

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, December 6, 2011, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Leo Bowman
Commissioner James Beaver
Commissioner Shon Small
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; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; County Engineer Malcolm Bowie; Clerk Josie Delvin; District Court Administrator Jacki Lahtinen; Central Services Manager Randy Reid; Superior Court Administrator Pat Austin; Rosie Sparks, Auditor's Office; Bryan Perry, Safety Coordinator; Eric Hsu, OPD; Nick Kooiker, Treasurer's Office; DPA Ryan Brown; R.J.Lott, Planning; Erhiza Rivera, Deputy Treasurer; Auditor Brenda Chilton.

Approval of Minutes

The Minutes of November 22, 2011 were approved.

Consent Agenda

MOTION: Commissioner Small moved to approve the consent agenda items "a through "aa". Commissioner Beaver seconded.

Discussion

The Board discussed changing the agenda cover sheet to reflect whether the fiscal impact was from the current budget or whether a supplement would be needed and agreed the form should be clarified.

Upon vote, the Board approved the following:

Animal Control

- a. Contract w/Pet Medical Center for Spay and Neutering Services

Central Services

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

Commissioners

- c. Payment Authorization to Design West Architects for WA St Rehabilitation Grant

District Court

- d. Interpreter Services Contract w/R Arteaga
- e. Interpreter Services Contract w/M Rudeen
- f. Interpreter Services Contract w/A Uvalle

Facilities

- g. Contract Amendment w/Dynamic Laundry Systems, Inc. for Maintenance & Repair Services
- h. Purchase Authorization w/Dynamic Laundry Systems, Inc. for Jail Washing Machine
- i. Contract w/Yoder, Inc., dba Coffey Refrigeration for Jail Kitchen Repair Services

Fairgrounds

- j. Purchase Authorization of Tables from Mity-Lite, Inc.

Human Services

- k. Agreement, #2011/2013-HEN-TSA, w/The Salvation Army for Housing Services
- l. Agreement, #2011/2013-HEN-LCC, w/Lourdes Counseling Center for Housing Services

Juvenile

- m. Indigent Defense Contract Amendment w/D Campbell
- n. Indigent Defense Contract Amendment w/M Poland
- o. Contract w/Interwest Technology Systems, Inc. for Intercom System
- p. Contract w/Inter-City Legal Processing & Messenger Service, LLC for Messenger Services

Office of Public Defense

- q. Indigent Representation Agreement w/A Tindell for Involuntary Commitment Proceedings

Personnel

- r. Subscriber Agreement w/Public Safety Testing, Inc.

Public Works

- s. Authorization to Proceed w/Access Road from Edwards to Locust Grove Roads
- t. Traffic Control on Route 4 South – Hanford Site
- u. Vacation of Unimproved Road Right of Way in Section 27 and 34 by KID
- v. Bridge Inspection Agreement w/WA State Dept of Transportation
- w. Contract Amendment w/Burlington Environmental, LLC for Hazardous Waste Collection
- x. Interlocal Coop Agreement w/City of West Richland for Use of Solid Waste Brush Bandit
- y. Authorization for Public Hearing for Franchise by Northwest Open Access Network

Sheriff

- z. Contract w/State of WA, Department of Commerce for Bryne Justice Assistance Grant

WSU – Benton County Extension

- aa. Memorandum of Agreement w/WSU

Board Assignments

The Board discussed the 2012 board assignments and agreed to the following changes: Commissioner Beaver as Chairman, Commissioner Small as Chairman Pro Tem, and adding an appointment for Commissioner Bowman as West Richland Chamber liaison. The Board agreed to add the resolution to the following consent agenda.

Public Hearing – Re-Adoption of 2011-2012 Biennial Benton County Budget

Keith Mercer presented the resolution for re-adoption of the 2011-2012 Biennial Budget. He said there was one supplement in the amount of \$764,427 for funding the gang task force that ultimately impacted the revenues/expenditures. Additionally, he stated the County Road Administration Board (CRAB) required a one-year road program and budget to be adopted each year to be eligible for funding.

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

MOTION: Commissioner Beaver moved to approve the resolution Re-Adopting the 2011-2012 Benton County Budget. Commissioner Small seconded and upon vote, the Board approved the following:

Total Current Expense Revenues	\$109,773,797
Total Current Expense Expenditures	\$109,864,327
To Balance	\$ 90,530
Total Road Fund Revenues	\$ 26,947,839
Total Road Fund Expenditures	\$ 31,030,108
To Balance	\$ 4,082,269
Total Other Funds Revenues	\$110,338,446
Total Other Funds Expenditures	\$129,195,401
To Balance	\$ 18,856,955
Total Revenues	\$247,060,082
Total Expenditures	\$270,089,836
To Balance	\$ 23,029,754

Public Hearing - Short Plat Vacation 11-05

R.J. Lott reviewed the staff report for SPV 11-05 for an application for vacation of a drainage easement. He said that owners within 300 feet of Short Plat 2075 were notified and all owners within Short Plat 2075 signed the vacation application. Additionally, all concerned agencies were notified and the Planning Department received no adverse comments. The Public Works Department did comment that the natural draws in the area have been disrupted with the construction of PR 959 and that standing water may occur, however, according to FEMA flood maps, there were no 100 or 500-year flood areas in or around this short plat.

Based upon the testimony received, he said it was Planning's recommendation to approve the vacation.

Public Testimony

Michael Meads, Kennewick, owner of short plat, spoke in favor, and said he wanted to build a horse barn in that area.

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

MOTION: Commissioner Small moved to approve the vacation of the triangle-shaped drainage easement located in the West Half of Lot 1, Short Plat 2075, in the Northwest Quarter of Section 22, Township 8 North Range 28 East, for SPV 11-05. Commissioner Beaver seconded and upon vote, the motion carried unanimously.

Benton County Emergency Services – BCES Costs/E911 Study

Chief Skinner, Richland Police Department, said they were trying to deliver a lean organization and to reduce the costs; additionally, were organizing a recruitment effort to get more Mhz users on the system to reduce costs. He said they were preparing for the CSEPP closing scheduled in May (and the ultimate federal audit) and would be evaluating the future of emergency management.

Additionally, he presented the proposed Memorandum of Understanding between Washington State and Benton and Franklin Counties to conduct the study of a regional dispatch center. He said that Franklin County had approved moving forward on the study, it was fully-funded by the State of Washington and focused on the technology piece of 911 infrastructure of a regional dispatch center.

Commissioner Beaver asked if there were other agencies that had went this direction with this model. Chief Skinner said mostly on the west side and there were advantages and advancements in going this direction and he fully supported looking at this model. Commissioner Beaver commented that he was sensitive to partnerships that were not 50/50 and that would need to be considered when deciding to make a change in the program.

Chairman Bowman asked about the study that was just completed by E-Gov and whether this was just another study on the same issue. Chief Skinner stated that E-Gov looked at governance and organizational structure of a regional dispatch but this study would look at the technology portion and infrastructure to make sure everything was firmly in place and that calls made to 911 would make it to the dispatch center. He said it was more of a "due-diligence" issue for Franklin County to make sure they were making the best decision and this study would answer that final question.

Commissioner Small commented on the requirements of the agreement, including that it was paid by the state and the implementation of an advisory committee to oversee the study.

DPA Ryan Brown said he had no problem with the form of the agreement.

MOTION: Commissioner Beaver moved to approve the Memorandum of Understanding Between Washington State Military Department and Benton County and Franklin County. Commissioner Small seconded and upon vote, the motion carried.

Portable Electronic Communication Device Usage Policy

Adam Fyall and Eric Hsu reviewed the proposed Portable Electronic Communication Device Usage Policy, specifically, appropriate use of county-owned devices (and prohibited uses); use of personally-owned devices for county work purposes; possible reimbursement; safeguarding and security; and technical support. They also pointed out that approving such a policy did not give departments budget entitlement for such devices.

Mr. Hsu pointed out a few changes that were made since the Board received its copy, including:

1. To include the wording “operation of a business” for profit-seeking purposes as a prohibited use;
2. Personally owned laptop computers expanded to “personally owned computers”;
3. To require approval in writing for personal apps;
4. Add language that if the IRS determined the reimbursement were a taxable benefit, it would be taxed;
5. Text messaging (they were currently looking at options for archiving text messaging and would have a solution shortly).

The Board agreed to take at least a week to review before putting on the agenda for approval.

Unscheduled Visitors

Tom Paul, Prosser, said he was a building contractor and was currently trying to build a house. He said he applied for a building permit and a Health Department permit. He said the Health Department was requiring a pressurized system and Benton County was requiring it be engineered before the house was built. He said it would delay the project by at least three weeks and then potential weather problems could delay building until the spring. He indicated this would cause him a financial hardship and asked if the Board could assist so he could begin building before the system was engineered.

The Board suggested he attend the next Health Board meeting so the matter could be reviewed.

Ryan Brown said the Board should keep in mind as it moved forward on the study for a regional dispatch center that he has seen many negligence claims against dispatch and that it would want to reach an agreement with regard to liability if the County decided to have a regional dispatch center.

Commissioner Assignment Update

Commissioner Beaver reported on the following: Benton REA (Red Mountain) meeting; Chamber open house (received good feedback about the future of Benton County); retirement party for Dr. Jecha; Workforce Development Council (program was dealing with funding problems); party at Red Lion hosted by Mr. Garlick and Mr. Lampson. He suggested the Board send a thank you letter for their continued community support.

Commissioner Small reported on the following meetings: Election (Canvassing Board); Red Mountain meeting; Planning meeting with Mr. Shuttleworth and constituents. He also discussed the Building Code (effective grading) and that Benton County was in the top 85% of the state.

Chairman Bowman thanked Commissioner Small for covering the Canvassing Board in his absence. He reported on his attendance at the following: WA Task Force for Transportation (his appointment by the Governor - one meeting left); Law Library Meeting -- looking at cash reserves/invested reserves. He also provided an updated list of legislative issues identified by WSAC.

Budget Issues

Chairman Bowman asked Mr. Sparks if there was something the Board could do to assist administration in the second year of the biennium. Mr. Sparks said the Board had talked about a hiring freeze and that he had received information from WSAC and other counties and could put a policy together to bring to the Board for review. He said the policy could be ready to go if the Board decided it needed to go that direction. Additionally, he talked about starting a communication process with elected officials and department heads about how the current biennial was going and future issues. He discussed a possible review in the 1st quarter.

Urban Growth Area – City of Kennewick

Mr. Sparks said he received a letter from the City of Kennewick regarding urban growth area legislation and they had requested a letter be sent to Brad Klippert. Mr. Sparks said he would review the issue and bring it back to the Board.

Vouchers

Check Date: 11/30/2011
Warrant #: 46528-46762
Taxes #: 010111116
Total all funds: \$631,334.33

Check Date: 12/02/2011
Warrant #: 46769-47090
Total all funds: \$631,334.33

Check Date: 12/05/2011
Warrant #: 233300-233412
Direct Deposit #: 69388-69983
Total all funds: \$2,571,665.57

Check Date: 12/05/2011
Warrant #: 47099-47122
Taxes: 10111121-10111123
Total all funds: \$2,073,967.10

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

Resolutions

- 11-757: Contract w/Pet Medical Center for Spay and Neutering Services
- 11-758: Line Item Transfer, Fund No. 0502-101, Dept. 000
- 11-759: Payment Authorization to Design West Architects for WA St Rehabilitation Grant
- 11-760: Interpreter Services Contract w/R Arteaga
- 11-761: Interpreter Services Contract w/M Rudeen
- 11-762: Interpreter Services Contract w/A Uvalle
- 11-763: Contract Amendment w/Dynamic Laundry Systems, Inc. for Maintenance & Repair Services
- 11-764: Purchase Authorization w/Dynamic Laundry Systems, Inc. for Jail Washing Machine
- 11-765: Contract w/Yoder, Inc., dba Coffey Refrigeration for Jail Kitchen Repair Services
- 11-766: Purchase Authorization of Tables from Mity-Lite, Inc.
- 11-767: Agreement, #2011/2013-HEN-TSA, w/The Salvation Army for Housing Services
- 11-768: Agreement, #2011/2013-HEN-LCC, w/Lourdes Counseling Center for Housing Services
- 11-769: Indigent Defense Contract Amendment w/D Campbell
- 11-770: Indigent Defense Contract Amendment w/M Poland
- 11-771: Contract w/Interwest Technology Systems, Inc. for Intercom System
- 11-772: Contract w/Inter-City Legal Processing & Messenger Service, LLC for Messenger Services
- 11-773: Indigent Representation Agreement w/A Tindell for Involuntary Commitment Proceedings
- 11-774: Subscriber Agreement w/Public Safety Testing, Inc.
- 11-775: Authorization to Proceed w/Access Road from Edwards to Locust Grove Roads
- 11-776: Traffic Control on Route 4 South – Hanford Site
- 11-777: Vacation of Unimproved Road Right of Way in Section 27 and 34 by KID
- 11-778: Bridge Inspection Agreement w/WA State Dept of Transportation
- 11-779: Contract Amendment w/Burlington Environmental, LLC for Hazardous Waste Collection
- 11-780: Interlocal Coop Agreement w/City of West Richland for Use of Solid Waste Brush Bandit

- 11-781: Authorization for Public Hearing for Franchise by Northwest Open Access Network
- 11-782: Contract w/State of WA, Department of Commerce for Bryne Justice Assistance Grant
- 11-783: Memorandum of Agreement w/WSU – Amendment
- 11-784: Re-Adopting the 2011-2012 Benton County Budget
- 11-785: Memorandum of Understanding Between Washington State, Benton County, and Franklin County – Study – Regional E911
- 11-786: Vacation of Drainage Easement – Applicant – Michael Meads – SPV 11-05

There being no further business before the Board, the meeting adjourned at approximately 10:32 a.m.

Clerk of the Board

Chairman