

**MINUTES**

**BOARD OF BENTON COUNTY COMMISSIONERS**

Regular Board Meeting  
Tuesday, April 17, 2012, 9:00 a.m.  
Commissioners' Conference Room  
Benton County Courthouse, Prosser, WA

**Present:** Chairman James Beaver  
Commissioner Shon Small  
County Administrator David Sparks  
Clerk of the Board Cami McKenzie

**Absent:** Commissioner Leo Bowman (Vacation)

**Benton County Employees Present During All or a Portion of the Meeting:** Adam Fyall, Sustainable Development Manager; Finance Manager Keith Mercer; Human Services Manager Ed Thornbrugh; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; County Engineer Malcolm Bowie; Central Services Manager Randy Reid; District Court Judge Terry Tanner; Auditor Brenda Chilton; Sue Schuetze, Public Works; DPA Ryan Brown; Erhiza Rivera, Treasurer's Office.

**Approval of Minutes**

The Minutes of April 10, 2012 were approved.

**Consent Agenda**

**MOTION:** Commissioner Small moved to approve the consent agenda items "a" through "o", adding "p" (Settlement Agreement Between Benton County, Barbara Wagner, and Patricia and Joseph Yahne). Chairman Beaver seconded and upon vote, the Board approved the following:

**Auditor**

- a. Precinct Boundary Changes Within Benton County

**Central Services**

- b. Line Item Transfer, Fund No. 0502-101, Dept. 000

**Facilities**

- c. Line Item Transfer, Fund No. 0000-101, Dept. 110

**Human Services**

- d. Agreement w/Domestic Violence Services

### **Office of Public Defense**

- e. District Court Indigent Defense Contract w/M Trombley, dba Rodriguez & Associates, P.S.
- f. Agreement w/M Trombley, dba Rodriguez & Associates, P.S. for Representation in Benton County Cause #09-5-00075-0

### **Planning**

- g. Appointment of A Bergeson to the Benton County Board of Adjustment

### **Prosecuting Attorney**

- h. Settlement Agreement w/AFSCME Local 3962, Representing Crisis Response

### **Public Works**

- i. Interlocal Agreement w/Cities of Prosser and Benton City to Allocate SAFETEA-LU Funds
- j. Granting Franchise to Zayo Group, LLC
- k. Notice of Intent Application Form for Stormwater Permit for Piert Road Extension Project
- l. Authorization Schedule and Advertise a Bid Date for Piert Road Extension

### **Sheriff**

- m. Rescinding Resolution 2012-073; Purchase Authorization from 911 Supply, LLC
- n. Rescinding Resolution 2012-074; Purchase Authorization from Blumenthal Uniform Co.
- o. Amended and Restated Interlocal for the Tri-Cities Regional SWAT

### **Commissioners**

- p. Release of Claims, Settlement Agreement (Between Benton County, Barbara Wagner, Patricia and Joseph Yahne)

The Board briefly recessed, reconvening at 9:05 a.m.

### **Public Hearing - LightSpeed Network Franchise**

Sue Schuetze presented the franchise application request submitted by LightSpeed Network dba LS Networks for a fiber optic system within unincorporated Benton County road right of way. Ms. Schuetze said that based upon current franchise requirements, her office recommended approval subject to the listed conditions.

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

**MOTION:** Commissioner Small moved to approve the application for franchise filed by LightSpeed Network dba LS Networks with the listed conditions. Chairman Beaver seconded and upon vote, the motion carried unanimously.

### **Commissioner Assignment Update**

Commissioner Small said he worked with PEDDA to prepare for the annual meeting held on April 16 and it was well attended by State officials. Additionally, he had a meeting at Dispatch and attended the Elected Officials meeting.

Chairman Beaver reported on his meeting with Department of Ecology and said he wanted DPA Ryan Brown to review whether Benton County could participate in the Yakima water agreement. Commissioner Small commented that he spoke with a Yakima County Commissioner who was also unclear about the specific mission of this agreement.

### **Vouchers**

Check Date: 04/05/2012  
Taxes #: 10112041-10112043  
Warrant #: 55285-55309  
Total all funds: \$1,937,706.30

Check Date: 04/05/2012  
Warrant #: 233867-233967  
Direct Deposit #: 72763-73366  
Total all funds: \$2,110,603.50

Check Date: 04/13/2012  
Warrant #: 55659-56209  
Transfer # 4/122, 01660412  
Total all funds: \$810,698.65

Check Date: 04/16/2012  
Warrant #: 233968-233985  
Direct Deposit #: 73371-73573  
Total all funds: \$111,246.36

Check Date: 04/16/2012  
Taxes #: 10112044  
Payroll Draw Deductions  
Total all funds: \$33,300.86

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

### **Resolutions**

2012-209: Precinct Boundary Changes Within Benton County  
2012-210: Line Item Transfer, Fund No. 0502-101, Dept. 000  
2012-211: Line Item Transfer, Fund No. 0000-101, Dept. 110  
2012-212: Agreement w/Domestic Violence Services  
2012-213: District Court Indigent Defense Contract w/M Trombley, dba Rodriguez & Associates, P.S.  
2012-214: Agreement w/M Trombley, dba Rodriguez & Associates, P.S. for Representation in Benton County Cause #09-5-00075-0  
2012-215: Appointment of A Bergeson to the Benton County Board of Adjustment  
2012-216: Settlement Agreement w/AFSCME Local 3962, Representing Crisis Response

- 2012-217: Interlocal Agreement w/Cities of Prosser and Benton City to Allocate SAFETEA-LU Funds
- 2012-218: Granting Franchise to Zayo Group, LLC
- 2012-219: Notice of Intent Application Form for Stormwater Permit for Piert Road Extension Project
- 2012-220: Authorization Schedule and Advertise a Bid Date for Piert Road Extension
- 2012-221: Rescinding Resolution 2012-073; Purchase Authorization from 911 Supply, LLC
- 2012-222: Rescinding Resolution 2012-074; Purchase Authorization from Blumenthal Uniform Co.
- 2012-223: Amended and Restated Interlocal for the Tri-Cities Regional SWAT
- 2012-224: Release in Full of All Claims, Settlement and Hold Harmless Agreement Between Benton County, Barbara Wagner, and Patricia and Joseph Yahne

There being no further business before the Board, the meeting adjourned at approximately 9:08 a.m.

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Clerk of the Board

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Chairman