

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Tuesday, March 29, 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; GIS Manager Mary Phillips; RJ Lott, Planning; Kyle Sullivan, Human Services Manager; Tara Symons, Mental Health Coordinator; Nancy Richman, Elia Garcia, and Elaine Osborne, Clerk's Office; Assessor Bill Spencer; Erhiza Rivera Treasurer's Office; Treasurer Duane Davidson; and PA Andy Miller.

#### Approval of Minutes

The Minutes of March 22, 2016 were approved.

#### Consent Agenda

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

#### Auditor

- a. Surplus Property

#### Commissioners

- b. Line Item Transfer, Fund No. 0305-101, Dept. 000
- c. Superior Court Memorandum of Understanding

#### Facilities

- d. Line Item Transfer, Fund No. 0000-101, Dept. 110
- e. Amended Contract w/ABC Fire Control, Inc. for Fire Extinguisher Testing & Service

#### Human Services

- f. Amended Agreement w/Nueva Esperanza Counseling Center for Substance Abuse Treatment
- g. Amended Agreement w/Ideal Balance PLLC for Substance Abuse Treatment
- h. Amended Agreement w/First Steps Community Counseling Services for Substance Abuse Treatment

- i. Amended Agreement w/Greater Columbia Behavioral Health for Mental Health Services (PIHP)
- j. Amended Agreement w/Greater Columbia Behavioral Health for Mental Health Service
- k. Amended Agreement w/Somerset Counseling Center for Substance Abuse Treatment
- l. Amended Agreement w/Comprehensive – Pasco for Substance Abuse Treatment

**Information Technology**

- m. Amending Resolution 2015-162; Microsoft Enterprise Agreement for License Renewal

**Juvenile**

- n. Contract w/Personal Touch Cleaning, Inc. for Janitorial Services

**Public Works**

- o. Letter to US Department of Transportation for Richland Duportail Bridge Project
- p. Certification of Road Fund Expenditures for Traffic Law Enforcement, Fish Passage Barrier Removal & Annual Certification

**Sheriff**

- q. Purchase of Four Radars from Applied Concepts to Enforce Speed
- r. Purchase of Two Radars from Kustom Signals, Inc. to Enforce Speed

**Special Presentation**

Chairman Small presented Elia Garcia with a certificate of appreciation for serving Benton County for over 39 years.

**Public Hearing - Community Development Grant Program**

Kyle Sullivan said that as part of the grant, they were required to have a public hearing to show services that were provided and he was asking permission to send a grant application for the next grant cycle.

Melissa Hess, CAC, discussed the services provided, and said they assisted 70 households with some sort of assistance (whether it was rent, utilities, household supplies or baby supplies).

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

**MOTION:** Commissioner Delvin moved to designate Chairman Shon Small, County Administrator David Sparks, and Human Services Administrator Kyle Sullivan as the authorized Chief Administrative Official and authorized representatives to act in all official matters in connection with this application and Benton County's participation in the Washington State CDBG Program, that the Board of Benton County Commissioners accepts the current 2015 grant requirements for Benton-Franklin Community Action Connections, and the new 2016 grant requirements for the Community Development Block Grant (CDBG) Public Service Funds. Commissioner Beaver seconded and upon vote, the motion carried.

**Public Hearing – Surplus of Real Property**

Matt Rasmussen said that as part of vacating the Kennewick facility on Ely and converting it for the solid waste program, they discovered some of the properties adjacent to it were not needed and adjacent property owners had expressed an interest in purchasing the property.

He requested the Board declare the fee property as surplus so it could be sold.

**Testimony**

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

**MOTION:** Commissioner Delvin moved to approve the resolution declaring Benton County fee property Parcel 1-1189-202-004-002 as surplus and authorizing the property to be sold in a method consistent with the Benton County Personal and Real Property Management Policies and Procedures. Commissioner Beaver seconded and upon vote, motion carried.

**Public Hearing - Ordinance Amendment BCC 9.04**

RJ Lott presented the ordinance amendment to BCC 9.04 that would amend the Benton County Short Plat Subdivision Ordinance related to easement, ownership interest and type of materials used to record final plats.

He said the Planning Commission conducted its public hearing and voted to recommend approval of the ordinance.

DPA Ryan Brown said the majority of the amendments were an attempt to address the fact that railroads had severed mineral rights and subsurface rights and this was to distinguish between surface and subsurface rights. He said he was in favor and approved to form all the ordinance amendments.

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

**MOTION:** Commissioner Delvin moved to approve the amendment to the Benton County Code 9.04 as proposed in the attached ordinance and adopt the Planning Commission’s findings of fact and conclusions as their own. Commissioner Beaver seconded and upon vote, the motion carried.

**Public Hearing – Ordinance Amendment BCC 9.06**

RJ Lott presented the ordinance amendment to BCC 9.06 that would amend the Benton County Boundary Line Adjustment Ordinance related to easements and ownership interest. He said the Planning Commission conducted its public hearing and recommended approval of the ordinance amendment.

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

**MOTION:** Commissioner Delvin moved to approve the amendment to the Benton County Code 9.06 as proposed in attached ordinance and adopt the Planning Commission’s findings of fact and conclusions as their own. Commissioner Beaver seconded and upon vote, the motion carried.

**Public Hearing – Ordinance Amendment to BCC 9.08**

RJ Lott presented the ordinance amendment to BCC 9.08 relating to planning and subdivisions and the submission and acceptance of applications. He said the Planning Commission recommended approval of the ordinance amendment.

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

**MOTION:** Commissioner Delvin moved to approve the amendment to Benton County Code 9.08 as proposed in the attached ordinance and adopt the Planning Commission’s findings of fact as their own. Commissioner Beaver seconded and upon vote, the motion carried.

**Public Hearing – Ordinance Amendment to BCC 17.10**

RJ Lott presented the ordinance amendment to BCC 17.10.090 relating to the permit review process and the submission and acceptance of applications distinguishing between mineral rights and surface rights. He said the Planning Commission held its public hearing and recommended approval of the ordinance amendment.

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

**MOTION:** Commissioner Delvin moved to approve the amendment to Benton County Code BCC 17.10.090 as proposed and adopt the Planning Commission’s findings of fact as their own. Commissioner Beaver seconded and upon vote, the motion carried.

**Public Hearing - Short Plat Vacation SPV 2015-07**

RJ Lott said the Planning Department received a request for the vacation of the 30-foot Ingress-Egress Easement in the central portion of Lot 2 on Short Plat 982. He said that based on the information received, the Planning Department recommended approval, conditioned on the applicant recording the replacement easement.

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

**MOTION:** Commissioner Delvin moved to approve the vacation of the 30-foot Ingress-Egress Easement in the central portion of Lot 2 of Short Plat 2282, records of Benton County conditioned upon the applicant recording the replacement access easement submitted with the application with the County Auditor. Commissioner Beaver seconded and upon vote, the motion carried.

## **Public Safety Tax Update**

Ms. Smith Kelty gave a Powerpoint presentation on the public safety tax and briefly discussed the following:

- Phase I
- Space Needs – ongoing - 75% complete
- Define Programs – ongoing – an RFP was being created and the Law & Justice Council and PA have reviewed. They wanted to post on the website and it would be for programs applying for public safety money (crime intervention type programs); three entities have made a request and they were asked to wait until the RFP was developed.
- Phase II – reserve established – complete
- Phase III – to be determined
  - Legal Process Assistant; Josie Delvin indicated she was waiting to see what the 7<sup>th</sup> Judge would officially be doing because she wanted to hire the clerk in conjunction with the judge's duties.
  - OPD Contract Attorney (started 3/23/16)
  - 2 Inmate Processing Specialists; Jerry Hatcher indicated they were not seeing the results as of yet and would not hire until there was a need
- Phase IV- currently being done
- 4 sheriff deputies (1 hired), 1 started 3/14/16 and 2 started 3/21/16; 4 vehicles being purchased and equipped; inmate management system (infrastructure purchased and being implemented)
- Phase V – to be determined
  - 4 Sheriff Custody officers – Undersheriff Hatcher said they had 6 vacant positions for custody officers under the current budget so they did not yet have a need yet for the additional 4
- Money Requested – total in the amount of \$1,358,500
  - Adult Drug Court expansion (Pat Austin via/videoconference said the program was currently reduced but they would be ramping it up in additional years)
  - Administrative Assistant - Commissioner Delvin said they were asking for a central person to assist administration with this budget, monitor the programs, deal with public relations, social websites, and to respond to press inquiries. Chairman Small agreed there was a lot to deal with this budget and that it was a good idea.
- Mental Health Court Update – Ms. Symons updated the Board on the following:
  - Capacity – initial – 20; plan to expand to 75 participants by Summer 2017
  - Cost savings to date
    - Free database; substance testing; medical provider consults
  - Community support

Ms. Smith Kelty requested the Board go to public hearing on the supplemental appropriation in the amount of \$1,358,500 to pay for the requested programs and positions. The Board agreed.

PA Andy Miller said he wanted to thank Ms. Smith Kelty and that she deserved a lot of credit for her work on this issue and her work on bi-county issues as well.

## **Colonial Life Presentation**

Christine May, Colonial Life, gave a presentation on the company and the services they provided for benefit solutions to more than 79,000 accounts (9,000 public sector). She said they recently completed a cost savings analysis for a similar size county and were able to find them \$468,000 in cost savings.

She said they were asking for the Board to recommend the Personnel Department provide the information needed so they could complete a cost savings analysis of Benton County and see if they could save the county money, at no obligation. Ms. May said they would need to review the County's medical plans, how many employees had dependents, ages and annual income (the typical census provided when getting a medical plan like through Premera), enrollment information, etc. and then make a formal presentation to the Board.

The Board agreed to have her meet with Lexi Wingfield and put together a presentation and see if the County could save money.

## **Other Business**

### **MATRICS**

Commissioner Delvin thanked Chairman Small for sending out letters on the MATRICS issue; he said there had been some confusion around the issue and that it was not just a Benton and Franklin County issue. He said he was willing to attend an FOP meeting to answer any questions.

### **Benton PUD Ceremony**

Commissioner Delvin said Benton PUD was opening up another solar participation project and had asked the Board to attend. He asked the Board if it was willing to delay its regular board meeting on that date since it was during the same time so they could go to the ceremony. The Board agreed.

### **Columbia River Advisory Committee**

Commissioner Delvin said he was serving on that committee and Canada was making headway; he said he would be calling in on a meeting on Thursday and would report back to the Board. He said they wanted to hire someone back in D.C. to push the issue and would probably be asking for money and he would let the Board know at the next meeting.

Chairman Small said he recently met with close to 20 farmers about rumors that DNR would be mandating the farmers grow organic dry wheat. He said they also had a meeting with DNR and there was concern since it was stated they didn't have to grow organic but could walk away from their leases if they didn't want to go to organic growing. Additionally, this morning he participated in a conference call with 3 senators and 6 farmers and they were going to meet with DNR. He asked the Board if it would be willing to sign a letter to the Senators expressing support for the farmers. The Board agreed.

### Crisis Response Budget

Kyle Sullivan said he had lost staff at Crisis Response and was having a difficult time filling the positions. As a result, he had to pay a lot of overtime and was requesting the Board authorize a Line Item Transfer to move money from vacant positions into overtime so payroll could be paid.

**MOTION:** Commissioner Beaver moved to approve the Line Item Transfer for Crisis Response in the amount of \$130,000. Commissioner Delvin seconded and upon vote, the motion carried.

Judge Swisher via/videoconference thanked the administration for the work that went into the memorandum for Superior Court that was approved today.

### Claim for Damages

CC 2016-04: Received on March 23, 2016 from Heidi Wolfe

CC 2016-05: Received on March 22, 2016 from Frontier

### Vouchers

#### **Check Date: 03/04/2016**

Warrant #: 135727-135995

Total all funds: \$6,592.93

Transfers #: 03041601-03041603

Total all funds: \$15,715.00

Warrants #: 136001-136105

Total all funds: \$397,447.14

#### **Check Date: 03/25/2016**

Warrant #: 136870-136991

Total all funds: \$2,188.15

Transfers #: 03251601-03251613

Total all funds: \$213,744.96

Warrants #: 136992-137133

Total all funds: \$541,174.27

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

### Resolutions

2016-242: Surplus Property

- 2016-243: Line Item Transfer, Fund No. 0305-101, Dept. 000
- 2016-244: Superior Court Memorandum of Understanding
- 2016-245: Line Item Transfer, Fund No. 0000-101, Dept. 110
- 2016-246: Amended Contract w/ABC Fire Control, Inc. for Fire Extinguisher Testing & Service
- 2016-247: Amended Agreement w/Nueva Esperanza Counseling Center for Substance Abuse Treatment
- 2016-248: Amended Agreement w/Ideal Balance PLLC for Substance Abuse Treatment
- 2016-249: Amended Agreement w/First Steps Community Counseling Services for Substance Abuse Treatment
- 2016-250: Amended Agreement w/Greater Columbia Behavioral Health for Mental Health Services (PIHP)
- 2016-251: Amended Agreement w/Greater Columbia Behavioral Health for Mental Health Service
- 2016-252: Amended Agreement w/Somerset Counseling Center for Substance Abuse Treatment
- 2016-253: Amended Agreement w/Comprehensive – Pasco for Substance Abuse Treatment Amending Resolution 2015-162
- 2016-254: Microsoft Enterprise Agreement for License Renewal
- 2016-255: Contract w/Personal Touch Cleaning, Inc. for Janitorial Services
- 2016-256: Letter to US Department of Transportation for Richland Duportail Bridge Project
- 2016-257: Certification of Road Fund Expenditures for Traffic Law Enforcement, Fish Passage Barrier Removal & Annual Certification
- 2016-258: Purchase of Four Radars from Applied Concepts to Enforce Speed
- 2016-259: Purchase of Two Radars from Kustom Signals, Inc. to Enforce Speed
- 2016-260: Application for Community Development Block Grant Public Service Funds
- 2016-261: Declaring Real Property as Surplus
- 2016-262: Adoption of Ordinance 570 Relating to BCC 9.04
- 2016-263: Adoption of Ordinance 571 Relating to BCC 9.06
- 2016-264: Adoption of Ordinance 572 Relating to BCC 9.08
- 2016-265: Adoption of Ordinance 573 Relating to BCC 17.10.090
- 2016-266: Approval of Line Item Transfer – Crisis Administration

There being no further business before the Board, the meeting adjourned at approximately 10:00 a.m.

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Clerk of the Board

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Chairman