

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, May 19, 2015, 9:00 a.m.
Benton County Planning Annex
1002 Dudley Avenue, Prosser, WA

Present: Chairman Jerome Delvin
Commissioner Shon Small
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Absent: Commissioner James Beaver (attending ECA Conference)

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Public Works Manager Daniel Ford; Planning Manager Mike Shuttleworth; DPA Ryan Brown; Auditor Brenda Chilton; Clerk Josie Delvin; District Court Administrator Jacki Lahtinen; Bob Woody, IT Department; GIS Manager Mary Phillips; Treasurer Duane Davidson; Linda Robb and Joel Chavez, Human Services; DPA Ryan Lukson, Marianne Ophardt, WSU Benton County Extension; IT Manager Teri Holmes; Matt Rasmussen and Jeff Liner, Public Works; Erhiza Rivera and Yuliana Perez Castillo, Treasurer's Office; Taylor Ranger, Auditor's Office; PA Andy Miller; Eric Hsu, Office of Public Defense.

Approval of Minutes

The Minutes of May 12, 2015 were approved.

Consent Agenda

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

Auditor

- a. Surplus of Personal Property – Sheriff Misc.
- b. Surplus of Personal Property – Sheriff Vehicle

Human Services

- c. Amended Agreement w/DSHS, Division of Behavioral Health & Recovery
- d. Amended Agreement w/J Dorsett for Community Prevention Coordinator Services

Information Technology

- e. Line Item Transfer, Fund No. 0502-101, Dept. 000
- f. Purchase of Loadmaster Software, Licenses and Support from GCSIT Solutions

Juvenile

- g. Interlocal Agreement w/Kennewick School District for Detention School Program
- h. Contract w/Redwood Toxicology for Urinalysis Supplies & Testing

Office of Public Defense

- i. District Court Public Defense Agreement w/C Briggs
- j. Amended District Court Public Defense Agreement w/L Mapes
- k. District Court Public Defense Agreement w/E Riley
- l. Appointment of Members to the Benton County Law & Justice Council
- m. Amended District Court Public Defense Agreement w/D McKinley

Parks

- n. Lease Agreement w/Miniature Aircraft Association of the Higgins Field Facility

Personnel

- o. Appointment of PayneWest Insurance as Broker/Agent of Record for Insurance Policies/Bond; Amending Resolution 2014-103
- p. Establishing Chief Financial Officer Classification and Salary Grade in the Sheriff's Office
- q. Establishing Criminologist Classification and Salary Grade in the Sheriff's Office

Planning

- r. Amendment to Ordinance No. 561, Emergency Zoning Amendment to Prohibit Production of Marijuana in Rural Lands Five

Public Works

- s. Consulting Services Agreement w/PayneWest Insurance for Review of Insurance Requirements
- t. Approval of Plans for Beverly Meadows Phase 1
- u. Line Item Transfer, Fund No. 0155-101, Dept. 000
- v. Line Item Transfer, Fund No. 0101-101, Dept. 500

Sheriff

- w. Amended Agreement w/Randall Barnes for Consultant Services

Sustainable Development

- x. Designation of an Associate Development Organization

4-H Programs Update

Natalie Kinnion and Marianne Ophardt updated the Board on 4-H Programs and briefly discussed the following:

- Volunteers/New Leader Training - 430 volunteers, 1100+ youth members
- Volunteer hours
- Tracking 4-H exiters/high school seniors-100% moved on to post-education and/or job
- STEM - Science Exploration Day – outreach program
- Franklin County helped fund a part-time coordinator position
- Received Youth Advocates for Health Grant
- New 4-H online enrollment program – working out the issues
- Washington State Program Policy – working on the State Committee
- Goals – to increase non-traditional 4-H programs

Detox Center Discussion

Linda Robb and Joel Chavez gave an update on the Detox Center. Ms. Robb said that as part of the merger for chemical dependency and mental health, audits were happening and as a result the Auditor determined they could not house chemical dependency and mental health in the same facility. Ms. Robb indicated they had discussions with GCBH and Tri-Cities Community Health had given notice they would not be able to absorb the loss and were terminating their contract effective June 30, 2015.

She said they identified an agency that was a chemical dependency provider that was willing to absorb the loss. Additionally, they asked legal if it was ok to contract with this agency without doing an RFP and they determined it would be ok to shift services since they already had a contract in place with them. Ms. Robb said that by contracting with this agency there would not be a disruption in services and they were asking the Board for approval to move forward.

Chairman Delvin asked what was going to happen in 2016 with the merger if the Auditor was saying they couldn't have a combined facility. He asked if there was a new WAC in place for this requirement. Ms. Robb said it was confusing and it was her understanding that Yakima was doing the same thing currently as Benton County. She said the audits were previously done as separate entities and maybe now they recognized this was a fault. Mr. Chavez clarified that the Detox Center would still house mental health with dependency issues (dual diagnosed).

Commissioner Small asked who they were recommending as the new chemical dependency provider and Ms. Robb stated it was Ideal Balance. Commissioner Small asked why they waited a month since the audit to make this move and Ms. Robb said they got the official letter regarding the contract on May 18 and during this time they were trying to work out solutions.

Commissioner Small discussed a letter sent out from Crisis to Detox regarding shutting down services and Ms. Robb indicated she found out who the employee was that sent out the letter and it had been dealt with internally.

Chairman Delvin said he wanted to move forward and get this new provider on line since the current provider had given notice.

MOTION: Commissioner Small moved to approve moving forward with the recommendation from Linda Robb and Joel Chavez for a new chemical dependency provider. Commissioner Delvin seconded and upon vote, the motion carried.

Office of Public Defense – 2014 Annual Report

Eric Hsu presented his 2014 Annual Report and briefly highlighted the following:

- District Court Operations
 - Filings and Appointments
 - Staffing report
 - Financial Update

- Superior Court
 - Caseload trends
 - Filings and Appointments
 - Homicide cases
 - Staffing Report
 - Financial Update
- Juvenile Justice Operations Update
- Goals
 - Deliverables and Accomplishments

Office of Public Defense – 2015 Strategic Plan

- Goals – Deliverables
 - Public Defense Improvement (after Wilbur v. Mt. Vernon) – Part 1: Benchmarks, Oversight & Reporting
 - Public Defense Improvement – Part 2: Information for Clients/Best Practices
 - Contractor Manual/On-Boarding Program
 - Information Coordination w/Internal Customers
 - Compensation Survey and Recommendations
 - Leverage Technology
 - 15 Hours CLE
 - Framework – Better Collaboration and Information Sharing Amongst Defenders
 - Improve Exit Management Procedures

Mr. Sparks said when they first hired Mr. Hsu, it was contract administration but now it had become more managing staff and courts. He has discussed with Mr. Hsu whether it was the best use of his time to assist Franklin County. Mr. Hsu said he billed for his time as well as operations of the office and that it would free up some time. The Board agreed it was a good idea to move in that direction.

Law and Justice Council Briefing

Mr. Hsu requested the Board approve the applications from citizens to be part of the Law and Justice Council. He said the council would now be made up of five citizens (more than the minimum of three). It was determined the resolution was approved on the consent agenda.

Change Orders – Public Works Kennewick Maintenance Facility

Dan Ford and Dan Karis, Stantec discussed the requested change orders for the Public Works Kennewick Maintenance Shop to improve operational efficiency as follows:

Change Order No. 2: additional rock for geotechnical engineering requirements for foundation and slab designs: \$24,487.32

Change Order No. 4: sediment vault and propane relocations: \$40,576.48

Mr. Ford stated they were actually pouring the floor for the building this week.

MOTION: Commissioner Small moved to approve Change Orders Number Two (2) and Four (4) for the Public Works Kennewick Maintenance Shop. Commissioner Delvin seconded and upon vote, the motion carried.

The Board briefly recessed, reconvening at 10:17 a.m.

Assessment & Taxation System

Duane Davidson and Bill Spencer said they issued the RFP for the assessment and taxation system and only received one bid. They reviewed the program and it was up and running in 14 counties right now. Additionally, they were able to negotiate the proposal by reducing the purchase price by \$23,215 and the maintenance price by \$19,500. The total negotiated price was \$669,684 for purchase and \$155,988 for maintenance. Mr. Davidson said he wanted to reinforce that it was a good price; he put a placeholder in the capital facilities plan at \$1 million.

Mr. Sparks said that Clark County was the lead county in developing this program and they spent millions and spoke very highly of the program. Mr. Sparks added the original proposal had a 4% escalator and they had negotiated it down to 3%.

Commissioner Small asked Teri Holmes, IT and Mary Phillips, GIS if they had reviewed the system and were both in favor and they both indicated they were.

MOTION: Commissioner Small moved to proceed with contract negotiation with Harris True Automation for the procurement of the property assessment and tax system for Benton County. Chairman Delvin seconded and upon vote, the motion carried.

Unscheduled Visitors

Justin Schneider, Selah, said he owned property in Prosser and had purchased 10-acres with the intent to grow recreational marijuana. He expressed concern about the current moratorium and said he had spent \$117,000+ so far and had been working with the Planning Department on his building permits. He said he understood the County's concern about not disturbing the neighbors and said the land across his property was light industrial and farm land and he was requesting if his property could be rezoned or exempt from the new requirement. Chairman Delvin encouraged him to attend the public hearing scheduled for June 2, 2015.

The Board briefly recessed, reconvening at 10:30 a.m.

Executive Session – Labor Negotiations

The Board went into executive session with DPA Steve Hallstrom at 10:30 a.m. to discuss the county strategy in ongoing labor negotiations for up to 20 minutes. Also present were PA Andy Miller, DPA Ryan Brown, DPA Ryan Lukson, David Sparks, Loretta Smith Kelty, and Cami

McKenzie. The Board came out at 10:46 a.m. No formal decisions were made in executive session.

Executive Session – Potential Litigation

The Board went into executive session at 10:47 a.m. with DPA Ryan Lukson for up to 10 minutes to discuss potential litigation. Also present were PA Andy Miller, DPA Steve Hallstrom, DPA Ryan Brown, David Sparks, Loretta Smith Kelty, and Cami McKenzie. The Board came out at 10:55 a.m. No decisions were made in executive session.

MOTION: Commissioner Small moved to authorize the PA’s office to offer up to \$40,000 to settle the Daniel Johnson claim. Commissioner Delvin seconded and upon vote, the motion carried.

Vouchers

Check Date: 05/11/2015
P-Cards: #0515
Total all funds: \$244,472.95

Check Date: 05/15/2015

Warrants #: 121477-121608
Total all funds: \$2,542.28

Transfers #: 05151501-05151508
Total all funds: \$421,075.12

Warrants #: 121609-121811
Total all funds: \$1,409,285.69

Payroll Draw Checks
Direct Deposit #: 104392-104575
Warrants #: 238553-238561
Total all funds: \$99,133.66

Payroll Draw Deductions – Transfers
Taxes #: 101150515
Total all funds: \$32,697.92

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

Resolutions

2015-359: Surplus of Personal Property – Sheriff Misc.
2015-360: Surplus of Personal Property – Sheriff Vehicle

- 2015-361: Amended Agreement w/DSHS, Division of Behavioral Health & Recovery
- 2015-362: Amended Agreement w/J Dorsett for Community Prevention Coordinator Services
- 2015-363: Line Item Transfer, Fund No. 0502-101, Dept. 000
- 2015-364: Purchase of Loadmaster Software, Licenses and Support from GCSIT Solutions
- 2015-365: Interlocal Agreement w/Kennewick School District for Detention School Program
- 2015-366: Contract w/Redwood Toxicology for Urinalysis Supplies & Testing
- 2015-367: District Court Public Defense Agreement w/C Briggs
- 2015-368: Amended District Court Public Defense Agreement w/L Mapes
- 2015-369: District Court Public Defense Agreement w/E Riley
- 2015-370: Appointment of Members to the Benton County Law & Justice Council
- 2015-371: Amended District Court Public Defense Agreement w/D McKinley
- 2015-372: Lease Agreement w/Miniature Aircraft Association of the Higgins Field Facility
- 2015-373: Appointment of PayneWest Insurance as Broker/Agent of Record for Insurance Policies/Bond; Amending Resolution 2014-103
- 2015-374: Establishing Chief Financial Officer Classification and Salary Grade in the Sheriff's Office
- 2015-375: Establishing Criminologist Classification and Salary Grade in the Sheriff's Office
- 2015-376: Amendment to Ordinance No. 561, Emergency Zoning Amendment to Prohibit Production of Marijuana in Rural Lands Five
- 2015-377: Consulting Services Agreement w/PayneWest Insurance for Review of Insurance Requirements
- 2015-378: Approval of Plans for Beverly Meadows Phase 1
- 2015-379: Line Item Transfer, Fund No. 0155-101, Dept. 000
- 2015-380: Line Item Transfer, Fund No. 0101-101, Dept. 500
- 2015-381: Amended Agreement w/Randall Barnes for Consultant Services
- 2015-382: Designation of TRIDEC as an Associate Development Organization
- 2015-383: Approving Change Orders Two (2) and Four (4) for Public Works Kennewick Maintenance Facility

There being no further business before the Board, the meeting adjourned at approximately 10:55 a.m.

Clerk of the Board

Chairman