

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, May 17, 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; County Engineer Matt Rasmussen; Planning Manager Mike Shuttleworth; DPA Ryan Brown; Clerk Josie Delvin; Assessor Bill Spencer; DPA Ryan Lukson; RJ Lott, Planning; Marianne Ophardt, WSU Benton County Extension; Human Services Manager Kyle Sullivan; Public Services Administrator Fred Bowen, DPA Michaela Murdock.

Chairman Small offered condolences to Treasurer Duane Davidson on the loss of his wife and mentioned the memorial would be held on Friday.

Approval of Minutes

The Minutes of May 10, 2016 were approved.

Consent Agenda

MOTION: Commissioner Delvin moved to approve the consent agenda items “a” through “w”. Commissioner Beaver seconded and upon vote, the Board approved the following:

Auditors

- a. Surplus of Personal Property; Weapon
- b. Surplus of Personal Property; Misc. Superior Court

Commissioners

- c. Support of the Millennium Bulk Terminals – Longview Export Terminal
- d. Contribution Authorization to WSAC for Columbia River Policy Advisory Group

Human Services

- e. Contract w/Our Lady of Lourdes Hospital for Reimbursements Through Shelter Care Plus Program

Parks

- f. Purchase of Lawn Mower From RDO Equipment for Two Rivers Parks

Personnel

- g. Adopting Health Reimbursement Arrangement Voluntary Employee Beneficiary Association Policies & Procedures; Rescinding Resolution 2014-350 & 2015-306

Public Safety

- h. Budget Adjustment to Fund No. 0148-101, Dept. 117; Rescinding Resolution 2016-358
- i. Budget Adjustment to Fund No. 0148-101, Dept. 136

Public Works

- j. Setting a Public Hearing to Adopt Six-Year Road Program
- k. Contract w/Artistic Treeworks for Removal of Cottonwood Trees
- l. Establishing Open Pit Mine on Benton County Road Department Property (Parcel 124893000003001)

Workforce Development Council

- m. Reappointment of C Adrian to the Workforce Development Council
- n. Reappointment of B Bertsch to the Workforce Development Council
- o. Reappointment of L Bunch to the Workforce Development Council
- p. Reappointment of B Ellison to the Workforce Development Council
- q. Reappointment of J Hogue to the Workforce Development Council
- r. Reappointment of M Olson to the Workforce Development Council
- s. Reappointment of T Samuel to the Workforce Development Council
- t. Reappointment of J Weber to the Workforce Development Council
- u. Appointment of J Booth to the Workforce Development Council
- v. Appointment of D Williamson to the Workforce Development Council
- w. Appointment of J Pierce to the Workforce Development Council

Public Hearings – SPV 2015-001

RJ Lott said the Planning Department received an application requesting a natural drainage easement be vacated off short plat 1062. He said it was originally submitted in January 2015 but the applicants had requested it be delayed until after April, 2016.

All affected land owners and concerned agencies were notified. He said the Benton County Road Department submitted an email that the drainage easement serving the short plat was very prominent and needed to remain in place.

Mr. Lott said he also did a site visit and determined the drainage was still there and that based upon the information received would recommend the Board deny the request.

Commissioner Delvin asked whether it was a natural slope and Mr. Lott replied it was and it was a natural drain for storm water.

Testimony

Becky and Lewis Hogan applicants spoke in favor of the vacation as follows:

Ms. Hogan said it was pretty easy for someone to add the easement and it was not there until after the property was short platted; however, it was not very easy to remove. She said it was not in a

flood plain and they had owned the property for 40 years and had never had any issues. She felt it would not be prominent to the average person. She said that water didn't usually flow horizontally and there were two paved roads and another easement between this and Sunset, which is what it appeared they were trying to protect. She said the entire thing was a gentle slope and when you looked at other houses, this was very insignificant. She said she was an insurance agent and looked at these all the time and the value it had for drainage was small.

Mr. Hogan said they had a geologist look at it and said it was not a geological issue.

Mr. Lott suggested that if the applicants wanted to have an engineer look at the site and submit some written findings then they could make recommendations from those findings.

They agreed to do that.

County Engineer Matt Rasmussen from the audience said his department would be happy to go take another look at it and said they might have some alternatives. Commissioner Delvin said he wanted to go and took a look at the site as well.

The public hearing was continued to June 7, 2016 at 9:00 a.m.

Agreement w/US Dept. of Justice, Drug Enforcement Administration

Captain Vannoy via/video conference submitted the agreement with the US Dept. of Justice, DEA, Agreement to assign one deputy as a Task Force Officer of DEA, and subject to availability of funds, would reimburse the Sheriff's office for overtime, up to a sum equivalent to 25% of the salary (currently equaling \$17,548) per officer.

The PA's office declined to approve as to form due to lack of specific basic terms on the structure of the organization. However, the Sheriff recognized the importance of this position and recommended approving the agreement.

MOTION: Commissioner Beaver moved to approve the attached Provisional State and Local Task Force Agreement between Benton County, the Sheriff's Office and the United States Department of Justice, DEA and authorized the Benton County Sheriff to sign said agreement, along with the attachments. Commissioner Delvin seconded and upon vote the motion carried.

Fairgrounds Feasibility Study

Fred Bowen said that CKJT Architects completed its feasibility study on the two existing buildings at the Fairgrounds. He said the condition of the buildings and code requirements allowed for the renovation and upgrades of the two buildings at a total estimated project cost of \$1,620,000. He said the cost to build a new 24,000 square foot expo hall would cost \$940,000 more than the restoration and did not include restrooms or site development.

He recommended the Board proceed with the development of construction plans and specifications.

MOTION: Commissioner Beaver moved to proceed with the development of construction plans and specifications for the renovation of the two existing Exhibit Halls (Buildings 2 and 3) at the Fairgrounds. Commissioner Delvin seconded.

Discussion

Commissioner Delvin asked about funding for the project.

Mr. Sparks said that capital projects at the Fairgrounds would come from the ¼% REET for public facilities. Chairman Small asked for a time estimate and Mr. Bowen said it would be approximately December or January for construction. Mr. Sparks said they would have to include it in the CIP to use the funds and they were currently working on the new CIP.

Upon vote, the motion carried.

Contracts with Greater Behavioral Columbia Health

Kyle Sullivan reminded the Board that three weeks ago he discussed these contracts and that the PA was not willing to sign the contracts. He wanted to know if the Board had any other questions or if they were willing to sign them despite the PA not approving to form.

Commissioner Delvin said they needed to fill some gaps right now even though this would commit the County until next year. Chairman Small said there was an out clause in the contract.

Mr. Sullivan said there was a 30-day out clause, but the concern of the PA was these were bi-county contracts and would require Franklin County to agree to terminate the contracts as well. He said the Franklin County PA did approve the contracts as to form.

Commissioner Beaver said he agreed with Commissioner Delvin there were a couple of gaps to fill and appreciated the PA's opinion but they had a situation they had to take care of.

MOTION: Commissioner Delvin moved to approve the contracts as submitted between Human Services and Greater Columbia Behavioral Health to operate prepaid inpatient health plan, operate state funded behavioral health services, to adopt terms and conditions for program agreements and services through the mental health block grant. Commissioner Beaver seconded and upon vote, the motion carried.

WSU Extension Update

Natalie Kinnion, 4H Educator, updated the Board on the following:

- 110 4-H Clubs; 75 New Project and/or General Leaders; 346 Total Volunteer Leaders; and 1232 Youth Members
- Major Change – new online enrollment system
- Major Goals
 - WA State Program Policy Review Committee

- WA State Program Conflict Management Committee
- Orientation of 4-H Program Coordinator
- Increase non-traditional 4-H participation
- Increase parity in club participation
- Major Needs
 - More county-wide programming
 - More marketing
 - More technical specific leader trainings
 - More specific project trainings

Tim Waters, Commercial Vegetable Crops Specialists, updated the Board on two research projects:

- Muscular microrisa – a beneficial fungus that forms an association with the root of specific species of plants (particularly with onions and carrots); received grant from WSDA to evaluate if these (bugs in a jug) were effective; they were looking at whether they improve the phosphorous uptake of the plant and in turn would use less phosphorous and be more efficient with fertilizer and water use; hoped to evaluate if they got a better yield and quality out of the crop
- Onion growers are experiencing an internal dry scale problem; not aware until you cut into the onion and it has created huge losses; they were trying to determine what factors were causing this malady; thinking it was an irrigation/heat issue
- Also working with onion growers to fund research projects; other groups pool research funds and the onion growers had not been participating; currently they voted to self-assess (voluntary assessment program); WA/Oregon and Columbia Basin growers have 30,000 acres and they have hired a management firm to manage the fund and put out an RFP; they hoped to collect \$100,000 a year for research and gain grower support to get more people working on the crop

Aging & Long-Term Care Discussion

Commissioner Delvin indicated that Commissioner Bouchey got back to them with answers to their questions asked at the last meeting. He said he did not feel it had been articulated what Benton County would gain from being on the Board and was not sure if Benton County citizens were being deprived of any services.

Chairman Small indicated it appeared there might some discretionary funds that could be allocated that was decided by the COG.

Commissioner Delvin said he would plan to attend a meeting in June or July and maybe would have a better sense by then on how to proceed.

The Board members all agreed it was not sure of the benefit received by being a member of the COG. The meeting schedule of the COG was discussed and that Benton County would need a representative to regularly attend.

Ryan Brown introduced Michaela Murdock, the new civil attorney in the PA's office.

Other Business

Chairman Small reported on his attendance at the LEOFF Board conference.

Commissioner Delvin reported on his attendance at the WSAC steering committee meeting and their focus on three priorities.

DPA Ryan Lukson stated he would not be asking for a decision after the executive session.

The Board recessed at 10:06 a.m. for approximately five minutes, reconvening at 10:15 a.m.

Executive Session – Potential Litigation

The Board went into executive session at 10:15 a.m. for up to 15 minutes to discuss potential litigation with DPA Ryan Lukson. Also present were David Sparks, Loretta Smith Kelty, Cami McKenzie, Ryan Brown and Michaela Murdock.

The Board came out at 10:30 a.m. Mr. Lukson said the Board discussed potential litigation but took no action.

Vouchers

Check Date: 05/11/2016
P-Cards #: 0516
Total all funds: \$302,486.88

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

Resolutions

- 2016-391: Surplus of Personal Property; Weapon
- 2016-392: Surplus of Personal Property; Misc. Superior Court
- 2016-393: Support of the Millennium Bulk Terminals – Longview Export Terminal
- 2016-394: Contribution Authorization to WSAC for Columbia River Policy Advisory Group
- 2016-395: Contract w/Our Lady of Lourdes Hospital for Reimbursements Through Shelter Care Plus Program
- 2016-396: Purchase of Lawn Mower From RDO Equipment for Two Rivers Parks
- 2016-397: Adopting Health Reimbursement Arrangement Voluntary Employee Beneficiary Association Policies & Procedures; Rescinding Resolution 2014-350 & 2015-306
- 2016-398: Budget Adjustment to Fund No. 0148-101, Dept. 117; Rescinding Resolution 2016-358
- 2016-399: Budget Adjustment to Fund No. 0148-101, Dept. 136
- 2016-400: Setting a Public Hearing to Adopt Six-Year Road Program
- 2016-401: Contract w/Artistic Treeworks for Removal of Cottonwood Trees

- 2016-402: Establishing Open Pit Mine on Benton County Road Department Property (Parcel 124893000003001)
- 2016-403: Reappointment of C Adrian to the Workforce Development Council
- 2016-404: Reappointment of B Bertsch to the Workforce Development Council
- 2016-405: Reappointment of L Bunch to the Workforce Development Council
- 2016-406: Reappointment of B Ellison to the Workforce Development Council
- 2016-407: Reappointment of J Hogue to the Workforce Development Council
- 2016-408: Reappointment of M Olson to the Workforce Development Council
- 2016-409: Reappointment of T Samuel to the Workforce Development Council
- 2016-410: Reappointment of J Weber to the Workforce Development Council
- 2016-411: Appointment of J Booth to the Workforce Development Council
- 2016-412: Appointment of D Williamson to the Workforce Development Council
- 2016-413: Appointment of J Pierce to the Workforce Development Council
- 2016-414: Authorizing Sheriff to Sign Local Task Force Agreement
- 2016-415: Human Services Agreement w/GCBH - Operate Prepaid Inpatient Health Plan
- 2016-416: Human Services Agreement w/GCBH - Operate State Funded Behavioral Health Services
- 2016-417: Human Services Agreement w/GCBH - Plan to Adopt Terms and Conditions for Program Agreements
- 2016-418: Human Services Agreement - Services Through the Mental Health Block Grant

There being no further business before the Board, the meeting adjourned at approximately 10:30 a.m.

Clerk of the Board

Chairman