

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, September 13, 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; Adam Fyall, Sustainable Development Manager; County Engineer Matt Rasmussen; Assistant County Engineer Robert Blain; Planning Manager Mike Shuttleworth; DPA Ryan Brown; Auditor Brenda Chilton; Clerk Josie Delvin; District Court Administrator Jacki Lahtinen; DPA Ryan Lukson; Margaret Ault, PA's Office; Financial Analyst Paul Schut; Public Services Administrator Fred Bowen.

Approval of Minutes

The Minutes of August 30, 2016 were approved.

Review Agenda

An additional executive session to discuss litigation was added to the agenda.

Consent Agenda

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

Auditor

- a. Surplus of Personal Property

Commissioners

- b. Payment Authorization for Peer Review Meeting of Mental Health Wing Addition @ the Jail
- c. A Time of Remembrance Proclamation

Facilities

- d. Bid Award to M.G. Wagner Co. Inc. for Roof Replacement Project

Fairgrounds

- e. Amended Contract #1 w/CKJT Architects for Engineering Services; Amending Res 2016-539

- f. Line Item Transfer, Fund No. 0124-101, Dept. 000

Human Services

- g. Amended Agreement #3 w/Children's Developmental Center for Disabilities Services
- h. Amended Agreement #3 w/Columbia Industries for Disabilities Services
- i. Amended Agreement #3 w/The Arc of Tri-Cities for Disabilities Services
- j. Amended Agreement #4 w/BF Community Action Committee for Emergency Solutions Grant Services
- k. Amended Agreement #2 w/Sharon Adolphsen for Parent Coalition Services
- l. Amended Agreement #3 w/Goodwill Industries of the Columbia
- m. Veterans Assistance Fund Policies & Procedures; Rescinding Resolution 07 002
- n. Amended Agreement #3 w/Service Alternatives, Inc. for Disabilities Services
- o. Amended Agreement #3 w/Ambitions Community Support Services for Disabilities Services
- p. One-Time Payment to Relias Learning LLC for eLearning Services

Information Technologies

- q. Purchase of Four Getac Extreme Tablets & Warranties from PCS Mobile for Patrol Vehicles
- r. Purchase of Barracuda Email Security Gateway Appliances & Warranty from Leverage Information Systems

Juvenile

- s. Amended Contract #2 w/Aramark Correctional Services for Food Services
- t. Truancy Contract w/Kiona-Benton School District
- u. Truancy Contract w/Richland School District
- v. Agreement w/State of WA Administrative Office of the Courts for Becca Services
- w. Guest Speaker Contract w/D Wavra for Case Management Assessment Process Training
- x. Purchase of 2014 Ford Econoline 15 Passenger Van from McCurley Integrity Dealerships
- y. Line Item Transfer, Fund No. 0000-101, Dept. 138

Personnel

- z. Participating Agreement w/United Employees Benefit Trust for Juvenile Detention
- aa. Participating Agreement w/United Employees Benefit Trust for Courthouse Union

Public Safety

- bb. Line Item Transfer, Fund No. 0148-101, Dept. 106

Public Works

- cc. Line Item Transfer, Fund No. 0101-101, Dept. 500
- dd. Continued Service Agreement w/Guardian Security Systems, Inc for Alarm System Monitoring
- ee. Authorization for On-Site Motor Grader Training from Roadwise, Inc.
- ff. Setting Bid Date for CE 2010 SMP – Rachel & Leslie Roads to Clover Road
- gg. Contract w/D & D Tri-Rivers Excavating, Inc for Kennewick Annex Parking Lot
- hh. Contract w/Stripe Rite, Inc. for CE 2003 SMP Pavement Marking
- ii. Salary Request Statement

Sheriff

- jj. Solicitation of Bids for Jail Chemicals & Janitorial Supplies
- kk. Solicitation of Bids for Employee BDU Uniforms
- ll. Solicitation of Bids for Paper & Glove Supplies
- mm Solicitation of Bids for Inmate Supplies

- nn. Solicitation of Bids for Employee Class A Uniforms
- oo. Amended Contract #1 w/Psychological Consultants, Inc. for As Needed Evaluations
- pp. MOU w/Lourdes Counseling Center Mental Health Evaluations
- qq. MOU w/US Dept. of Justice for DEA Task Force
- rr. MOU Modification #2 w/United States Marshal for Joint Law Enforcement Operations
- ss. Salary Request Statement

Treasurer

- tt. Purchaser's Revised Commitment Letter for CRID No. 21; Amending Res No. 2016-626

WTSC Agreement – Grant Funding for Traffic Safety Emphasis

Lt. White via/video conference presented the Interagency Agreement between Benton County Sheriff's Office and WTSC for grant funding in the amount of \$8,500 for traffic safety emphasis patrol.

MOTION: Commissioner Beaver moved to authorize the Benton County Sheriff to sign the attached Interagency Agreement between BCSO and WTSC for grant funding in the amount of \$8,500 for traffic safety emphasis patrol. Commissioner Delvin seconded and upon vote, the motion carried.

Document Management Agreement - CI Information Management

Margaret Ault and Ryan Lukson presented information on the need for a document imaging contract with CI Information Management. Ms. Ault said prior to this year they were storing their files in the Health Department and unfinished area but they had since been moved to CI Storage Management and the cost for retrieval of the documents had been costly.

The recommendation was to have CI Management scan the older files located at their facility and use the scanning team at the Justice Center to scan the newer files located at the Justice Center for retrieval on a server located there.

There was a discussion regarding the retention of files and disposal years. Ms. Smith Kelty said this would be a one-time cost and was hopeful that all future documents in the PA's office would be scanned and available electronically.

Ms. Ault said if the Board agreed, they would put it on the consent agenda next week. The Board approved.

Use of Jail Facilities Agreement with the Cities – Discussion

Loretta Smith Kelty gave a Powerpoint presentation and discussed the following:

Billing Scenarios

- Current Billing w/Revenue Sharing and bed day rate
- Proposed
 - Revenue sharing/No Revenue sharing

- Percentage of Usage w/expenses

There was a discussion regarding the difference between using a bed day rate versus a percentage. Mr. Sparks said the current contract required they settle up at the end of the year with a percentage and not a bed day rate. He stated that with the percentage formula they would not have to settle up and everyone would be up to date on a monthly basis; he said they were billing on a budgeted bed day rate and not an actual bed day rate.

Commissioner Delvin asked Sheriff Keane (via/videoconference) if changing to a percentage would be easier with accounting and Sheriff Keane indicated it would be easier for the County and the Cities.

It was stated they started talking about this because the contracts were up at the end of the year so the Board needed to consider if it wanted to share revenue or percentages and did the County want to continue with contract prisoners.

- Financial/Operations
 - Looked at how many counties moved administration of the Jail from the Sheriff to the Commissioners: King, Chelen, Spokane, Yakima, Cowlitz and Walla Walla. Ms. Smith Kelty said they made the move based on a concept called “dual leadership”; when the Sheriff operated the jail but the Commissioners approved the budget there was a disconnect between the two departments.

Ms. Smith Kelty asked the Board to consider the following:

- Revenue sharing/No sharing
- Percentage of Usage *or* Bed Day rate/maintenance fee
- Staffing Study – Unbiased (to determine the true costs to operate the jail)

Sheriff Keane said they were looking at doing their own staffing study; there was a model by the National Institute of Corrections, but he didn't know if it would go into the detail that was needed and be unbiased. He said he also wanted to work with the Chiefs because they were seeing a trend with inmates interfering with medical professionals and this was an opportunity to review that issue as well.

Chairman Small said he thought the contracts were a good idea and wanted to continue with contracting for prisoners. Commissioner Delvin said he could see both sides of that issue but if they were going to contract for prisoners and share revenue, then they needed to share the liability. He said he was willing to sit in on negotiations with Ms. Smith Kelty, the Sheriff and the Cities. He said he didn't know he if he was ready to look at the Commissioners taking over administration; the other Board members agreed.

Chairman Small said he wanted to remind the public that the County had been a good partner in sharing, not only on this issue, but other issues as well.

Commissioner Beaver said he was in favor of contracts, at the right price. He said they had an operation to run and the jail was a fixed cost so the bed day rate was not variable.

The Board agreed that billing based on percentages was a good idea and also wanted to look at the tiered rate. The Board also agreed to move forward with a staffing study.

The Sheriff commented the County might want to study the mental health wing while it was looking at the tiered rate before it made a decision.

Revenue Sharing/Contracts Discussion

Mr. Sparks commented that the current state and federal contracts might be fine, but the Board should determine if the other contracts were beneficial. The Sheriff remarked that the revenue sharing should be a policy decision by the Board and not discussed in negotiations. Mr. Sparks said there was big contention that the County was not out selling beds but he did not feel it was the County's job to sell beds; it was the County's job to protect the county. He said the County paid 70% of the costs and they were looking at reducing costs as well.

Unscheduled Visitors

Derek Shook, Prosser, said he was requesting the Board to consider lifting the ban on growing medical marijuana in RL 5 zones and change the zoning to allow for medical marijuana growing. He discussed the state's requirements and said the County forgot to take into account the medical marijuana patients when they put in the ban.

Commissioner Delvin said he could see maybe having an exception for the medical growers and co-ops, however, he was not in favor of someone having several licenses and a large grow. Mr. Shook said that four licenses were allowed for a co-op and he was all about being transparent but because of the stigma it was difficult to get 104 people sign a petition and come and speak out.

Commissioner Delvin said the medical didn't come under the regulations until after the ban was put in place and he was in favor of having the Planning Department look at the rules and regulations.

Chairman said he was not sure about allowing four grows. Mr. Shook said the County could look at this as a way to help with budgeting issues and with less law enforcement on this issue, it could be used on other issues.

Commissioner Beaver said the majority of people who lived in this county said no and this was passed on by the State but they would take a look at it.

Mr. Shook said he was just asking the Board to see what the state was requiring and review this; he added that times have changed and we needed to change with the times.

Other Business

Commissioner Delvin said they were interviewing economists on the integrated water plan and he would be back asking for the money.

Chairman Small said that Prosser Flip Flop Friday was a success and he was looking forward to the Justice Center Flip Flop Friday again this week.

Mr. Sparks commented that he received information from the Washington Policy Center that Lincoln County was going to open up its collective bargaining negotiations to the public.

The board recessed, reconvening at 10:18 a.m.

Executive Session – Pending Litigation

The Board went into executive session at 10:18 a.m. for 12 minutes with DPA Ryan Brown to discuss pending litigation. Also present were David Sparks, Loretta Smith Kelty, and Cami McKenzie. The Board came out at 10:32 a.m. No decisions were made in executive session.

Executive Session – Discussion of a Public Employee

The Board went into executive session at 10:32 a.m. with David Sparks to discuss the performance of a public employee for approximately 15 minutes. The Board came out at 10:52 a.m. No decisions were made in executive session.

Vouchers

Check Date: 09/02/2016

Transfers #: 09021601-09021605

Total all funds: \$66,268.21

Warrants #: 144790-144850

Total all funds: \$683,831.63

Payroll Checks

Direct Deposit #: 116981-117581

Warrant #: 239896-239970

Total all funds: \$2,159,108.33

Payroll Deductions Transfers

Taxes #: 101160901-101160914

Total all funds: \$1,882,533.60

Payroll Deductions Warrants
Warrants #: 144851-144865
Total all funds: \$376,284.51

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

Resolutions

- 2016-656: Surplus of Personal Property
- 2016-657: Payment Authorization for Peer Review Meeting of Mental Health Wing Addition @ the Jail
- 2016-658: A Time of Remembrance Proclamation
- 2016-659: Bid Award to M.G. Wagner Co. Inc. for Roof Replacement Project
- 2016-660: Amended Contract #1 w/CKJT Architects for Engineering Services; Amending Res 2016-539
- 2016-661: Line Item Transfer, Fund No. 0124-101, Dept. 000
- 2016-662: Amended Agreement #3 w/Children's Developmental Center for Disabilities Services
- 2016-663: Amended Agreement #3 w/Columbia Industries for Disabilities Services
- 2016-664: Amended Agreement #3 w/The Arc of Tri-Cities for Disabilities Services
- 2016-665: Amended Agreement #4 w/BF Community Action Committee for Emergency Solutions Grant Services
- 2016-666: Amended Agreement #2 w/Sharon Adolphsen for Parent Coalition Services
- 2016-667: Amended Agreement #3 w/Goodwill Industries of the Columbia
- 2016-668: Veterans Assistance Fund Policies & Procedures; Rescinding Resolution 07 002
- 2016-669: Amended Agreement #3 w/Service Alternatives, Inc. for Disabilities Services
- 2016-670: Amended Agreement #3 w/Ambitions Community Support Services for Disabilities Services
- 2016-671: One-Time Payment to Relias Learning LLC for eLearning Services
- 2016-672: Purchase of Four Getac Extreme Tablets & Warranties from PCS Mobile for Patrol Vehicles
- 2016-673: Purchase of Barracuda Email Security Gateway Appliances & Warranty from Leverage Information Systems
- 2016-674: Amended Contract #2 w/Aramark Correctional Services for Food Services
- 2016-675: Truancy Contract w/Kiona-Benton School District
- 2016-676: Truancy Contract w/Richland School District
- 2016-677: Agreement w/State of WA Administrative Office of the Courts for Becca Services
- 2016-678: Guest Speaker Contract w/D Wavra for Case Management Assessment Process Training
- 2016-679: Purchase of 2014 Ford Econoline 15 Passenger Van from McCurley Integrity Dealerships
- 2016-680: Line Item Transfer, Fund No. 0000-101, Dept. 138
- 2016-681: Participating Agreement w/United Employees Benefit Trust for Juvenile Detention
- 2016-682: Participating Agreement w/United Employees Benefit Trust for Courthouse Union
- 2016-683: Line Item Transfer, Fund No. 0148-101, Dept. 106
- 2016-684: Line Item Transfer, Fund No. 0101-101, Dept. 500

- 2016-685: Continued Service Agreement w/Guardian Security Systems, Inc for Alarm System Monitoring
- 2016-686: Authorization for On-Site Motor Grader Training from Roadwise, Inc.
- 2016-687: Setting Bid Date for CE 2010 SMP – Rachel & Leslie Roads to Clover Road
- 2016-688: Contract w/D & D Tri-Rivers Excavating, Inc for Kennewick Annex Parking Lot
- 2016-689: Contract w/Stripe Rite, Inc. for CE 2003 SMP Pavement Marking
- 2016-690: Solicitation of Bids for Jail Chemicals & Janitorial Supplies
- 2016-691: Solicitation of Bids for Employee BDU Uniforms
- 2016-692: Solicitation of Bids for Paper & Glove Supplies
- 2016-693: Solicitation of Bids for Inmate Supplies
- 2016-694: Solicitation of Bids for Employee Class A Uniforms
- 2016-695: Amended Contract #1 w/Psychological Consultants, Inc. for As Needed Evaluations
- 2016-696: MOU w/Lourdes Counseling Center Mental Health Evaluations
- 2016-697: MOU w/US Dept. of Justice for DEA Task Force
- 2016-698: MOU Modification #2 w/United States Marshal for Joint Law Enforcement Operations
- 2016-699: Purchaser’s Revised Commitment Letter for CRID No. 21; Amending Res No. 2016-626
- 2016-700: Authorizing the Sheriff to Sign Interagency Agreement Between Benton County Sheriff’s Office and WA State Safety Commission – Grant Funding

There being no further business before the Board, the meeting adjourned at approximately 10:52 a.m.

Clerk of the Board

Chairman