

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, May 8, 2012, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Pro Tem Shon Small
Commissioner Leo Bowman
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Absent: Chairman James Beaver (Excused)

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kely; Adam Fyall, Sustainable Development Manager; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Human Services Manager Ed Thornbrugh; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; County Engineer Malcolm Bowie; R.J. Lott, Planning; DPA Ryan Brown; Treasurer Duane Davidson; Clerk Josie Delvin; Jacki Lahtinen, District Court; Central Services Manager Randy Reid; Auditor Brenda Chilton.

Approval of Minutes

The Minutes of May 1, 2012 and Special Minutes of May 1, 2012 were approved.

Consent Agenda

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

Commissioners

- a. Ridges to Rivers Open Space Network Support Letter
- b. Older Americans Month Proclamation

Prosecuting Attorney

- c. Amendment to Collective Bargaining Agreement for Juvenile Clerical
- d. Settlement Agreement w/Teamsters Local 839, Representing Juvenile Detention

Public Works

- e. Granting Franchise to Public Utility District No. 1
- f. Line Item Transfer, Fund No. 0155-101, Dept. 000

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

Public Hearing – Short Plat Vacation - SPV 12-02

R.J. Lott said the Planning Department received an application by Dale and Peggy Wood requesting the 170-foot taxi and runway and 70-foot taxiway easement be vacated off the face of the short plat. He said that all property owners within 300 feet were notified and signed the vacation application and all concerned agencies were notified with no adverse comments received.

He said they received a copy of a letter this today from applicants (entered into the record) requesting the condition to revoke their special use permit be removed. Mr. Lott said that was okay with the Planning Department to remove that condition.

Testimony

Bob Page, owner of the parcel adjoining the applicant, asked if they would still be able to use the runway once they relinquished the right for the easement since the FAA required an easement and special use permit.

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

R.J. Lott said if the applicant still wanted to land airplanes on the property, they would need to abide by all conditions of the special use permit and one was a requirement to file paperwork with the FAA. He said the FAA would review any easements and give approval for that runway.

Commissioner Bowman requested the public hearing be continued for two weeks to receive additional information. Chairman Pro Tem Small agreed.

The public hearing was continued to May 22, 2012 at 9:05 a.m. and testimony would be left open.

Public Hearing – Short Plat Vacation - SPV 12-03

R.J. Lott said the applicant William Knight was requesting vacation of four separate easements and proposed a replacement 20-foot access easement to serve the two Lots of Short Plat 648 that match the current constructed access.

The Planning Department recommended approval of the proposed vacation with conditions.

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

MOTION: Commissioner Bowman moved to approve the vacation of the 20-foot access easement, a 10-foot utility easement AF 770763, a 10-foot irrigation easement, and a 5-foot irrigation easement AF 770762 located on Short Plat 648. The motion is conditioned upon the applicant, in coordination with Columbia Irrigation District, recording a document that

relinquishes the underlying 5-foot irrigation easement within one year of the date of approval of the Board of Benton County Commissioners or the approval will be null and void.

Upon vote, the motion carried unanimously.

Executive Session – Pending Litigation

The Board went into executive session at 9:20 a.m. for approximately 15 minutes to discuss pending litigation with DPA Ryan Brown. Also present were Melina Wenner, Loretta Smith Kely, David Sparks, and Cami McKenzie. The Board came out of executive session at 9:34 a.m. Mr. Brown said the Board discussed pending litigation and took no action.

MOTION: Commissioner Bowman moved to authorize the PA’s office to submit an offer of judgment to plaintiffs Crime, Justice & America Inc. and Ray Hrdlicka on behalf of Benton County and Sheriff Keane in the form deemed appropriate by the Prosecutor’s Office and for an amount not to exceed \$3,000 plus fees and costs incurred to date by them as a procedural strategy in that lawsuit. Commissioner Small seconded and upon vote, the motion carried unanimously.

Commissioner Assignment Update

Commissioner Bowman said he attended the WSAC board meeting and briefly discussed a presentation from Network of Care regarding a software program for veterans, etc. that helped find assistance programs. It was currently being used in Snohomish County.

Commissioner Small said he had a meeting with Marie Mosley, City of Kennewick. Additionally, he discussed a SECOMM meeting and the proposed disposition of two generators at the Prosser Middle School.

Vouchers

Check Date: 05/04/2012
Warrant #: 57139-57333
Total all funds: \$1,888,302.23

Check Date: 05/04/2012
Warrant #: 233996-234099
Direct Deposit #: 73615-74218
Total all funds: \$2,119,565.80

Check Date: 05/04/2012
Taxes #: 10112051-10112053
Warrant #: 57334-57357
Total all funds: \$1,948,907.32

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

Resolutions

- 2012-252: Older Americans Month Proclamation
- 2012-253: Amendment to Collective Bargaining Agreement for Juvenile Clerical
- 2012-254: Settlement Agreement w/Teamsters Local 839, Representing Juvenile Detention
- 2012-255: Granting Franchise to Public Utility District No. 1
- 2012-256: Line Item Transfer, Fund No. 0155-101, Dept. 000

There being no further business before the Board, the meeting adjourned at approximately 9:40 a.m.

Clerk of the Board

Chairman