

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, December 18, 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; Human Services Manager Ed Thornbrugh; Public Works Manager Steve Becken; Clerk Josie Delvin; District Court Administrator Jacki Lahtinen; Daniel Ford, County Engineer; DPA Reid Hay; Larry Moser, Public Works; Planning Manager Mike Shuttleworth.

Approval of Minutes

The Minutes of December 4, 2012 were approved.

Consent Agenda

MOTION: Commissioner Bowman moved to approve the consent agenda items “a” through “vvvv”, pulling “aaa” (Contract with Pronto Service). Commissioner Small seconded and upon vote, the Board approved the following:

Animal Control

- a. Contract w/ Pet Medical Center for Spay and Neutering Services

Assessor

- b. Line Item Transfer, Fund No. 0000-101, Dept. 101
- c. Line Item Transfer, Fund No. 0000-101, Dept. 101
- d. Agreement w/Manatron, Inc. for Purchase of Ascend eFile

Auditor

- e. Updating County Funds for Governmental Accounting Standards Board Statement Number 54; Rescinding Resolution 11-792
- f. Line Item Transfer, Fund No. 0111-101, Dept. 000
- g. Line Item Transfer, Fund No. 0104-101, Dept. 000

Board of Equalization

- h. Line Item Transfer, Fund No. 0000-101, Dept. 103

Commissioners

- i. Benton County Budgets; Amending Resolution 2012-622
- j. Line Item Transfer, Fund No. 0000-101, Dept. 115
- k. Line Item Transfer, Fund No. 0000-101, Dept. 114
- l. Line Item Transfer, Fund No. 0142-101, Dept. 000
- m. Payment Authorization to Fred's Carpet Cleaning for Carpet & Upholstery Cleaning
- n. Settlement Agreement w/Tapani Underground, Inc.

Coroner

- o. Line Item Transfer, Fund No. 0000-101, Dept. 109
- p. Copier Lease Agreement w/KBL, Inc. for Office Copier

District Court

- q. Line Item Transfer, Fund No. 0000-101, Dept. 111
- r. Contract w/M Rudeen for Interpreter Services
- s. Contract w/A Uvalle for Interpreter Services
- t. Contract w/Washington Collectors for Collection Services for Delinquent Fines

Facilities

- u. Contract w/Apollo Sheet Metal, Inc. for HVAC Services
- v. Purchase Authorization from Bella's Office Furniture for Shelving
- w. Line Item Transfer, Fund No. 0000-101, Dept. 110
- x. Contract Amendment w/DNR Systems, Inc. for Upgrading Ethernet Floor System

Human Services

- y. Contract Amendment w/Department of Social & Health Services, Division of Behavioral Health and Recovery
- z. Purchase Authorization for Computers, Printers, Network Devices, Software & Support
- aa. Authorization to Purchase Computer and Printer Consumables
- bb. Amended Contract w/WA St Dept of Commerce, Community Services & Housing Division
- cc. Amended Agreement w/Greater Columbia Behavioral Health for Mental Health Services
- dd. Amended Agreement w/Lourdes Counseling Center for Shelter Plus Care
- ee. Amended Agreement w/Salvation Army to Provide Housing & Services
- ff. Authorization for Chairman to Sign Amendments to Homeless Housing & Assistance Subcontracts

Juvenile

- gg. Agreement w/State of WA, Administrative Office of the Courts for Interpreter Funding
- hh. Contract Amendment w/Inter-City Legal Processing & Messenger Service, LLC.
- ii. Amended Contract w/M Poland for Indigent Legal Representation
- jj. Contract w/Washington Collectors Tri-Cities, Inc. for Collection of Unpaid Fees
- kk. Line Item Transfer, Fund No. 0115-101, Dept. 171

Office of Public Defense

- ll. Payment Authorization to Law Firm of Armstrong, Klym, Waite, Atwood & Jameson PS for Mediator Services
- mm. Payment Authorization to Law Firm of Keller W. Allen, P.C. for Subcontracted
- nn. Compensation Authorization for A Farabee for Exceeding Contractual Case Cap

- oo. Compensation Authorization for A McKinley for Exceeding Contractual Case
- pp. Compensation Authorization for P Younesi for Court Appearances
- qq. Compensation Authorization for M Poland for Exceeding Contractual Case Cap
- rr. District Court Public Defense Services w/M Cano
- ss. Contract w/M Torres for Public Defense Investigative Services
- tt Contract w/M Almquist for Public Defense Investigative Services
- uu Contract w/J Porteous for Public Defense Investigative Services
- vv Superior Court Public Defense Contract w/S Ajax
- ww Superior Court Public Defense Contract w/K Kane
- xx Superior Court Public Defense Contract w/J Metro
- yy Superior Court Public Defense Contract w/R Swinburnson
- zz Superior Court Public Defense Contract w/C Harkins
- aaa Line Item Transfer, Fund No. 0000-101, Dept 136

Personnel

- bbb Employee of the Month Appointment
- ccc Line Item Transfer, Fund No. 0504-101, Dept. 000
- ddd Contract w/Inter-City Legal Processing & Messenger Service LLC for Process Service

Prosecuting Attorney

- eee Line Item Transfer, Fund No. 0000-101, Dept. 117
- fff Lease Agreement w/Copiers Northwest for Sharp Copier

Public Works

- ggg Project Prospectus for Travis Road
- hhh Award of Crushing & Stockpiling Contract to Deatley Crushing Company
- iii Line Item Transfer, Fund No. 0501-101, Dept. 650
- jjj Line Item Transfer, Fund No. 0155-101, Dept. 000
- kkk Contract Amendment w/Burlington Environmental, LLC for Hazardous Waste Collection
- lll Adoption of 2013 1-Year Road Program
- mmm Amended Intergovernmental Agreement w/WA Dept of Enterprise Services
- nnn Amended Interlocal Agreement w/Columbia Irrigation District

Sheriff

- ooo Line Item Transfer, Fund No. 0000-101, Dept. 118
- ppp Line Item Transfer, Fund No. 0000-101, Dept. 119
- qqq Line Item Transfer, Fund No. 0000-101, Dept. 120
- rrr Line Item Transfer, Fund No. 0000-101, Dept. 121
- sss Line Item Transfer, Fund No. 0000-101, Dept. 125
- ttt Purchase Authorization from Life Safety Corporation for Gas Masks & Equipment Bags
- uuu Contract Amendment w/Olympic Security Services, Inc. for Security Guard Services
- vvv Contract w/Bergstrom Aircraft, Inc. for Aircraft Maintenance & Supplies
- www Agreement w/Benton County Fire District #1 for Work Crews
- xxx Contract w/Action Auto Services, LLC for Vehicle Tows
- yyy Contract w/Mel's Inter City Collision, Inc. for Vehicle Tows
- zzz Contract w/Northwest Marine & Sport, LLC for Boat Fleet Repairs

- bbbb Contract w/Psychological Consultants, Inc. for Psychological Evaluations
- cccc Contract w/Patricia J. Allstead for Barber Services at Jail
- dddd Agreement w/Thurston County Sheriff's Office for Use of Jail Facilities
- eeee Amended Agreement w/State of WA, Dept of Corrections for Jail Bed Space
- ffff Interlocal Agreement w/BC Tri-Cities Regional Swat Team & Franklin Co Sheriff's Office
- gggg Interlocal Agreement w/BC Tri-Cities Regional Swat Team & City of West Richland
- hhhh Contract w/Keefe Commissary
- iiii Contract w/Tower Plaza Cleaner
- jjjj Contract w/Jiffy Car Wash
- kkkk Contract w/Consolidated Food Management, Inc. for Food Services @ Jail
- llll Contract w/Telmate LLC for Inmate Phone Service
- mmmm Contract Amendment w/ Dr. Brooks Watson MD for Inmate Physician Services

Superior Court

- nnnn Contract w/A Armijo for Interpreter Services
- oooo Purchase Authorization from Trial Court Improvement Fund Committee
- pppp Line Item Transfer, Fund No. 0156-101, Dept. 000
- qqqq Line Item Transfer, Fund No. 0000-101, Dept. 123
- rrrr Adopting Percentage Rates for Salaries for BF Superior Court

Sustainable Development

- ssss Contract w/Benton City Economic Development Council for Economic Development
- tttt Contract w/Prosser Economic Development Association for Economic Development

Treasurer

- uuuu Contract w/Master's Touch LLC for Printing & Mailing Property Tax Statements
- vvvv Contract Extension w/Bid-4-Assets, Inc. for Property Online Foreclosure Sale Services

Public Hearing – Adoption of Final Biennium 2013-2014 Budget

Keith Mercer and David Sparks presented the 2013-2014 final biennial budget for approval. Mr. Mercer pointed out that departments and elected officials came together and made voluntary cuts based on what they felt could be cut without affecting services. Mr. Sparks said there were some challenges with revenues for this budget, including \$100,000/month reduction from sales tax due to loss of stimulus money (\$50,000/month direct from Hanford) amounting to roughly \$2.4 million reduction in revenue; significant reduction in WA State DOC prisoners resulting in about a \$2 million revenue loss over the biennium; and a unique interest rate environment that has affected investments at about a \$2 million reduction as well. He said the Board asked the elected officials to look at their budgets to see if there was room to cut without affecting services and they did a good job (appropriately, some of the reductions correspond with revenue reductions).

Commissioner Small asked about the forecast for the next two years. Mr. Sparks said the County went from a \$111 million biennial budget in 2011-2012 to \$113.6 million, even with reducing

baseline budgets. He said he didn't anticipate that changing with labor costs and the cost of doing business going up so the County should maintain some fiscal reviews on an ongoing basis.

Chairman Beaver said they would need to have a strategy and plan to do the business they were doing with less money. Commissioner Bowman said the purpose of government was to provide collectively for those services that individuals could not provide individually. He said he was very pleased and proud of the County to provide those services without raising taxes.

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

MOTION: Commissioner Small moved to approve the final 2013-2014 Benton County Biennial Budget as presented. Commissioner Bowman seconded and upon vote, the motion carried unanimously.

Public Hearing – Formation of CRID 23

Steve Becken presented the information for the public hearing on the formation of CRID 23 in Willamette Heights Section 8. He said they received a petition to construct four roads and the petitioners requested the roads be constructed to county standards. He said the preliminary estimate for the cost was \$2,081,160, including costs to purchase the entire right of way, administration, preliminary engineering, construction of the roads, utility and pole relocation, construction, inspection, testing, and all surveying and preliminary assessments were determined on a per parcel basis at \$21,455.26. The petition had to have over 50% in favor by both area and front footage and it had 57.74% by area and 62.92% by front footage. The landowners were informed of their estimated assessment and the method to add or withdraw names from the petition as of 5:00 p.m. last night. As of last night two names were added to the petition and one withdrawal. The percentages were now at 58.77% by area and 62.98% by front footage. There was one lot (Lot 31) inside the City of West Richland. During CRID 22, those landowners signed the petition but they are inside the city and cannot be forced to put up an assessment. If they want to be part of the CRID, they can, but they cannot be included in the assessment until such time as the CRID passes and they would have to agree in writing that they do want to be part of it. Richland School District also supported the formation of CRID 22, but did not send in anything in on CRID 23 but was assumed they also supported 23. Also included in the packet were letters in support from Donna Noski, Mayor of City of West Richland, Roger and Lannie Whitlock, Andrew and Diane Stevens, and Greg and Karen Buck. After the packet was sent out, Public Works received 18 more letters in support from landowners within the CRID and one letter from Senator Delvin and Rep. Larry Haler in support of the CRID. The letters all indicated safety issues, traffic enforcement, reduced wear and tear on vehicles and improved road system as the reason for the CRID.

The owners of Lot 152 have asked to have their name withdrawn from the petition however they did not sign the petition. Another petition was received from the owners of Lots 38, 39, 40 and 61 requesting the culdesac on Atlas Street be relocated to the east of these two lots. That would put it between Lots 36, 37, 62 and 63 that have privately maintained roads they would continue to use. The owner of Lot 38 (Cecil Kindle) requested his lot be excluded from the CRID; he states he would use the access easement that runs to the north and he would have no desire to run

south a mile to turn around and drive north a mile. The owners of Lot 88 have also requested they be excluded and their lot has an easement that goes across Lot 87 and ties directly into Kiger Street which is a city street. Lots 40, 61 and 107 have also requested to be removed from the district for the same reasons (Lot 61 also drives directly north).

To have a lot withdrawn from the district, at least two Commissioners must find that the lot does not receive a benefit from the construction of the roads and then they would address each lot individually if the Board decided it was their intent to form the CRID. When a lot is withdrawn from the district, the assessment for that lot is spread out over the remaining lots.

Mr. Becken said that Public Works recommended the approval of the formation of CRID 23 with the following modifications: to move the culdesac back between Lots 37, 36, 62 and 63 as requested by Mr. Kindle and based on the information stated in the staff report. He said they were informed by a petitioner that the landowners on the privately maintained roads of Andalusian Road and 38th Avenue have agreed to form an LID in the City to construct those roads. Roscoe Slade, City of W. Richland contacted the landowners and did not find support for that information.

He said that depending on the type of testimony received, the public hearing might be continued to ask further questions.

Testimony

June Robinson spoke in favor and said that no one got off that hill without going down Mt. Adams or down 38th and everyone would benefit if everything went as planned. She said there were not enough people donating enough money to repair the roads and the CRID would ensure enough money.

Ryan Kelley spoke in favor and said there was an issue of whether Lots 38, 39 or 61 (all requesting to be removed) would receive any benefits. With paved roads it would be 3.9 miles to get to the main shopping center instead of over 6 miles and they didn't use it now because the roads were bad and that he lived on lot 37, right next to them.

Bryan Coles, Lots 59 and 41 said he and his wife were both opposed to the CRID with the primary objection being funding heavily weighted for approval by Artemis Ridge (they receive the greatest benefit but they would pay the same); actually he said he would pay more because he owned two lots. He said if everybody paid their share to maintain, the roads would be nice. He figured speed and traffic would go up if they were paved.

Sheila Coles, Lots 59 and 41 formally requested that Lot 41 be removed from the CRID because it would receive no benefit. She said she was opposed no matter what because they moved there due to the rural atmosphere and she liked the dirt roads and people moving there knew what they had. She suggested they separate the CRID's from the main roads everybody had to use from the driveways to make it more equitable and said that people on Artemis Ridge received most of the benefit while people on 38th received the negatives. She said she had lived there 25 years and traffic would go up and speed would go up.

Dennis Homan, Lot 97, said he was in favor of the CRID because it was a safety issue with no lines and no road and dust was a problem. Additionally, there was one death on 38th Avenue.

Ed Keeney, Lot 32, moved there in 1989 and said he was in support. He indicated they have had difficult times with roadways; when the roads were graded they were good, but they didn't have the finances to properly maintain it and the road didn't get graded up to his lot.

Thomas Marty, Lot 63, said he bought it in 2000 because it was rural. He said at that time there was an access road and instead of going the long way he used that access. However, the owner ripped that out and put up boulders to block access. He said they were all trying to keep it in a rural setting but it was a safety issue and he was in support of the CRID.

Dan Kennedy said he lived on 38th and was in favor of the CRID. He moved out there for the rural setting and was both for and against it; he liked to see horses and knew it was a dirt road and he liked to maintain his part of the road. However, the reality was that more people have moved out there and usage has gone up and once it was upgraded people would go faster. He said that so many people were not paying to maintain the road and dust and general traffic were a problem. He said he was concerned about the estimate from the county and felt it was high but an ambulance would get there faster and safer.

Linda Kennedy said these were government inflicted easements so she wanted to know why the government didn't pay. She said the community meetings were very difficult to get everyone to pay their share and it had been a nightmare. She indicated they voluntarily paid for more than their share and she was in favor of the CRID.

Brenda Barott, Lots 130 and 129, said that she and her husband both supported the CRID. She wanted to stress they were not like most CRID's and homeowners trying to put in paved roads; most of the traffic they had did not live there and they used this area for travelling and she said that would not change. She said with paved roads they would get more support from police officers and it was a safety issue and it was time to do something.

Tom Elhardt, Lot 99, said the road was not on his property and putting the road in meant he would lose more land, but the road was more important. He said it was dangerous for kids to walk on that road to get to the bus stop. He said the fire dept. would get there, but getting the police to help was a problem; the city said it was County and the County said it was a private road. If and when it became a county road they could help so he was in favor.

Louis Costner, Lot 40, said he wanted to be removed from the CRID and they maintained the road themselves. He said he didn't need a public access road and already 29 lots were eliminated from the consideration of this CRID. He said he would not have any benefit and would like to be removed.

John Nelson, Lots 156 and 157 said he opposed the CRID and that he had lived there 27 years and loved it. When Willamette Heights Homeowners' Association was created, he served on that association and addressed maintenance and during the early years blocked the road from

public access, however, could no longer block it. He said he could not afford this and if he had to pay for the CRID, would have to sell his home.

Melvin Fisk, Lots 73 and 90, said he had originally prepared a Powerpoint, but since time was limited would provide a copy and said it was his position the CRID should be rejected. He indicated the prior accident on the road had nothing to do with the blind hill. Additionally, he said nothing in the RCW's stated that petitioners shall pick the method of assessment but stated the Board shall select that method and he was not in favor of the method of assessment that was chosen.

David & Julie Skeath, Lot 88, said the CRID did not accurately show the properties that did not receive a benefit. Mr. Skeath said he maintained the road and did not use other access and was requesting the CRID boundary be repositioned to exclude Lot 88. He said the only real improvement needed for this area was paving of 38th Avenue that served as a main access way and 38th was the main part of the problem. He recommended splitting the CRID into two separate parts – the people that support 38th Avenue and the people that support Artemis Ridge.

Debbie Nielson, Lots 135 and 136, said she was speaking for her husband and herself and had concern about the cost estimate prepared. She said at previous meetings numerous landowners talked about the graded approach and was told this was a commonly used practice for assessment but did not feel it was a fair distribution of assessment. She said they would only use 45% of the road in this CRID but would pay for 100% and it was unfair. She stated that city official Roscoe Slade did not like to proceed with projects without 55% of approval and that although it met the criteria for the County to proceed, at least 50% of the people were not in favor. She said she was in favor of splitting the CRID.

Ken McCullough, Lot 61, said they owned their property for almost 23 years and never used South 38th inside the county boundary nor Artemis Ridge and Mt. Adams View Drive and always travelled north, therefore, the CRID provided no benefit to them whatsoever.

Herald Bussell, Lot 188, said he was requesting to be removed from the CRID and was not in favor of the assessment and that it would raise his taxes about \$1,500/year.

Chairman Beaver disclosed that Mr. Bussell called him at home on Sunday regarding the CRID.

Cecil Kindle, Lot 38, said he lived there for 12 years and requested to be excluded from CRID. He said he went north for everything needed and all proposed paving was south and east and he did not use that route. He requested the end of Atlas Road be moved two lots to the east (the end of the road) otherwise people would come and he would suffer a big dust problem at this house. Not only would he not receive a benefit, it would be a detriment. He submitted letters of recommendation offering alternate routes.

Darren Curtis, Lots 100 and 95, discussed the death on 38th Avenue and said he was asking the CRID to be put in as originally requested. He said it included a loop but failed with 70% frontage vote; they also asked everyone to look at their lots and find two ways out but it failed as well. He said he was very disappointed with this process and it had been a 10-year attempt to try

and get consensus. He said some people have put in trees, etc. to force some to go on other properties and there were federal patents on these that should override local rules; some lots were blocking right of ways with federal patents. He said they were asking the CRID petition be approved as it was originally drawn and to not have the culdesac moved back because they used that as a bargaining chip to reduce the cost and to get people to sign on.

Davinderpal Shergill, Lot 36, said the dirt road was beneficial at one time and he thought it would be maintained by the City. He said they were requesting the County to get in there and fix it now because more people were moving in and the problem was going to get worse. He talked about children walking on the road to get to the bus and that some lots were blocked and the children had to walk further. He said when others stated they didn't want to pay because they didn't receive any benefit, he asked them to consider that they receive benefit when they don't pay for other roads they travel on and now should pay even if there was no benefit received.

Trason Kogan, Lot 121, said they just moved in and were paying into the road association, however, the roads were not being maintained well with the grader only. He said he was in support of the CRID (his wife got clipped walking to the mailbox) for safety reasons. He said he would like to pave it privately because in the long run it would be cheaper, but due to the opposition would not be able to do it so were asking the County for assistance.

Tom Edmunson, Lot 39, said his lot, along with a few others, abutted the city property line and was an amended easement for the exclusive use and enjoyment of those that signed on and it was patented. He said they were opposed to the CRID and respectfully requested to be excluded because they would receive no benefit or use. He said they would never stop speeding and 38th was an arterial plan for long term that would vent off Bombing Range. He said he wanted to address the reverse zone method because they were being forced to disproportionately pay for roads they would not use. If forced, he wanted to suggest they look at what was benefitted by the majority and the method of assessment being used to assess no greater than the benefit received.

Catherine Simpson, Lots 67 and 66, said she supported the CRID, mainly for safety reasons because most people avoided potholes, which meant they would not be going down the proper part of the road.

Tom Edmunson said there was a safety concern because they would have a section of pavement where individuals were travelling fast and then entering onto a section of unmaintained dirt road and wanted to know if the County had examined that.

Andrew Stevens, Lot 132, said he would like to see another access point into their lot so if there were a fire they had a way to get out. He said they were in favor of the CRID.

Lynn Marty, Lot 63, responded to comments by those that said there was no value to them and their private road would be impacted. She said she felt there was value because the value of the property should increase and that all these roads were private and they would all be impacted. She said she was imploring the Board to really look into this issue because it was a safety issue.

Murial Bussell, Lot 188, said she was located by two lots that have been excused. She said they were currently landlocked and were requesting to be excused from the CRID.

Chairman Beaver said he wanted to continue this to January when there was a new Commissioner so he could be involved in this issue and have a chance to review all the testimony and information.

MOTION: Chairman Beaver moved to continue the public hearing to January 15, 2013 at 9:00 a.m. Commissioner Small seconded.

Discussion

Commissioner Bowman said he was not opposed at all and that he would have other questions if he were here. Commissioner Small he wanted to go out and look at the area and review different options.

Upon vote, the motion carried to continue the public hearing for board deliberation on January 15, 2013 at 9:00 a.m.

The public hearing was closed for further public testimony.

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

Support for Superior Court Judicial Position

Judge Matheson, Pat Austin, and Judge Mitchell (via/videoconference in Kennewick) requested the Board approve a letter of support to the Board of Judicial Administration for an additional judicial position. Judge Matheson said it was not a request for funding, but a request for a letter in support and they needed support from both Benton and Franklin Counties and the Legislature to get this position, and once it was authorized it would be available for at least five (5) years. He said they were hoping to fund it in 2014 if the counties had resources to pay for it and the State would pay for half of the salary and all the benefits. Judge Matheson said that Franklin County had indicated they would support the letter and they also had legislators willing to sponsor so long as there was support from the counties for the position.

Commissioner Bowman suggested the issue be postponed until the first meeting in January when Commissioner Delvin was on Board since they were asking for money to be spent at a later time. He said they were asking for money, even though not asking for it until a later time.

Commissioner Small asked what would happen if it were postponed until January. Judge Matheson said they had to get legislation to sponsor and that would put it later in the season. He said they were being urged to get support now to get in the queue. However, they could still try to line up the sponsors indicating they thought it would pass.

Commissioner Small asked for a signed letter from all the judges acknowledging the funding issues. Judge Matheson said he didn't act on his own and got approval for that letter, but did not see a problem getting another copy of the letter signed by all the judges.

Commissioner Small said if there was a financial obligation today, he would have to look at it further, but he didn't have a problem supporting the letter along with Franklin County with the clear understanding that if the County could not financially afford it, even if they were able to get State funding, that the Court would not be holding the Board to anything.

Judge Matheson said as a practical matter that if Franklin County, Benton County, or the State could not afford it, it would stop the process.

Commissioner Bowman said he remembered Judge Matheson indicated he didn't think they would need a new bailiff or any more support staff.

Judge Matheson said that was correct for both the bailiff and court reporter. He said with technology advances, they tape some of the hearings and that allowed them to get by with fewer court reporters and they were already pooling and anticipated more pooling if they had a new judge. He said they thought they we could get by with the existing court reporters and bailiffs. He indicated the backup on bailiffs now was the "on-call" bailiffs. He also indicted there was some talk about redefining the bailiffs' job descriptions with the union contracts, but he didn't know what would happen there.

Chairman Beaver said he agreed they should come back and see the Board the first part of January and he didn't think that would have an impact on the legislative session. He said his trouble with this issue was the \$2.6 million the County had to go find in the budget that was just passed and a request out to every elected official to find some money. He said he supported the position but said it was a good idea to come back in January.

Port of Pasco – Airport Extension

Commissioner Bowman said they all received a request from the Port of Pasco for a letter of support for the airport. He said there was very little they could do as Commissioners for economic development but having a good airport did help the economy.

MOTION: Commissioner Bowman moved to approve signing the letter in support of the Tri-City Airport runway extension. Commissioner Small seconded and upon vote, the motion carried.

Commissioner Assignment Update

Commissioner Bowman thanked everyone for the County reception and said that generally speaking that was the way he was treated for the past 16 years. He said he really appreciated it and was gratified with the presentations and staff and would personally thank the Personnel Department for putting it together.

Commissioner Small requested the issue of code provisions regarding firearms be reviewed in January. The item was scheduled for January 15, 2013.

Executive Session

The Board went into executive session with DPA Reid Hay at 11:04 a.m. for approximately five minutes to discuss potential litigation. Also present were Ryan Brown, David Sparks, Cami McKenzie, Loretta Smith Kelty, Steve Becken, Larry Moser, and Daniel Ford. The Board came out at 11:09 a.m. Mr. Hay said the Board discussed potential litigation but took no action.

MOTION: Commissioner Small moved to approve the resolution in the matter of entering into a covenant not to sue and release with DeAtley Crushing Company and authorize the Chairman to sign the final agreement. Commissioner Bowman seconded and upon vote, the motion carried unanimously.

Vouchers

Check Date: 12/5/2012
Taxes #: 10112121-10112123
Warrant #: 70596-70621
Total all funds: \$2,121,889.65

Check Date: 12/5/2012
Warrant #: 234950-235064
Direct Deposit #: 79536-80133
Total all funds: \$2,642,812.51

Check Date: 12/7/2012
Warrant #: 70530-70559
Warrant #: 70622-70775
Taxes #: 05021212
Total all funds: \$392,239.83

Check Date: 12/14/2012
Warrant #: 71215
Total all funds: \$5,629.49

Check Date: 12/17/2012
Warrant #: 235065-235081
Direct Deposit #: 80138-80337
Total all funds: \$107,642.14

Check Date: 12/17/2012
Taxes #: 10112124
Total all funds: \$31,792.71

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

Resolutions

- 2012-770: Contract w/ Pet Medical Center for Spay and Neutering Services
- 2012-771: Line Item Transfer, Fund No. 0000-101, Dept. 101
- 2012-772: Line Item Transfer, Fund No. 0000-101, Dept. 101
- 2012-773: Agreement w/Manatron, Inc. for Purchase of Ascend eFile
- 2012-774: Updating County Funds for Governmental Accounting Standards Board Statement Number 54; Rescinding Resolution 11-792
- 2012-775: Line Item Transfer, Fund No. 0111-101, Dept. 000
- 2012-776: Line Item Transfer, Fund No. 0104-101, Dept. 000
- 2012-777: Line Item Transfer, Fund No. 0000-101, Dept. 103
- 2012-778: Benton County Budgets; Amending Resolution 2012-622
- 2012-779: Line Item Transfer, Fund No. 0000-101, Dept. 115
- 2012-780: Line Item Transfer, Fund No. 0000-101, Dept. 114
- 2012-781: Line Item Transfer, Fund No. 0142-101, Dept. 000
- 2012-782: Payment Authorization to Fred's Carpet Cleaning for Carpet & Upholstery Cleaning
- 2012-783: Settlement Agreement w/Tapani Underground, Inc.
- 2012-784: Line Item Transfer, Fund No. 0000-101, Dept. 109
- 2012-785: Copier Lease Agreement w/KBL, Inc. for Office Copier – Coroner
- 2012-786: Line Item Transfer, Fund No. 0000-101, Dept. 111
- 2012-787: Contract w/M Rudeen for Interpreter Services
- 2012-788: Contract w/A Uvalle for Interpreter Services
- 2012-789: Contract w/Washington Collectors for Collection Services for Delinquent Fines
- 2012-790: Contract w/Apollo Sheet Metal, Inc. for HVAC Services
- 2012-791: Purchase Authorization from Bella's Office Furniture for Shelving
- 2012-792: Line Item Transfer, Fund No. 0000-101, Dept. 110
- 2012-793: Contract Amendment w/DNR Systems, Inc. for Upgrading Ethernet Floor System
- 2012-794: Contract Amendment w/Department of Social & Health Services, Division of Behavioral Health and Recovery
- 2012-795: Purchase Authorization for Computers, Printers, Network Devices, Software & Support
- 2012-796: Authorization to Purchase Computer and Printer Consumables
- 2012-797: Amended Contract w/WA St Dept of Commerce, Community Services & Housing Division
- 2012-798: Amended Agreement w/Greater Columbia Behavioral Health for Mental Health Services
- 2012-799: Amended Agreement w/Lourdes Counseling Center for Shelter Plus Care
- 2012-800: Amended Agreement w/Salvation Army to Provide Housing & Services
- 2012-801: Authorization for Chairman to Sign Amendments to Homeless Housing & Assistance Subcontracts
- 2012-802: Agreement w/State of WA, Administrative Office of the Courts for Interpreter Funding

2012-803: Contract Amendment w/Inter-City Legal Processing & Messenger Service, LLC.
 2012-804: Amended Contract w/M Poland for Indigent Legal Representation
 2012-805: Contract w/Washington Collectors Tri-Cities, Inc. for Collection of Unpaid Fees
 2012-806: Line Item Transfer, Fund No. 0115-101, Dept. 171
 2012-807: Payment Authorization to Law Firm of Armstrong, Klym, Waite, Atwood & Jameson PS for Mediator Services
 2012-808: Payment Authorization to Law Firm of Keller W. Allen, P.C. for Subcontracted
 2012-809: Compensation Authorization for A Farabee for Exceeding Contractual Case Cap
 2012-810: Compensation Authorization for A McKinley for Exceeding Contractual Case
 2012-811: Compensation Authorization for P Younesi for Court Appearances
 2012-812: Compensation Authorization for M Poland for Exceeding Contractual Case Cap
 2012-813: District Court Public Defense Services w/M Cano
 2012-814: Contract w/M Torres for Public Defense Investigative Services
 2012-815: Contract w/M Almquist for Public Defense Investigative Services
 2012-816: Contract w/J Porteous for Public Defense Investigative Services
 2012-817: Superior Court Public Defense Contract w/S Ajax
 2012-818: Superior Court Public Defense Contract w/K Kane
 2012-819: Superior Court Public Defense Contract w/J Metro
 2012-820: Superior Court Public Defense Contract w/R Swinburnson
 2012-821: Superior Court Public Defense Contract w/C Harkins
 2012-822: Line Item Transfer, Fund No. 0000-101, Dept 136
 2012-823: Line Item Transfer, Fund No. 0504-101, Dept. 000
 2012-824: Contract w/Inter-City Legal Processing & Messenger Service LLC for Process Service
 2012-825: Line Item Transfer, Fund No. 0000-101, Dept. 117
 2012-826: Lease Agreement w/Copiers Northwest for Sharp Copier
 2012-827: Project Prospectus for Travis Road
 2012-828: Award of Crushing & Stockpiling Contract to Deatley Crushing Company
 2012-829: Line Item Transfer, Fund No. 0501-101, Dept. 650
 2012-830: Line Item Transfer, Fund No. 0155-101, Dept. 000
 2012-831: Contract Amendment w/Burlington Environmental, LLC for Hazardous Waste Collection
 2012-832: Adoption of 2013 One-Year Road Program
 2012-833: Amended Intergovernmental Agreement w/WA Dept of Enterprise Services
 2012-834: Amended Interlocal Agreement w/Columbia Irrigation District
 2012-835: Line Item Transfer, Fund No. 0000-101, Dept. 118
 2012-836: Line Item Transfer, Fund No. 0000-101, Dept. 119
 2012-837: Line Item Transfer, Fund No. 0000-101, Dept. 120
 2012-838: Line Item Transfer, Fund No. 0000-101, Dept. 121
 2012-839: Line Item Transfer, Fund No. 0000-101, Dept. 125
 2012-840: Purchase Authorization from Life Safety Corporation for Gas Masks & Equipment Bags
 2012-841: Contract Amendment w/Olympic Security Services, Inc. for Security Guard Services
 2012-842: Contract w/Bergstrom Aircraft, Inc. for Aircraft Maintenance & Supplies
 2012-843: Agreement w/Benton County Fire District #1 for Work Crews

- 2012-844: Contract w/Action Auto Services, LLC for Vehicle Tows
- 2012-845: Contract w/Mel's Inter City Collision, Inc. for Vehicle Tows
- 2012-846: Contract w/Northwest Marine & Sport, LLC for Boat Fleet Repairs
- 2012-847: Contract w/Psychological Consultants, Inc. for Psychological Evaluations
- 2012-848: Contract w/Patricia J. Allstead for Barber Services at Jail
- 2012-849: Agreement w/Thurston County Sheriff's Office for Use of Jail Facilities
- 2012-850: Amended Agreement w/State of WA, Dept of Corrections for Jail Bed Space
- 2012-851: Interlocal Agreement w/BC Tri-Cities Regional Swat Team & Franklin Co Sheriff's Office
- 2012-852: Interlocal Agreement w/BC Tri-Cities Regional Swat Team & City of West Richland
- 2012-853: Contract w/Keefe Commissary
- 2012-854: Contract w/Tower Plaza Cleaner
- 2012-855: Contract w/Jiffy Car Wash
- 2012-856: Contract w/Consolidated Food Management, Inc. for Food Services @ Jail
- 2012-857: Contract w/Telmate LLC for Inmate Phone Service
- 2012-858: Contract Amendment w/ Dr. Brooks Watson MD for Inmate Physician Services
- 2012-859: Contract w/A Armijo for Interpreter Services
- 2012-860: Purchase Authorization from Trial Court Improvement Fund Committee
- 2012-861: Line Item Transfer, Fund No. 0156-101, Dept. 000
- 2012-862: Line Item Transfer, Fund No. 0000-101, Dept. 123
- 2012-863: Adopting Percentage Rates for Salaries for BF Superior Court
- 2012-864: Contract w/Benton City Economic Development Council for Economic Development
- 2012-865: Contract w/Prosser Economic Development Association for Economic Development
- 2012-866: Contract w/Master's Touch LLC for Printing & Mailing Property Tax Statements
- 2012-867: Contract Extension w/Bid-4-Assets, Inc. for Property Online Foreclosure Sale Services
- 2012-868: Adopting the Final 2013-2014 Benton County Budgets
- 2012-869: Covenant Not to Sue and Release with DeAtley Crushing Company

There being no further business before the Board, the meeting adjourned at approximately 11:10 a.m.

Clerk of the Board

Chairman