

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, June 25, 2013, 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; Adam Fyall, Sustainable Development Manager; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Public Works Manager Steve Becken; County Engineer Daniel Ford; Planning Manager Mike Shuttleworth; DPA Ryan Brown; Jacki Lahtinen, District Court; Clerk Josie Delvin; Auditor Brenda Chilton; Pat Austin, Superior Court; Bob Woody, Central Services; Marianne Ophardt, WSU; District Court Judge Joe Burrowes; Ed Thornbrugh, Human Services Manager; Treasurer Duane Davidson; Facilities Manager Dean Docken; Stuart Homes, Lorene Roe, and Aileen Coverdell, Auditor's Office; Superior Court Judge Spanner; Erhiza Rivera, Treasurer's Office.

Approval of Minutes

The Minutes of June 18, 2013 were approved.

Consent Agenda

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

Auditor

- a. Management Letter to State Auditor's Office

Commissioners

- b. Design West Courthouse Improvement Proposal
- c. Letter to the Dept. of Ecology
- d. Letter to Columbia Irrigation District
- e. DNR Settlement Agreement

Facilities

- f. Amended Contract w/ABM Janitorial, Inc for Janitorial Services

Fairgrounds

- g. Approval of Quit Claim Deeds for Parcel 1-0880-200-0009-001, Lot 1 & 2
- h. Contract w/Clearwater Tech, LLC dba Roto Rooter for Plumbing Services

Human Services

- i. Amended Contract w/Nueva Esperanza Counseling Center for Substance Abuse Treatment
- j. Contract Amendment w/The Salvation Army
- k. Line Item Transfer, Fund No. 0108-101, Dept. 566
- l. Line Item Transfer, Fund No. 0108-101, Dept. 568
- m. Amended Contract w/WA St Dept of Commerce, Community Services and Housing Division
- n. Agreement w/Greater Columbia Behavioral Health

Juvenile

- o. Contract w/Dept of Social & Health Services for Detention Alternatives Initiative
- p. Agreement w/Pasco School District for Probation Counselor @ Chiawana High School
- q. Agreement w/Pasco School District for Probation Counselor @ Pasco High School
- r. Contract w/Somerset Counseling Center for Chemical Dependency Treatment
- s. Amended Contract w/Aramark Correctional Services for Food Services

Parks

- t. Badger Mountain Management & Master Plan Contract

Personnel

- u. Employee of the Month Appointment
- v. Line Item Transfer, Fund No. 0000-101, Dept. 127
- w. Line Item Transfer, Fund No. 0503-101, Dept. 000
- x. Organizational Re-Structure Within Commissioners' Office & Personnel Dept.

Public Works

- y. Authorization of Rental of John Deere Dozer from Rowand Machinery
- z. Public Hearing Authorization for Franchise Application From City of Benton City
- aa. Public Hearing Authorization for Franchise Application From Wyckoff Farms, Inc.
- bb. Contract w/Tapani, Inc for Travis Road Project

Sheriff

- cc. Purchase Authorization for Two Vehicles from Columbia Ford Lincoln and Bud Clary Dealer
- dd. Line Item Transfer, Fund No. 0000-101, Dept. 120
- ee. Line Item Transfer, Fund No. 0000-101, Dept. 121

Yakima Basin Storage Alliance

Sid Morrison, Yakima Basin Storage Alliance, said they were asking Benton County to provide leadership on water issues. He provided a comparison of the Yakima River Basin Storage Study and Integrated Plan Storage Element and a copy of information on the Klamath Tribes water rights issue. He said there was not enough water for fish, irrigation and communities and the only answer appeared to be to provide water for all uses. He said it was their goal to provide technical credibility by hiring a consulting firm to review all the studies and compare and contrast the current material.

Commissioner Beaver expressed his concern that the Dept. of Ecology didn't do anything but spend money and they never constructed anything. He said he was very supportive of water in the basin and wanted to see something get constructed.

Mr. Morrison said they were asking for financial help from Benton County and the other counties and then would be asking for the difference from the private sector.

Commissioner Delvin said he attended meetings on the water issues and asked if they felt that working the storage and integrated plan side by side would help solve the issue. Mr. Morrison said they believed so because the only way to make the water last was to create more water or take water away from those in the basin.

The financial request was discussed and Mr. Morrison indicated he thought the total package would be around \$135,000 and they wanted to phase it; he said they were requesting \$20,000 from Benton County. He said there were probably four phases including the collection of existing material to compare and contrast by a technical expert and identifying tasks and the preferred course of action.

Commissioner Delvin wanted to know if they had talked to the other counties because he wanted to see where they were at before getting involved; he said the other counties were not currently interested in talking about water in the Columbia Basin. Mr. Morrison said they were hopeful that Benton County would be the leader and they could take that to the other counties. Commissioner Delvin stated he would want to talk about budget and finances before making any commitments.

Chairman Small said he was not going to do anything today and was very hesitant about the project. He said he was very familiar with problems in the area but wanted to be a realist and look at the total bottom dollar. He said he had not yet heard of any water plan less than \$1.5 billion so wanted to know where the money would come from. Mr. Morrison said there were currently plans in place by the Bureau of Reclamation for “users pay”. He said they were saying a storage facility between Yakima and Benton that was pumped out had many benefits (agriculture, fishing, and recreation) and there were sources for the money if you had the right plan.

The Board agreed to have Mr. Sparks come back with a financial analysis and provide a recommendation on whether it was feasible to assist with this project.

Benton-Franklin 4-H Programs Update

Marianne Ophardt, Natalie Kinnion, and Intern Yadira Olivas updated the Board on the Benton-Franklin 4-H program and reviewed the following:

- Clubs – 1, 113 total members (628 - BC) and (485 - FC)
- 390 total volunteers – 15,263 volunteer hours
 - Value \$346,317 (value for 2012) for reported (not reported \$1.3 million)
- Service Events
 - All club community service project (pick a charity or initiative); service day for the Fair
 - Kiwanis Public Presentation Day
 - Fairgrounds Cleanup Day

- Volunteer leader training events
- B-F Fair & Rodeo
- Columbia Basin Junior Livestock show
- Washington State 4-H Fair
- Pathways to Literacy Program
- Tigers 4-H Club (alternative to child care) – run by the intern

Paperless Presentation

Loretta Smith Kelty gave a Powerpoint presentation on the County going paperless and highlighted the following:

- Strategy – as defined by elected officials and departments
- Vision statement – reduce footprint by consolidating customer service with current technology
- Goal and objective – deliver customer service using technology; go electronic
- Today's Situation
 - 8000 sq. feet available for space storage in Kennewick
 - Records Management Requirements
 - Public Records Requests
 - Disaster Recovery (want to prevent and protect)
- History and Priority, Construction and Staffing, Washington State and the Public
- Options
 - Status Quo
 - Outsource
 - Construction (up to \$116.37 sq. foot)
 - Go Paperless
 - Free up space, resources, and services
 - Recommendation - Contract/Hire – Five-year plan (total \$917,728)

Judge Burrowes, District Court Judge, said the Court fully supported this endeavor and that other judiciaries had been using a paperless version in the Courts for years and it made the process extremely efficient.

Clerk Josie Delvin discussed the value of the Legacy documents; she said if something happened to the paper documents that were not scanned, there would be no way to duplicate those. She said it was extremely important to have those documents in another format besides paper so she could have access to them. She said they were extremely anxious to get this project going.

Auditor Brenda Chilton commented that her records were damaged when the Engineer's building flooded and although they were considered short-term records, without permission from the Licensing Department, it would have been costly to restore them. She said they now used zero square footage to store those records in digital format. Additionally, they had 60 years of payroll records digitized, along with the elections records and records for other departments as well. She said the efficiencies being gained, the reduction of square footage used, and reduced risk of damaged records alone was a reason to move forward.

David Sparks said he assumed it would take five years to digitize the Clerk's records, but it would not take that long to go paperless and Ms. Smith Kelty confirmed that was the plan. He said they had looked at several options in the past, including constructing a building for a couple million dollars to store the records but that was only a temporary fix. He agreed this was a good move forward.

The Board agreed to move forward in this process.

Facilities Department Update

Dean Docken gave a Powerpoint presentation to update the Board on Facilities activities and briefly discussed the following:

- Work Orders
 - Where time was spent - 64% of work orders came from the jail
 - Implemented in 2005 (electronic system for customers to get their requests to Facilities); Mr. Sparks said that Central Services was looking at a similar work order system for their department as well
- Construction Projects
 - Prosser Courtroom Remodel (start date – August 5)
 - Fairgrounds Restroom (met with the architect; the geotechnical study was complete and all was good; filed the land use application with the City of Kennewick; basic floor plan was done; would be meeting this week to discuss specs; still some question about what to build the structure out of – said he preferred steel)
 - Courthouse Shuffle – preliminary drawings were done and he had shared that information with the Sheriff and Auditor and still needed to talk to other departments
 - Courthouse HVAC – schematic design complete (\$1.4 million – one issue was the phasing plan of how to complete – they had asked the County to shut down each floor for four weeks). Mr. Sparks said it had not yet been discussed but it was a big issue and they were looking at temporary locations as a possible solution;
 - Justice Center Carpet Replacement – ready to go out to RFP (18,000 square feet that needed to be replaced)

The Board briefly recessed, reconvening at 11:12 a.m.

Presentation on Status of Judiciary

Judge Spanner, Pat Austin, and Darryl Banks, Interim Juvenile Court Administrator updated the Board and highlighted the following areas:

Superior Court

- Case filings in 2012
- Courts are a limited resource

- Trials; non-trial proceedings (goal is to reduce the non-trial proceedings to increase trial days available)
- Caseflow Management program introduced to reduce time to get ready for trial)
- Increase the trial days available to reduce docket by settling cases
- Comparison to pre-caseflow management
- Civil Cases Disposition — improvement
- Domestic Cases – push very hard to get these done
- Adult Felony Criminal Cases
- Personnel for docket proceedings (reduce docket – opportunity to reduce personnel)
- 7th Judge – would increase from 664 available trial days to 851 trial days

Adult Court Successes

- Custom case management cases
- Implemented emotion
- Installed video reader boards
- Implemented program for electronic service of court notices
- Replaced sound systems
- Involved in SC-CMS project (working w/vendor to make off-the shelf program (case management software) to meet their needs; if it became implemented, then they would be ready); very supportive of paperless, and once this piece was in place, they could go that way

Adult Court Challenges/Needs

- Add a 7th judge, without adding a reporter, bailiff, or staff
- Restore adult drug court
- Recover walls in Courtroom B
- Replace juror chairs
- Replace courtroom carpet
- Increase salaries of bi-county non-bargaining unit employees

Juvenile Update

Successes

- November 2012 – capacity increased 50-60 beds (no early releases); approval of security cameras
- Community Supervision
- Probation – risk assessment (Benton-Franklin is the statewide leader)
- Evidence based programs (Aggression Replacement Training); Functional Family Therapy
- Truancy Reform Efforts
- Efficiencies

Capital Improvement Needs

- Main building – built in 1979
- HVAC, roof, public restrooms
- Carpet, water damage
- Space needs (staff have almost doubled)
- Requesting to form Bi-County work group/create a strategic plan

- Need a capital improvement plan

Challenges

- Conflict of interest/attorney contracts (asking to turn those over to OPD)
- Threats to State Budget (BECCA/CASA)
- Detention Relief Officers (limited to 130 hours)

Commissioner Delvin said he toured the building and believed the County should look at taking over and charging Franklin County if that was the only way the capital improvements would get done. Commissioner Beaver said he had no problem with the idea of Benton County owning the building although he was not sure what to do with the programing portion.

Human Services Update and Recommendations

Ed Thornbrugh said if the State did not pass a budget the Human Services programs that were state funded would be suspended. He said they would use reserves to cover crisis response so as not to jeopardize public safety.

Relocation for Crisis Response

He said they identified a property and would save approximately \$38,000 on a two year budget with no impact to current expense. He said they were working on consolidated crisis to bring services closer together and he was asking for permission to negotiate a lease.

Coordinated Entry Implementation

One of the goals of the 10-year plan to end homelessness was the implementation of a single, centralized location to screen individuals relating to homelessness and housing. He said it would require \$169,000 annually for positions and \$50,000 for an accounting position. The money was currently being spent on outside service contracts and the rest would come from reimbursable 2163 funds.

City of Richland Project

The City of Richland completed an affordable housing project, but transfer to Kennewick Housing Authority was delayed due to withdrawal of the partner agency. He recommended a contract with Kennewick Housing Authority to deliver transition housing services to victims of domestic violence using 2163 funds to get this project started.

MOTION: Commissioner Beaver moved to approve Human Services to negotiate a new lease for Crisis Response Unit, approve implementation of coordinated entry as a Human Services project, and approve Human Services to develop a contract with Kennewick Housing Authority. Commissioner Delvin seconded and upon vote, the motion carried.

Horn Rapids Park Use Agreement

Adam Fyall presented the proposed “easement use agreement” between Benton County and Barker Ranch, Ltd. covering an irrigation easement running through Horn Rapids Park owned and operated by Benton County.

Commissioner Delvin said he toured the Barker Ranch and said he was not sure why this legal agreement was needed releasing everyone from liability. He said he thought it made more sense to have a memorandum of understanding regarding signs, and use of trash cans, etc.

Ryan Brown stated that Barker Ranch didn’t want liability on the canal on the County’s property but he didn’t know why the County would release them; he said there was case law out there specifying liability. Additionally, he said the Commissioners should be aware there was a cyclone fence constructed outside their easement on County property.

The Board agreed to sign an MOU acknowledging it was their fence and other issues but did not want to sign a legal agreement releasing liability.

Unscheduled Visitors

James Davenport and Stan Seeberg, Benton City, said they were interested in forming a business relative to Initiative 502 and they were forming a corporation and planned to apply for licenses to produce and supply marijuana. He said they wanted to introduce themselves to the County Commissioners to let them know what they were planning to do and wanted to see how the County was going to deal with this issue.

The Board discussed the potential regulations of this type of business and all agreed that it was yet to be sorted out by the State and Federal Government and the County did not yet know what its duties and responsibilities, if any, would be.

Executive Session

The Board went into executive session at 12:45 p.m. with DPA Reid Hay for approximately 10 minutes to discuss pending litigation. Also present were Ryan Brown, Steve Becken, Daniel Ford, and Cami McKenzie. The Board came out at 12:59 p.m. No decisions were made in executive session.

Vouchers

Check Date: 6/21/2013

Warrant #: 82694-82862

Total all funds: \$1,683,341.25

Transfers: #01080613, 01140613, 01550613, 05010613, 010106139, 05406131, 05046132, 05406133, 050106132, 010110610613, 0101120613

Total all funds: \$82,218.89

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

Resolutions

- 2013-475: Design West Courthouse Improvement Proposal
- 2013-476: DNR Settlement Agreement
- 2013-477: Amended Contract w/ABM Janitorial, Inc for Janitorial Services
- 2013-478: Approval of Quit Claim Deeds for Parcel 1-0880-200-0009-001, Lot 1 & 2
- 2013-479: Contract w/Clearwater Tech, LLC dba Roto Rooter for Plumbing Services
- 2013-480: Amended Contract w/Nueva Esperanza Counseling Center for Substance Abuse Treatment
- 2013-481: Contract Amendment w/The Salvation Army
- 2013-482: Line Item Transfer, Fund No. 0108-101, Dept. 566
- 2013-483: Line Item Transfer, Fund No. 0108-101, Dept. 568
- 2013-484: Amended Contract w/WA St Dept of Commerce, Community Services and Housing Division
- 2013-485: Agreement w/Greater Columbia Behavioral Health
- 2013-486: Contract w/Dept of Social & Health Services for Detention Alternatives Initiative
- 2013-478: Agreement w/Pasco School District for Probation Counselor @ Chiawana High School
- 2013-488: Agreement w/Pasco School District for Probation Counselor @ Pasco High School
- 2013-489: Contract w/Somerset Counseling Center for Chemical Dependency Treatment
- 2013-490: Amended Contract w/Aramark Correctional Services for Food Services
- 2013-491: Badger Mountain Management & Master Plan Contract
- 2013-492: Line Item Transfer, Fund No. 0000-101, Dept. 127
- 2013-493: Line Item Transfer, Fund No. 0503-101, Dept. 000
- 2013-494: Organizational Re-Structure Within Commissioners' Office & Personnel Dept.
- 2013-495: Authorization of Rental of John Deere Dozer from Rowand Machinery
- 2013-496: Public Hearing Authorization for Franchise Application From City of Benton City
- 2013-497: Public Hearing Authorization for Franchise Application From Wyckoff Farms, Inc.
- 2013-498: Contract w/Tapani, Inc for Travis Road Project
- 2013-499: Purchase Authorization for Two Vehicles from Columbia Ford Lincoln and Bud Clary Dealer
- 2013-500: Line Item Transfer, Fund No. 0000-101, Dept. 120
- 2013-501: Line Item Transfer, Fund No. 0000-101, Dept. 121

There being no further business before the Board, the meeting adjourned at approximately 1:00 p.m.

Clerk of the Board

Chairman