

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, March 8, 2016, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

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

Absent: Commissioner Jerome Delvin (Vacation)

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; District Court Administrator Jacki Lahtinen; Assessor Bill Spencer; GIS Manager Mary Phillips; Treasurer Duane Davidson; Mary Heather Ames, Sr. Engineer; Dan Waggoner, Facilities Manager.

Approval of Minutes

The Bi-County Minutes of February 25, 2016 were approved.

The Minutes of March 1, 2016 were approved.

Review Agenda

The following discussion items were pulled: 2016 Boat Safety Program and Auction Agreement w/Booker Auction.

The Board added an executive session to discuss potential litigation.

Consent Agenda

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

Commissioners

- a. Line Item Transfer, Fund No. 0000-101, Dept. 115
- b. Approval of 2016 Tax Levy

District Court

- c. Contract w/NCourt LLC for On-Line Payment

Human Services

- d. Contract w/River of Life Metropolitan Community Church for Ten-Year Homeless Housing Plan
- e. Amended Agreement w/Ideal Balance PLLC for Substance Abuse Treatment Services

Noxious Weed

- f. Appointment of D Downs to Area 4 of Noxious Weed Control Board

Office of Public Defense

- g. Superior Court Indigent Defense Agreement w/A Tindell
- h. Overflow Cases Compensation for K Page for District Court Public Defense Services

Planning

- i. Yakima River Basin Water Enhancement Project Funding Support

Public Safety

- j. Line Item Transfer, Fund No. 0148-101, Dept. 120
- k. Line Item Transfer, Fund No. 0148-101, Dept. 120

Public Works

- l. Purchase of Parts From Northend Truck Equipment Inc.
- m. Setting Public Hearing Date for Fee Property Surplus
- n. Quit Claim Deed Transferring Property to Columbia Irrigation District
- o. Amended Agreement w/Huibregtse, Louman Associates, Inc for Consultant Services
- p. Construction Plans Authorization for Tyrell Road, Phase I

Sheriff

- q. Surplus of Personal Property
- r. Agreement w/Washington County, Oregon for a Jail Grievance Software System

Superior Court

- s. Purchase Authorization from the Trial Court Improvement Fund

Public Hearing - Approving Assessment Roll for County Road Improvement District No. 21

Mary Heather Ames said the improvements associated with CRID No. 21 were complete and the final assessment roll was prepared. She said the Board would act as a board of equalization, considering the assessment roll and any objections made to the assessment roll, modifying the assessment roll if desired, and confirming the assessment roll by resolution.

Ms. Ames said that notices were sent out allowing for objection and they received one from John and Margaret Thurtle dated February 25, 2016 and received in the Commissioners' office on March 3, 2016. She addressed each of their concerns including the objection there was no correlation for the assessment amount and added value and they did not receive the notice at the correct address. Ms. Ames said they signed the initial petition and notice was sent to their correct Kirkland address and based upon the information, they were notified correctly.

She said this hearing was not for the inclusion or exclusion of properties but to set the assessment roll amounts. It was based on a per acre cost applied to each parcel and estimates were 40% higher than the actual cost of the road.

Testimony

Larry Pearson, Red Mountain, said he was in support of the assessments and signed the petition. He said he would be concerned if someone was dropped off and the assessments were changed and he did see value in the road.

Craig Unland, DNR, said he was not around when the CRID was formed, however, they had a lot of lessees in this area. He said his question related to section 32 and felt a more fair way to assess that lot would be to assess only the developed acres. Additionally, since they did have lessees he believed there was provision in the statute the state would not be responsible for paying assessments in the event the lessees were no longer leasing the property. Mr. Rasmussen said he had not encountered that but he would check into that for him.

Mr. Uland asked about the payoff and interest rate and Mr. Rasmussen said the interest rate would be ½% higher than the bond rate with a 15 year payoff.

As there was no further testimony, public testimony was closed.

MOTION: Commissioner Beaver moved to approve a resolution approving and confirming the assessments and assessment roll for County Road Improvement District No. 21; levying and assessing the cost and expense thereof against the several lots, tracts, parcels of land, and other property as shown on the assessment roll; and providing for other matters relating thereto. Additionally, he said he wanted to insert some language that describes undeveloped and developed property with respect to DNR's land and the payments thereof as associated with vacant or non-leased property as opposed to leased property.

Chairman Small said that would change the assessments and Commissioner Beaver said he understood that. Chairman Small seconded.

Discussion

Commissioner Beaver said the discussion around the motion was for assessing the lots that were unoccupied.

Chairman Small expressed concern about doing this now and wished the individuals had brought this up four years ago. The road was already built and they designed the road and assessed it at this level and they signed the petition; everything would have to be reassessed.

Upon vote, the motion was denied with Chairman Small opposing.

MOTION: Chairman Small moved to approve a resolution approving and confirming the assessments and assessment roll for County Road Improvement District No. 21; levying and assessing the cost and expense thereof against the several lots, tracts, parcels of land, and other property as shown on the assessment roll; and providing for other matters relating thereto. Commissioner Beaver seconded and upon vote, the motion carried.

Metasys & Chilled Water Loop System Upgrade

Dan Waggoner said the current HVAC Control System at the Benton County Justice Center was on a piece of software called Metasys, was originally installed in the 80's and was outdated and not being supported anymore. Additionally, in 2005 a chiller project was installed that tied the two projects and they discovered a mistake was made and they had an incorrectly plumbed chilled water loop.

He said they were requesting to take these two projects together and upgrade to make it a better system overall. The exact price was unknown but the preliminary estimate within the Capital Improvement Plan was \$120,000.

MOTION: Commissioner Beaver moved to approve going forward on upgrading the Metasys and Chilled Water Loop System at the Benton County Justice Center. Chairman Small seconded and upon vote, the motion carried.

Memorandum of Agreement - Develop a Tri-Cities Area Signage & Wayfinding System

Adam Fyall introduced Kim Shugart, Visit Tri-Cities and said the project was ready to be kicked off and this agreement would have Benton County join the group and contribute financially.

Ms. Shugart said they made their formal presentation on September 1 and the proposed study would include all components, gateways, and they were asking Benton County to invest \$12,000, a portion of the total \$150,000.

MOTION: Commissioner Beaver moved to approve the Memorandum of Agreement to Join a Local Coalition of Partners to Develop a Tri-Cities Area Signage and Wayfinding System. Chairman Small seconded and upon vote, the motion carried.

The Board briefly recessed, reconvening 9:33 a.m.

Executive Session

The Board went into executive session at 9:33 a.m. for up to 15 minutes to discuss potential litigation with DPA Ryan Brown. Also present were David Sparks, Loretta Smith Kelty and Cami McKenzie. The Board came out at 9:45 a.m. No decisions were made in executive session.

County Claims

CC 2016-03: Received on 03/04/2016 from Linda Robb

Vouchers

Check Date: 03/04/2016

Warrant #: 35727

Total all funds: \$6,592.93

Transfers #: 03041601-03041603

Total all funds: \$15,715.00

Warrant #: 136001-136105

Total all funds: \$397,447.14

Payroll Checks

Warrant #: 239427-239478

Direct Deposit #: 111977-112588

Total all funds: \$2,110,114.10

Payroll Deductions Transfers

Taxes #: 10116031-101160314

Total all funds: \$1,844,007.83

Payroll Deductions Warrants

Warrant #: 136106-136116

Total all funds: \$373,974.83

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

Resolutions

2016-173: Line Item Transfer, Fund No. 0000-101, Dept. 115

2016-174: 2016 Tax Levy

2016-175: Contract w/NCourt LLC for On-Line Payment

2016-176: Contract w/River of Life Metropolitan Community Church for Ten-Year Homeless Housing Plan

2016-177: Amended Agreement w/Ideal Balance PLLC for Substance Abuse Treatment Services

2016-178: Appointment of D Downs to Area 4 of Noxious Weed Control Board

2016-179: Superior Court Indigent Defense Agreement w/A Tindell

2016-180: Overflow Cases Compensation for K Page for District Court Public Defense Services

2016-181: Line Item Transfer, Fund No. 0148-101, Dept. 120

2016-182: Line Item Transfer, Fund No. 0148-101, Dept. 120

2016-183: Purchase of Parts From Northend Truck Equipment Inc.

2016-184: Setting Public Hearing Date for Fee Property Surplus

2016-185: Quit Claim Deed Transferring Property to Columbia Irrigation District

- 2016-186: Amended Agreement w/Huibregtse, Louman Associates, Inc for Consultant Services
- 2016-187: Construction Plans Authorization for Tyrell Road, Phase I
- 2016-188: Surplus of Personal Property
- 2016-189: Agreement w/Washington County, Oregon for a Jail Grievance Software System
- 2016-190: Purchase Authorization from the Trial Court Improvement Fund
- 2016-191: Approving the CRID No. 21 Antinori Road Assessments
- 2016-192: Memorandum of Agreement – Signage and Wayfinding System

There being no further business before the Board, the meeting adjourned at approximately 9:45 a.m.

Clerk of the Board

Chairman