

Leo Bowman
District 1
Shon Small
District 2
James Beaver
District 3

Board of County Commissioners BENTON COUNTY

David Sparks
County Administrator

Loretta Smith Kelty
Deputy County Administrator



to view items in detail, please
click on highlighted area

AGENDA BOARD OF BENTON COUNTY COMMISSIONERS Regular Board Meeting Tuesday, March 20, 2012 Benton County Courthouse, Prosser, WA

9:00 AM

Call to Order

Approval of Minutes

❖ **March 13, 2012**

Review Agenda

Consent Agenda

Auditor

a. Interlocal Cooperative Agreement w/City of Richland for Ballot Drop Box

Central Services

b. Authorization to Purchase Network Switches

Fairgrounds

c. Contract w/Baisch Vegetation Management, Inc. for Spraying Services

Personnel

d. Employee of the Month Award

Prosecuting Attorney

e. Amendment to the Teamsters Local 839 Representing Juvenile Detention Collective Bargaining Agreement

Public Works

f. Public Hearing Authorization for Application of Lightspeed Networks Inc. Franchise

g. Purchase Authorization for Off-The-Road Loader Tires

9:05 AM

Scheduled Business:

Introduction of Mike Huntington - Historical Preservation Advisory Committee – D Davidson

Gang Task Team Update – Sheriff Keane / Sgt. Trevino

Executive Session:

Litigation Update – R Hay

Unscheduled Visitors

Board Assignment Update

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, March 13, 2012, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman James Beaver
Commissioner Shon Small
Commissioner Leo Bowman
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; Personnel Manager Melina Wenner; Human Services Manager Ed Thornbrugh; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; County Engineer Malcolm Bowie; Clerk Josie Delvin; District Court Administrator Jacki Lahtinen; DPA Reid Hay; Central Services Manager Randy Reid; Bryan Perry, Safety Coordinator; Margaret Ault, PA's Office; Larry Moser, Public Works; DPA Ryan Brown; Erhiza Rivera, Treasurer's Office; Auditor Brenda Chilton; Treasurer Duane Davidson.

Approval of Minutes

The Minutes of March 6, 2012 were approved.

Review Agenda

Commissioner Bowman said the original item "f" (OPD Contract with T. Orosco) had some typos and incorrect figures in the original document. However, it had been amended to recalculate figures.

Commissioner Bowman requested that item "u"(Amending Resolutions Pertaining to Administrative Fees) be pulled for discussion.

Consent Agenda

MOTION: Commissioner Bowman moved to approve the consent agenda items "a" through "t", pulling "u" and including the corrected item "f" with the new figures. Commissioner Small seconded and upon vote, the Board approved the following:

Central Services

- a. Amended Agreement w/CenturyLink Sales Solution, Inc.

Commissioners

- b. Approval of Benton County Tax Levy for 2012

GIS

- c. Intergovernmental Cooperative Agreement w/City of Richland for Orthophotography Services

Juvenile

- d. Monthly Payment for Operations & Facilities Budget; Amending Resolution 11-016

Office of Public Defense

- e. Amended Agreement w/Mario Torres dba Casey Investigations
- f. Excess Cases Compensation for T Orosco
- g. Excess Cases Compensation for A Farabee
- h. Excess Cases Compensation for P Younesi
- i. Excess Cases Compensation for A McKinley
- j. Excess Cases Compensation for C Harkins
- k. Excess Cases Compensation for E Riley
- l. Excess Cases Compensation for M Poland
- m. Excess Cases Compensation for D Hickman
- n. Payment Authorization to P Younesi for Public Defense Services

Personnel

- o. Agreement w/Sonshine Collision Services dba North West Towing for Towing Services

Prosecuting Attorney

- p. Amendment to Crisis Response Collective Bargaining Agreement
- q. Child Abuse Investigation Agreement for Kids Haven Project

Public Works

- r. Bid Authorization for E.R.&R. Purchase of Metal Traffic Signs
- s. Amending Resolution 06-587 for Vacation of Road Right of Way, Section 11, Township 8 N
- t. Contract w/Columbia Asphalt & Gravel, Inc. for Bituminous Surface Treatment

“u” - Amending Resolutions Pertaining to Administrative Fees Charged by Public Works

Commissioner Bowman suggested that further review be conducted on the resolutions pertaining to administrative fees charged by Public Works since the original documents were at least 50 years old and RCW's, etc. might have changed since that time. The Board agreed.

Private Road Change PR 12-01

Mike Shuttleworth said they received a request from Aissata Sidibe to rename S. 999 PR SE, a private access easement to S. Toure PR SE. Mr. Shuttleworth said that based upon the comments received from SECOMM, Public Works, and the applicant, the Planning Department recommended approval of the road name change request.

MOTION: Commissioner Bowman moved to approve the road name change from S. 999 PR SE to S. Toure PR SE with the condition that Ms. Sidibe has 30 days to pay the required sign fee for the construction and placement of the private road sign to the Benton County Public Works

Department. If the fee is not paid within 30 days, the approval will be declared null and void. Commissioner Small seconded and upon vote, the motion carried unanimously.

Executive Session – Potential Litigation

The Board went into executive session to discuss potential litigation with DPA Ryan Brown at 9:05 a.m. for approximately 30 minutes. Also present were David Sparks, Cami McKenzie, Larry Moser, Steve Becken, Malcolm Bowie, DPA Reid Hay, Melina Wenner, and Loretta Smith Kely. The Board came out at 9:35 a.m. Mr. Brown said the Board needed an additional 15 minutes for executive session. The Board came out at 9:45 a.m. and Mr. Brown stated the Board discussed potential litigation but took no action.

Unscheduled Visitors

Park Development Fund Budget

Adam Fyall said the Park Board had finished a lot of projects early and he requested the \$300,000 in the fund balance be appropriated to the expense account to continue the projects. Mr. Sparks said it would be to access money that was currently in the Park Development Fund, but not budgeted, and was not new money.

The Board agreed to move forward with the public hearing process.

Commissioner Assignment Update

Commissioner Small said the State was requesting some word changes to the Interlocal Agreement for the 911-study that was previously approved by Board. He said he sent the proposed changes to the Board and Mr. Brown and was awaiting his review and approval. Once that was complete, he would bring the agreement back to the Board for signature.

Commissioner Bowman reported on his NACO conference in Washington D.C. and briefly discussed his meetings with Congressional staff, legislators, and rail companies. He said his main focus at the conference was on transportation issues.

Commissioner Bowman also informed the Board about a proposed tour of the Prosser area, specifically in Red Mountain. He said the scheduled date was May 14 and the current plan was to start in Prosser at the Walter Clore Center with a presentation by the City of Prosser/ PEDDA, head to Benton City for another presentation, and ultimately end at Red Mountain. He said there would be six legislators included on the bus tour and the Commissioners were invited.

Commissioner Bowman said that he had been reflecting on his year of public service and he and his wife had discussed their future and whether he should run for re-election. He said he believed he still had more public service in him, however, had decided he would not run for re-election for County Commissioner.

Chairman Beaver thanked him for his years of public service and his hard work, specifically on transportation. Commissioner Small also thanked him for his outstanding leadership and assistance in learning the job.

Vouchers

Check Date: 03/09/2012
Warrant #: 53379-53839
Transfer #: 1020312
Total all funds: \$917,305.80

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

Resolutions

- 2012-146 Amended Agreement w/CenturyLink Sales Solution, Inc.
- 2012-147 Approval of Benton County Tax Levy for 2012
- 2012-148 Intergovernmental Cooperative Agreement w/City of Richland for Orthophotography Services
- 2012-149 Monthly Payment for Operations & Facilities Budget; Amending Resolution 11-016
- 2012-150 Amended Agreement w/Mario Torres dba Casey Investigations
- 2012-151 Excess Cases Compensation for T Orosco
- 2012-152 Excess Cases Compensation for A Farabee
- 2012-153 Excess Cases Compensation for P Younesi
- 2012-154 Excess Cases Compensation for A McKinley
- 2012-155 Excess Cases Compensation for C Harkins
- 2012-156 Excess Cases Compensation for E Riley
- 2012-157 Excess Cases Compensation for M Poland
- 2012-158 Excess Cases Compensation for D Hickman
- 2012-159 Payment Authorization to P Younesi for Public Defense Services
- 2012-160 Agreement w/Sonshine Collision Services dba North West Towing for Towing Services
- 2012-161 Amendment to Crisis Response Collective Bargaining Agreement
- 2012-162 Child Abuse Investigation Agreement for Kids Haven Project
- 2012-163 Bid Authorization for E.R.&R. Purchase of Metal Traffic Signs
- 2012-164 Amending Resolution 06-587 for Vacation of Road Right of Way, Section 11, Township 8 N
- 2012-165 Contract w/Columbia Asphalt & Gravel, Inc. for Bituminous Surface Treatment
- 2012-166 Changing Name of Private Road – Applicant – Aissata Sidibe

There being no further business before the Board, the meeting adjourned at approximately 10:01 a.m.

Clerk of the Board

Chairman

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: <u>3/20/12</u>	Execute Contract _____	Consent Agenda <u>__x__</u>
Subject: <u>Richland Ballot Drop Box</u>	Pass Resolution <u>__x__</u>	Public Hearing _____
Prepared by: <u>Stuart Holmes</u>	Pass Ordinance _____	1st Discussion _____
Reviewed by: <u>Brenda Chilton</u>	Pass Motion _____	2nd Discussion _____
	Other _____	Other _____

BACKGROUND INFORMATION

Over the past few years, voters in the City of Richland made it clear that they would like to have another drop box in their city. The Benton County Disability Advisory Committee and City of Richland Accessibility Committee recommended a ballot drop box be installed on George Washington Way.

The Benton County Auditor’s Office received a HAVA Grant to install a drop box in the City of Richland.

The Auditor and the City of Richland have agreed upon a location in Jefferson Park on Symons St to install the ballot drop box.

The City of Richland will install and the Auditor's Office will maintain the box after installation.

SUMMARY

Voters in the City of Richland requested that the Auditor install a drop box more centrally located in the city limits. In 2012, HAVA grant money was made available to install ballot drop boxes. The City of Richland and Benton County Auditor’s Office met and agreed upon a good location to install a ballot drop box.

RECOMMENDATION

Pass resolution and sign Interlocal Agreement installing a drop box centrally located in the City of Richland

FISCAL IMPACT

- Drop Box = \$770
- Drop box shipping = \$72
- Drop box posts = \$85
- Drop box signage = \$176
- * All covered by HAVA Grant

MOTION

Consent Agenda

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE INTERLOCAL COOPERATIVE AGREEMENT WITH THE CITY OF RICHLAND,

WHEREAS, the Benton County Auditor received a Help America Vote Act (HAVA) grant to install a ballot drop box in the City of Richland; and

WHEREAS, the City of Richland and Benton County Auditor have agreed upon a appropriate location to install a ballot drop box within Jefferson Park on Symons St.

BE IT RESOLVED that James Beaver, Chairman of the Board of Benton County Commissioners, is hereby authorized to sign the Pitney Bowes Sales Agreement.

Dated this _____ day of _____, 2012.

Chairman of the Board

Member

Member

Constituting the Board of County
Commissioners of Benton County,
Washington

Attest: _____
Clerk of the Board

INTERLOCAL COOPERATIVE AGREEMENT
between
THE CITY OF RICHLAND AND BENTON COUNTY, WASHINGTON,
for a
BALLOT DROP BOX AT JEFFERSON PARK

THIS INTERLOCAL COOPERATIVE AGREEMENT is entered into this ____ day of _____, 2012 between the City of Richland, Washington, a Washington Municipal Corporation, hereinafter "CITY" and Benton County, Washington, a Washington Municipal Corporation, hereinafter "COUNTY," hereinafter jointly referred to as the "Jurisdictions".

WHEREAS, the Jurisdictions are, pursuant to Chapter 39.34 RCW (the Interlocal Cooperation Act), authorized to exercise their powers jointly, thereby maximizing their ability to provide services and facilities which will best fulfill common needs of the Jurisdictions; and,

WHEREAS, the Jurisdictions have determined that constructing a ballot drop box at Jefferson Park is in the best interest of the Jurisdictions and the public; and,

WHEREAS, the Jurisdictions, by their respective governing bodies, have determined this effort may be best implemented on a shared basis in a manner deemed most efficient and effective for the Jurisdictions;

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants contained herein, the Jurisdictions agree as follows:

Section 1. Purpose. The purpose of this Agreement is to establish the respective roles of the Jurisdictions in the construction, financing and maintenance of a ballot drop box approximately 170 ft from the intersection of George Washington Way and Symons St within Jefferson Park, a park owned by CITY and managed within its Department of Parks and Recreation. This ballot drop box shall be hereinafter referred to as the "PROJECT."

Section 2. Designated Contacts. The designated contacts for the purposes of administration of this agreement shall be:

CITY: Phil Pinard
Richland Parks and Recreation Department
505 Swift Boulevard
Richland, Washington 99352
509-942-7463/ ppinard@ci.richland.wa.us

COUNTY: Stuart Holmes
Benton County Auditor's Office
P.O. Box 470
Prosser, WA 99350
509-786-5618

AGENDA/WORKSHOP ITEM		TYPE OF ACTION NEEDED	
Meeting Date:	20-March-2012	Execute Contract	_____
Subject:	Purchasing Network Switches	Pass Resolution	<u> x </u>
		Pass Ordinance	_____
		Pass Motion	_____
Prepared By:	J. Randall Reid	Other	_____
Reviewed By:	Loretta Smith Kelty		
		Consent Agenda	<u> x </u>
		Public Hearing	_____
		1 st Discussion	_____
		2 nd Discussion	_____
		Other	_____

BACKGROUND INFORMATION

The 2011-2016 Capital Improvement Plan (CIP) includes a project titled "Network Switches" which has the goal of updating aging network switches deployed in the county infrastructure. The initial estimate for the CIP addressed only the equipment most desperately in need of upgrade. With the decision to migrate to Microsoft technologies and the anticipated increase in the demands on the network, this project has been expanded to update all of the switches that are ten years old or older. While these devices are functioning, the technology built into them has fallen far behind, and we are beginning to experience degradation in the throughput for some parts of the network. The problems will continue to grow as the older technology is strained by future network demands.

The attached resolution authorizes Central Services to purchase 22 new switches and necessary modules for updating the county infrastructure. The proposed purchase is to be made using the Western State Contracting Alliance pricing as allowed by Resolution 11-003. It also places the new switches on the Computer Replacement Fund assessment schedule as allowed by the budget policies.

The devices to be replaced are those providing the first point of connectivity between county desktop computers and the resources on the application servers, intranet devices, and the internet.

SUMMARY

The attached resolution authorizes Central Services to purchase new network switches from the Western States Contracting Alliance price list.

RECOMMENDATION

1ST Pass resolution.

2nd

FISCAL IMPACT

This would be a one-time expense to be considered part of the 2011-2016 Capital Improvement Plan project identified as "Network Switches" and would be paid from the Capital Fund. Ongoing expenses will include Computer Replacement Fund assessments for six years distributed as part of the Central Services charge back for network services.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF PURCHASING NETWORK SWITCHES.

WHEREAS, Resolution 11-611 adopted the 2011-2016 Capital Improvement Plan, including a project titled "Network Switches" with the goal of updating aging switches currently deployed in the county infrastructure; and

WHEREAS, Resolution 11-003 allows purchasing of network devices from contracts competitively negotiated by the Washington Department of Enterprise Services (formerly Department of Information Services), including the Western States Contracting Alliance (WSCA), without the need for additional requests for quotes or proposals; and

WHEREAS, the make and model of switches desired for updating the county network are available through the WSCA contracts; NOW THEREFORE,

BE IT RESOLVED, by the Board of Benton County Commissioners, that Central Services be authorized to purchase twenty-two (22) network switches and accompanying fiber modules from the WSCA contracts in the amount of \$52,750 plus tax; and

BE IT FURTHER RESOLVED, that the total purchases with this award are not to exceed \$55,000 plus tax; and

BE IT FURTHER RESOLVED, that the new switches be included in the Computer Replacement Fund as allowed by the Benton County Budget Policies and Procedures adopted by Resolution 11-793.

Dated this _____ day of _____, _____

Chairman of the Board

Member

Member

Constituting the Board of County Commissioners
of Benton County, Washington.

Attest: _____
Clerk of the Board

REID

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: <u>3/20/2012</u>	Execute Contract	<u> X </u>
Subject: <u>FG Contract</u>	Pass Resolution	_____
Prepared by: <u>C. McKenzie</u>	Pass Ordinance	_____
Reviewed by: <u>R. Lukson</u>	Pass Motion	_____
	Other	_____
	Consent Agenda	<u> X </u>
	Public Hearing	_____
	1st Discussion	_____
	2nd Discussion	_____
	Other	_____

BACKGROUND INFORMATION

The Facilities Maintenance Supervisor sent out an RFP for annual spraying services at the Benton County Fairgrounds.

SUMMARY

RFP was sent to the following and bids were received:

- Cut Above, Inc. - \$19,800 plus WSST
- Desertgreen Lawn & Tree Care, LLC - \$15,900.00 plus WSST
- Jesse's Lawn Maintenance - \$31,655.00 plus WSST
- Baisch Vegetation Management - \$15,500.00 plus WSST

RECOMMENDATION

Contract with Baisch Vegetation Management for annual spraying services in the amount of \$15,500.00 plus additional pest control in an additional amount up to \$1,000.00

FISCAL IMPACT

\$16,500.00 plus WSST (amount is already budgeted in Fairgrounds Operating Budget).

MOTION

Consent Agenda

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF A PUBLIC WORKS CONTRACT FOR GROUNDS MAINTENANCE SPRAYING SERVICES AT THE BENTON COUNTY FAIRGROUNDS BETWEEN BENTON COUNTY AND BAISCH VEGETATION MANAGEMENT, INC.

WHEREAS, per resolution 2012-056, any public works contracts involving less than \$40,000, advertisement and competitive bidding may be dispensed with, and such contracts may be entered into after direct negotiation and authorization from the Board of Benton County Commissioners; and

WHEREAS, a request for proposal for grounds maintenance spraying services at the Benton County Fairgrounds was solicited from contractors and the following bid proposals were received:

- Cut Above, Inc., Kennewick, WA - CUTABAI934LK - \$19,800.00 plus WSST
- Desertgreen Lawn & Tree Care, LLC, Richland, WA - \$15,900.00 plus WSST
- Jesse's Lawn Maintenance, Kennewick, WA - JESSELM044QK - \$31,655.00 plus WSST
- Baisch Vegetation Management, Pasco, WA – BAISCVM923PP - \$15,500.00 plus WSST

WHEREAS, the Facilities Maintenance Supervisor recommends a Public Works Contract with Baisch Vegetation Management, Inc., Pasco, WA – Contractors License No. BAISCVM923PP for grounds maintenance spraying services at the Benton County Fairgrounds; **NOW THEREFORE**,

BE IT RESOLVED the Board of Benton County Commissioners concurs with the recommendation and hereby awards Baisch Vegetation Management, Inc. the Public Works Contract for grounds maintenance spraying services at the Benton County Fairgrounds. Total amount payable, including acceptable overages, incidentals and other unanticipated costs, including additional pest control, shall not exceed Sixteen Thousand Five Hundred dollars and zero cents, (\$16,500.00) not including W.S.S.T.

BE IT FURTHER RESOLVED the Board hereby authorizes the Chairman to sign the Public Works Contract attached hereto; and

BE IT FURTHER RESOLVED the term of the attached Contract shall commence when signed by both parties and shall expire on December 31, 2012.

Dated this _____ day of _____, 2012

Chairman of the Board

Member

Member

Attest: _____

Clerk of the Board

**PUBLIC WORKS CONTRACT
TERMS AND CONDITIONS**

THIS CONTRACT is made and entered into by and between **BENTON COUNTY**, a political subdivision, with its principal offices at 620 Market Street, Prosser, WA 99350 (hereinafter "COUNTY"), and **Baisch Vegetation Management, Inc.** a Washington corporation with its principal offices at 2311 Hanson Loop, Burbank, WA, (hereinafter "CONTRACTOR") - Washington Contractor License BAISCVM923PP.

In consideration of the mutual benefits and covenants contained herein, the parties agree as follows:

1. CONTRACT DOCUMENTS

This Contract consists of these terms and conditions and the following documents:

- a. Exhibit A - Baisch Vegetation Management, Inc. 2012 Benton County Fairgrounds Maintenance Agreement - Bid Proposal
- b. Exhibit B - Washington State Prevailing Wage Rates for Public Works Contracts

2. DURATION OF CONTRACT

The term of this Contract shall begin upon the signing by both parties and shall expire on December 31, 2012. Price adjustments of this contract will only be effective with an executed amendment to this contract. The CONTRACTOR shall complete all work by the time(s) specified herein, or if no such time is otherwise specified, no later than the expiration date.

3. SERVICES PROVIDED

The COUNTY requires and the CONTRACTOR agrees to provide complete grounds maintenance spraying consistent with Contractors bid proposal attached hereto as Exhibit A for services at the Benton County Fairgrounds. CONTRACTOR agrees to be properly licensed with WSDA to complete that portion of the spraying service for insect control, prior to any spraying for insects, and agrees to provide such proof in writing. In the event that requested work encompasses work that is legally required to be completed by another type of contractor, CONTRACTOR shall inform COUNTY of that fact and shall coordinate with COUNTY to complete the work in conjunction with such other contractor. In the event that requested work requires, under State or local law, the issuance of a building permit, CONTRACTOR shall be responsible for procuring

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: 3/20/12 Subject: Employee of the Month Prepared by: <u>M. Wenner</u>	Execute Contract Pass Resolution Pass Ordinance Pass Motion Other <u>X</u>	Consent Agenda <u>X</u> Public Hearing 1st Discussion 2nd Discussion Other

BACKGROUND INFORMATION

Approval of Employee of the Month for April 2012.

SUMMARY

Same as above.

RECOMMENDATION

Request signatures approving Employee of the Month for April 2012.

FISCAL IMPACT

No fiscal impact.

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION</u>		<u>NEEDED</u>	
Meeting Date:	March 20, 2012	Execute Contract	<u> X </u>	Consent Agenda	<u> X </u>
Subject:	Amendment 1 to 2010- 2012 Juvenile Detention CBA	Pass Resolution	<u> </u>	Public Hearing	<u> </u>
Prepared by:	Steve Hallstrom	Pass Ordinance	<u> </u>	1st Discussion	<u> </u>
Reviewed by:		Pass Motion	<u> </u>	2nd Discussion	<u> </u>
		Other	<u> </u>	Other	<u> </u>

BACKGROUND INFORMATION

The Benton-Franklin County Juvenile Detention collective bargaining agreement (CBA) for 2010-2012 provides in Section 23.2(A) and Section 22.3 for a wage and benefits opener for 2012. The negotiating teams for the Counties and the Union representing Juvenile Detention have negotiated and agreed to amend Section 23.2(A) and Section 22.3 and the CBA amendment containing those terms is now before the Board for approval and signature.

RECOMMENDATION

Amendment I to the 2010-2012 Juvenile Detention CBA that is before the Board for signature provides for:

- 1) The Employer paying up to a maximum of Seven Hundred, Twenty-Seven and No/100 Dollars (\$727.00) per month towards each employee's medical, dental, vision, and life insurance coverage commencing April 1, 2012, but no retro to January 1, 2012; and
- 2) The 2009 Salary Schedule will remain in place for 2012.
- 3) A one (1) time cash payout equivalent to five (5), eight (8) hour days of leave, for regular employees, or prorated leave for benefitted regular part-time employees

MOTION

Move to approve and sign Amendment I to the 2010-2012 Juvenile Detention Collective Bargaining Agreement.

JOINT BI-COUNTY RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

BEFORE THE BOARDS OF COUNTY COMMISSIONERS OF BENTON COUNTY AND FRANKLIN COUNTY, WASHINGTON

IN THE MATTER OF AMENDING THE 2010-2012 COLLECTIVE BARGAINING AGREEMENT BETWEEN BENTON COUNTY AND FRANKLIN COUNTY AND TEAMSTERS LOCAL NO. 839, REPRESENTING JUVENILE DETENTION FOR A WAGE AND BENEFITS OPENER FOR 2012.

WHEREAS, an Agreement has been reached between the Benton and Franklin Counties bargaining team and Local 839 for Amendment I to the 2010-2012 Collective Bargaining Agreement;

WHEREAS, the Benton County and Franklin County Boards of Commissioners has previously discussed and approved the significant terms of the Amendment to the CBA. **NOW THEREFORE**,

BE IT RESOLVED that the Benton County and Franklin County Boards of Commissioners approves the Amendment as negotiated and is authorized to sign the same.

APPROVED this ____ day of March, 2012.

APPROVED this ____ day of March, 2012.

BOARD OF COUNTY COMMISSIONERS
BENTON COUNTY, WASHINGTON

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chairman

Chairman

Member

Member

Member

Member

Attest:

Attest:

Clerk to the Board

Clerk to the Board

Originals: Franklin County Commissioners
Local 839
Juvenile Justice Administration
Stephen Hallstrom

AMENDMENT I
to
2010 – 2012 AGREEMENT
Between
BENTON-FRANKLIN COUNTIES JUVENILE DEPARTMENT
And
TEAMSTERS LOCAL NO. 839
WAREHOUSEMEN, GARAGE EMPLOYEES, AND HELPERS UNION

Representing JUVENILE DETENTION UNIT

Benton-Franklin Counties Juvenile Justice Department (Employer) and Teamsters Local No. 839, Warehousemen, Garage Employees, and Helpers Union, hereby agree to amend the Collective Bargaining Agreement (CBA) in effect from January 1, 2010, through December 31, 2012, as follows:

1. Section 23.2 (A.) is hereby amended to read as follows:

Effective ((January 1, 2010,)) April 1, 2012, Employer agrees to pay up to a maximum of Seven Hundred, Twenty-Seven and No/100 Dollars (\$727.00) ((Seven Hundred, Twenty-One Dollars (\$721.00)) per month towards medical, dental, vision, and life insurance coverage. PROVIDED: The insurance increase is not retroactive to January 1, 2012. In other words, the Employer's maximum insurance contribution towards medical, dental, vision and life insurance coverage for the months of January, February and March, in 2012, is Seven Hundred, Twenty-One and No/100 Dollars (\$721.00), and Seven Hundred, Twenty-Seven and No/100 Dollars (\$727.00), for the months of April through December, inclusive, in 2012. The Employer's maximum insurance contribution of Seven Hundred, Twenty-Seven and No/100 Dollars (\$727.00) will remain the "Status Quo" until such time as the parties negotiate a new amount.

2. The 2009 Salary Schedule referenced in Section 22.3 and attached to the CBA as Appendix A, will remain in place for 2012.
3. For the year 2012 only, benefited employees employed by the Benton-Franklin Counties Juvenile Department at the time of the Board of County Commissioners for Benton and Franklin Counties signing this CBA amendment, will be provided with a one (1) time cash payout equivalent to five (5), eight (8) hour days of leave, for regular employees, or prorated leave for benefited regular part-time employees.

This payout is a one-time-only benefit, which means it is valid for the 2012 year only. The payout shall not be utilized as, or otherwise included in, baseline wages for negotiations for negotiating wages and/or benefits for the years 2013 and beyond. This payout will not be paid in 2013 and beyond without a separate written agreement, including in a situation wherein the parties are unable to negotiate and otherwise

mutually agree to a new CBA which includes wages and benefits for 2013 and/or beyond. The payout shall not be considered as past practice for any and all purposes.

The Employer will undertake its best efforts to make the one time payout coincide with the April 5, 2012, payday.

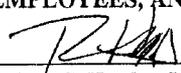
- 4. No other language in the CBA is amended or intended to be changed or modified.
- 5. Except as otherwise stipulated above, this Amendment is effective as of April 1, 2012.

IN WITNESS WHEREOF, the parties hereto agree to the terms and conditions of this Amendment and have caused it to be signed by their duly constituted and legal representatives as follows:

**BENTON - FRANKLIN COUNTIES
JUVENILE DEPARTMENT**

**TEAMSTERS LOCAL NO. 839
WAREHOUSEMEN, GARAGE
EMPLOYEES, AND HELPERS UNION**

Presiding Superior Court Judge
Date: _____



Robert C. Hawks, Secretary/Treasurer
Date: 3/8/12

Juvenile Justice Administrator
Date: _____

**BOARD OF BENTON COUNTY
COMMISSIONERS**

**BOARD OF FRANKLIN COUNTY
COMMISSIONERS**

Chair
Date: _____

Chair
Date: _____

Member

Member

Member

Member

Constituting the Board of
Benton County Commissioners

Constituting the Board of
Franklin County Commissioners

Attest:

Attest:

Clerk to the Board

Clerk to the Board

Approved as to form:

Stephen J. Hallstrom
Deputy Prosecuting Attorney

Approved as to form:

Ryan E. Verhulp
Deputy Prosecuting Attorney

RESOLUTION

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY,
WASHINGTON:**

IN THE MATTER OF COUNTY FRANCHISES RE: APPLICATION OF
LIGHTSPEED NETWORKS INC., DBA LS NETWORKS FOR A FRANCHISE FOR A
FIBER OPTIC SYSTEM AND ALL FACILITIES IN COUNTY ROAD RIGHTS OF
WAY,

WHEREAS, LS Networks has applied for a franchise for a fiber optic system and all
facilities in Benton County road rights of way, NOW, THEREFORE,

BE IT RESOLVED that a Public Hearing on the application for franchise be held on
Tuesday, April 17, 2012 at 9:05 a.m., Local Time, in the Board of County Commissioners
Meeting Room, Benton County Courthouse, 620 Market Street, Prosser, Washington, or
also via closed circuit television at the Benton County Justice Center, Commissioners
Meeting Room, 7122 W. Okanogan Place, Bldg. A, Kennewick, WA 99336.

Dated this 20th day of March 2012.

Chairman

Chairman Pro-Tem

Member

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: <u>March 20, 2012</u>	Execute Agreement _____	Consent Agenda <u>XX</u>
Subject: <u>ERR Purchase-Loader Tires</u>	Pass Resolution <u>XX</u>	Public Hearing _____
Prepared by: <u>slc</u>	Pass Ordinance _____	1st Discussion _____
Reviewed by: <u>LJM</u>	Pass Motion _____	2nd Discussion _____
	Other _____	Other _____

BACKGROUND INFORMATION

As authorized by Resolution 2012-056 and RCW 36.32.345, quotations were solicited for the purchase of (8) Off-the-Road Rock Service Type Loader Tires for E. R. & R. Written quotations were received from three vendors on the Benton County Vendor List.

SUMMARY

The following quotations were received from vendors on the Benton County Vendor List:

COMMERCIAL TIRE Pasco, Washington 99301	\$13,008.00
WINGFOOT COMMERCIAL TIRE Pasco, Washington 99301	\$14,000.00
PASCO TIRE FACTORY Pasco, Washington 99301	\$15,065.60

RECOMMENDATION

Approve the award of the business to Commercial Tire, Pasco, Washington.

FISCAL IMPACT

The quoted price of \$13,008.00, which includes a \$1.00 per tire Washington State Tire Tax, plus WSST of \$1,079.66.

MOTION

Approve the resolution as part of the consent agenda.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF COUNTY ROADS RE: ER&R PURCHASE OF (8) OFF-THE-ROAD ROCK SERVICE TYPE LOADER TIRES

WHEREAS, resolution 2012-056 and RCW 36.32.245 authorize contracts for the purchase of materials, equipment and supplies valued at between \$5,000 and \$25,000 without advertisement and formal sealed bidding; and

WHEREAS, written quotations were received from three vendors on the Benton County Vendor List; as follows:

COMMERCIAL TIRE Pasco, Washington 99301	\$13,008.00
WINGFOOT COMMERCIAL TIRE Pasco, Washington 99301	\$14,000.00
PASCO TIRE FACTORY Pasco, Washington 99301	\$15,065.60

and

WHEREAS, the County Engineer recommends award of the business to COMMERCIAL TIRE, Pasco, Washington; NOW, THEREFORE,

BE IT RESOLVED that the business of supplying Benton County ER&R with (8) Off-the-Road Rock Service Type Loader Tires be awarded to Commercial Tire, Pasco, Washington, in the amount of \$13,008.00, and Washington State Sales Tax in the amount of \$1,079.66; and

BE IT FURTHER RESOLVED that the County Engineer is hereby authorized to proceed with the purchase.

Dated this 20th day of March 2012.

Chairman

Chairman Pro-Tem

Member

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington
Becken:Moser:slc