; District Court Administrator Jacki Lahtinen; Nick Kooiker, Treasurer's Office; Bryan Thorp, Public Works; Central Services Manager Randy Reid; Reid Hay, DPA.

#### Approval of Minutes

The Minutes of August 14, 2012 were approved.

#### Consent Agenda

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

#### BOE

- a. Notice of Approval to Hear Property Tax Appeals

#### Commissioners

- b. Line Item Transfer, Fund No. 0000-101, Dept. 107
- c. Amended Travel Policy; Rescinding Resolutions 11-294 & 11-561
- d. Family Day Proclamation

#### Facilities

- e. Agreement w/ABM Janitorial, South Central, Inc. for Janitorial Services
- f. Contract w/River City Environmental, Inc. to Clean Grease Trap @ the Jail

#### Human Services

- g. Contract w/Benton Franklin Community Action Connections
- h. Contract w/Oxarc, Inc. to Provide Fire Extinguisher Services for Crisis Response Unit

#### Juvenile

- i. Truancy Contract w/Richland School District

- j. Agreement w/State of WA, Administrative Office of the Courts for BECCA Programs
- k. Contract w/J Blanco for Family Therapy Services

**Office of Public Defense**

- l. Termination of Superior Court Legal Financial Obligations Contract w/J Lilly

**Public Works**

- m. Reimbursement Agreement w/Northwest Pipeline GP for Crossing Existing High Pressure Gas Lines
- n. Memorandum of Understanding w/Northwest Pipeline GP for Crossing Existing High Pressure Gas Lines
- o. Order and Agreement for Nonexclusive Franchise to Level 3 Communications, LLC

**Sheriff**

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

**Public Hearing - Benton Conservation District Assessment**

Mark Nielson and Heather Wendt, Benton Conservation District came before the Board for the public hearing to approve the Benton Conservation District assessment. Mr. Nielson said they previously presented the system of assessment and were asking the Board to approve the assessment.

**Public Testimony**

Darryll Olsen said he was representing the Columbia River Snake Irrigators and was Chair of the Water Conservancy Board. He said both groups supported the assessment and the work at the Benton Conservation District had been very helpful with water rights and the work his groups were trying to accomplish.

Dan Downs of Benton City said he was a supervisor with the Conservation District and President of Benton County Cattlemen's Association. He said that although the Cattlemen's Association had concerns in the past about the assessment, the changes in the last assessment answered some questions and they felt the new assessment was a benefit to groups. He said they had no problems with the assessment and were in support of it.

Mr. Nielson also submitted for the record letters of support from Linda Zenger O'Brien, Russell and Dorothy Haffner, Gail Everett, and Ginger Wireman.

As there was no further public testimony, the public hearing was closed.

Commission Small said he spoke with constituents and the Cattlemen's Association and they were in favor. He said there were some farmers that didn't understand the assessment but he had not heard any complaints.

Commissioner Bowman also said he had not seen any concerns expressed so he was also in favor.

**MOTION**; Commissioner Bowman moved to approve the assessment of the Benton Conservation District as presented to the Board of Benton County Commissioners, to be formally adopted by resolution on the next available consent agenda for final action. Commissioner Small seconded. Upon vote, the motion carried unanimously.

### **Unscheduled Visitors**

Paul Rittman said he was a member of the Rattlesnake Mountain Shooting Range and was not representing the group, but just a member. He expressed his concern about recent letters sent by the Park Board that he felt would jeopardize the liability requirements in the lease with Benton County. Specifically, he said some of the letters addressed how the club should apply the Benton County noise ordinance to their club activities and how the club should stop planning a new type of competition. He said it seemed that as the Park Board exercised greater control of the day to day operations of the club, that it would be shifting liability from the club to the County. He said his concern was the relationship between the Park Board and the club because the club seemed to do whatever the Park Board wanted in fear of their lease. He asked the Board of Commissioners to review this issue and letters to see if there was concern.

Chairman Beaver said they would take a look at the issue and review Mr. Rittman's concern about the relationship between the user group and the Park Board.

### **Commissioner Assignment Update**

Commissioner Small said he was still receiving many calls about increased property values and was glad to see the Board of Equalization had scheduled additional hearings. He said there was some graffiti in the area found and taken care of so was happy the graffiti abatement program was working well. Additionally, he complimented Ms. Wenner on moving forward with technology and launching the new on-line job application process. Additionally, he said he was in the Fair parade and would be pretty busy this week at the Fairgrounds.

Commissioner Bowman also said he would be very busy with the annual fair week and the County had its own fair booth and encouraged folks to attend. He said he attended the annual August Good Roads meeting and they worked through the prioritization of projects and he would provide a copy when complete. Additionally, he attended the annual meeting for salmon recovery on the Yakima River and they also discussed priorities. He provided a copy of the prioritization and commented they would be spending approximately \$1.3 million on contracts. Additionally, he toured the Prosser Fish Hatchery and WSU Research Center with 16<sup>th</sup> District representatives Senator Mike Hewitt and Rep. Terry Nealy.

Commissioner Bowman asked about the Yakima River Basin Water Enhancement Project (YRBWEP) issue and asked if Benton County could support the issue without giving any money.

Chairman Beaver said he thought the \$10,000 request should be addressed in the budget cycle. David Sparks said that Benton County made suggested changes to the contract but the other counties signed the contract without the changes. However, if they agreed to the changes, the Board would sign the agreement.

There was further discussion about YRBWEP and the request from Yakima County. Adam Fyall said the \$10,000 request was mainly from Yakima County, but that YRBWEP was its own process and moving along, and not part of this other contract and request.

Chairman Beaver said that was correct, it was a separate issue and that Yakima County had a strong opinion about its issue but was not getting any support from the others. Chairman Beaver also reported on his attendance at the "Save Our Dams Rally" and Fair parade and that he would also be busy this week with the Benton/Franklin Fair. Additionally, he would talk to Mr. Fyall about the Park Board issue that came up during unscheduled visitors.

### **Vouchers**

Check Date: 08/15/2012  
Warrant #: 234512-234528  
Direct Deposit #: 76773-76971  
Total all funds: \$107,827.15

Check Date: 08/15/2012  
Taxes #: 10112086  
Total all funds: \$32,277.35

Check Date: 08/17/2012  
Warrant #: 63980-64149  
Total all funds: \$827,784.24

Check Date: 08/17/2012  
Warrant #: 64150-14151  
Total all funds: \$28,749.44

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

### **Resolutions**

- 2012-470: Notice of Approval to Hear Property Tax Appeals
- 2012-471: Line Item Transfer, Fund No. 0000-101, Dept. 107
- 2012-472: Amended Travel Policy; Rescinding Resolutions 11-294 & 11-561
- 2012-473: Family Day Proclamation
- 2012-474: Agreement w/ABM Janitorial, South Central, Inc. for Janitorial Services
- 2012-475: Contract w/River City Environmental, Inc. to Clean Grease Trap @ the Jail
- 2012-476: Contract w/Benton Franklin Community Action Connections
- 2012-477: Contract w/Oxarc, Inc. to Provide Fire Extinguisher Services for Crisis Response Unit
- 2012-478: Truancy Contract w/Richland School District

- 2012-479: Agreement w/State of WA, Administrative Office of the Courts for BECCA Programs
- 2012-480: Contract w/J Blanco for Family Therapy Services
- 2012-481: Termination of Superior Court Legal Financial Obligations Contract w/J Lilly
- 2012-482: Reimbursement Agreement w/Northwest Pipeline GP for Crossing Existing High Pressure Gas Lines
- 2012-483: Memorandum of Understanding w/Northwest Pipeline GP for Crossing Existing High Pressure Gas Lines
- 2012-484: Order and Agreement for Nonexclusive Franchise to Level 3 Communications, LLC
- 2012-485: Line Item Transfer, Fund No. 0000-101, Dept. 121

There being no further business before the Board, the meeting adjourned at approximately 9:32 a.m.

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Clerk of the Board

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Chairman