

Jerome Delvin
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, February 12, 2013 Benton County Courthouse, Prosser, WA

9:00 AM

Call to Order

Approval of Minutes

❖ January 28, 2013, Special Board Meeting

❖ February 5, 2013

Review Agenda

Consent Agenda

Commissioners

a. Rescinding Resolution 11 785 ~ Memorandum of Understanding w/WA St Military Department and Benton and Franklin County

b. Ye Olde Car Club of the Tri-Cities Recognition

Facilities

c. Line Item Transfer, Fund No. 0000-101, Dept. 110

Human Services

d. Amended Interlocal Agreement w/Greater Columbia Behavioral Health Regional Support Network

Juvenile

e. Line Item Transfer, Fund No. 0000-101, Dept. 138

Personnel

f. Appointment of Ed Schab to the Benton Irrigation District

g. Appointment of Randall Bricker to the Kiona Irrigation District

h. Appointment of Richard Petersen to the Benton County Civil Service Commission

Public Works

i. Contract w/CWI Security, Inc. for Alarm System Monitoring

j. Line Item Transfer, Fund No. 0501-101, Dept. 650

k. Purchase Authorization for Three Ford Pickups From Columbia Ford

l. Award of Liquid De-Icer Contract to Roadwise, Inc.

m. Vacation of Improved Coats Road Right of Way

Sheriff

n. Amending Resolution 2013-103 Authorizing Payment to Commercial Tire

o. Federal Equitable Sharing Agreement w/the Federal Government

Sustainable Development

p. Support Letter to Ridges to Rivers Open Space Network

Scheduled Business

Crow Butte Park Annual Report ~ Port of Benton

Benton City Economic Development Council ~ A Fyall

Prosser Economic Development Association ~ A Fyall

Unscheduled Visitors

Board Assignment Update

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Special Board Meeting
Monday, January 28, 2013, 2:30 p.m.
Commissioners' Conference Room
Benton County Justice Center, Kennewick, WA

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

Appointment of Washington State Senator For the 8th Legislative District

Chairman Small announced the Board would not be allowing any public comment and that each candidate would be allowed to make an opening statement and would be interviewed with the same questions and then allowed to give a summary. After the interview process, the Board would go into executive session under RCW 42.30.110 (1)(h). He said the candidates were not required to leave the room, but as a professional courtesy would ask them to leave during the interview process. Additionally, there was a resolution prepared for each candidate pending selection.

Additionally, he stated that Brad Klippert would be interviewed first by teleconference and the other two names would be drawn from a hat. Mr. Sparks drew the names and Larry Halder's name was drawn to go second and Sharon Brown's name was drawn to go third.

The following questions were asked:

1. Water shortages continue to plague the Yakima Basin, causing real economic loss. Would you support an inter-basin transfer of water from the Columbia to the Yakima?
2. How does one work with their colleagues in their current situation and how does that translate to the Senate position?
3. What do you see as the role of the State Senator in the legislature and in the district?
4. What is your budget philosophy?

5. What will be your top priorities and legislative agenda, if you are appointed State Senator?

Brad Klippert

1. Mr. Klippert said he would support an inter-basin transfer from Columbia to Yakima and that water shortage issues were very important to the future.
2. He said he was sponsoring a piece of legislation to allow delivery of rescue drugs for epilepsy in schools without RN's that he was asked by a constituent to sponsor. He said he received bi-partisan support 50/50 on this legislation and worked with his fellow Republicans and those across the room and would do the exact same thing in the Senate as in the House.
3. He said he would listen to the citizens that he represented and the constituents on issues, no matter how small. He said the west side proposes legislation that does not benefit our citizens because we have a very different climate in Eastern Washington 8th Legislative District with different beliefs and different weather patterns and it was his job to protect against growth management ideas in the west side.
4. His number one budget philosophy was to be balanced and to be prepared for the future, specifically have reserves for emergencies.
5. He said his top priorities were public safety as number one, a balanced budget (sustainable budget for four years with adequate reserves), a quality education with adequate reform; and create an environment for private sector growth and prosperity to create jobs. Additionally, to protect energy prices so they weren't paying for renewable energy prices we didn't need at this time.

Mr. Klippert thanked the Board for its time and said it was an honor to be one of the top three candidates. He thanked the Board for its understanding that he could not be present and that he had a full calendar and had to put this job first and that he would work equally as hard as the next Senator.

Larry Haler

Mr. Haler thanked the commissioners for their service and that he wanted to personally thank Commissioner Delvin for mentoring him and that he had a tradition he planned to live up to. He said there was a long tradition of choosing the senior legislator based upon experience when a position opened up and the position was not owned by any special interest group. He talked about his accomplishments and service, that he had a reputation for building relationships within the Senate and House and had the support of the citizens, as well as being the number one choice of the Republican Committee. He said he was a lifetime Republican and was not using this as a stepping stone for Congress.

1. He said he was very supportive of water rights issues in the State and had fought for water rights consistently and if placed on the water/ag committee would continue that fight.
2. He said he worked with colleagues on a one to one basis; and would continue that in the Senate. He also talked about his experience on the higher education committee to assist and save universities from being closed.
3. He said the Senate was smaller than the House, more relational than the House. He stated the House was a whirlwind but he would need to sit down with fellow Senators on a more personal level and he believed in reaching out to people and talking to people.
4. He said as far as budget, he didn't believe in raising taxes. He wanted to look at more efficiencies and maybe look at paring back some and streamline or privatize some services for more efficiency.
5. He said his priorities were education (Delta High School), a balanced budget (need a State constitution to create a balanced budget because the state didn't require the Legislature to have a balanced budget); only raise taxes when everything else was exhausted; to maintain a coalition (student achievement council); achieve a balanced budget and increase in reserves; need to run it so cities and counties were not hit with unfunded mandates.

He said that everyone knew he was hard worker, the people in the community liked and trusted him, and the PCO's that selected him on the first ballot knew he would represent them. He said he appreciated the Board's consideration and that he would do them honor and justice.

Sharon Brown

Sharon Brown said she was Mayor Pro Tem for the City of Kennewick and that not being the first choice did not mean she was not the right choice. Ms. Brown said she had the skills and qualities important to be for a State Senator, experience in the public and private sectors, and as an attorney was trained to interpret laws. She said she wanted to make the Tri-Cities a place where her children would want to raise their children and she supported safety services 100% and funding requests to keep gangs at bay. She said it was important to reduce the rules and regulations on small businesses and make the Tri-Cities a safe place to live, work and play. Additionally, she established a radio show on KONA to discuss issues pertinent to Tri-Cities including local public safety issues and she has been trying to raise a voice for the Tri-Cities on the following: different storm water requirements for this side of the state; local revitalization program for Southridge project, and bi-partisan support for the UGA Legislation.

1. Ms. Brown said if it was good for this part of the state then it was good for the Tri-Cities. She would talk with stakeholders involved and engage the constituents to find out what they wanted and if it was good for the Tri-Cities she would support it.

2. A prime example of that would be the success they had with the UGA Legislation by finding out what was important for all involved and reaching a compromise to get it done.
3. Ms. Brown said she would want to be a strong voice for the Tri-Cities. It was the fifth largest economy in the State and we need to show them in the Senate what we are doing in the Tri-Cities because we are doing a lot right in the Tri-Cities.
4. She said her budget philosophy was exemplified by what was accomplished in the City of Kennewick; a \$252 biennial budget that was reduced by 7%. She was not an advocate of throwing money to solve problems.
5. She said her number one priority would be to bring a strong voice to this area and bring growth to the Tri-Cities and to make Olympia realize what is available in the Tri-Cities. Additionally, she would work to make Washington businesses more competitive and reduce the regulations imposed that were stricter than those imposed by the federal government.

In summary, Ms. Brown said when she ran for city council she wanted to make a positive impact. Additionally, she has five kids and was not looking to relocate; it was where they have their businesses and where her family was. She said she was an advocate for the Tri-Cities and she wanted to make Olympia take notice.

Chairman Small said there were three very strong candidates here and he requested the Board go into executive session under RCW 42.30.110 (1)(h): "To evaluate the qualifications of a candidate for appointment to elective office. However, any interview of such candidate and final action appointing a candidate to elective office shall be in a meeting open to the public."

Chairman Small announced they would go into executive session for approximately 20 minutes. The Board went into executive session at 3:24 p.m. The Board came out of executive session at 3:48 p.m. No decisions were made in executive session.

Commissioner Delvin said the Board had a discussion in executive session regarding the candidates' qualifications and he felt he had a unique perspective on what it would take to be effective since he had served in both the House and Senate. He said he looked for effectiveness and leadership qualities and someone that had a community wide perspective, not special interest groups, and Ms. Brown talked about vision and community.

MOTION: Commissioner Delvin moved to nominate Sharon Brown to the open position of Washington State Senator for the 8th Legislative District to replace him on February 4. Commissioner Beaver seconded.

Discussion

Commissioner Beaver said he felt like that was the kind of mission that needed to come out of Olympia about building a better community and he heard some positive things about the Tri-Cities.

Chairman Small said there were three very qualified and strong candidates and he thanked everyone for their dedication to the community.

Upon vote, the motion carried unanimously.

Resolution No. 2013-060: Appointment of Sharon Brown as State Senator for District 8.

There being no further business before the Board, the meeting adjourned at 3:53 p.m.

Clerk of the Board

Chairman

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, February 5, 2013, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Shon Small
Commissioner James Beaver
Commissioner Jerome Delvin
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; Human Services Manager Ed Thornbrugh; Public Works Manager Steve Becken; DPA Ryan Brown; Central Services Manager Randy Reid; County Engineer Daniel Ford; District Court Administrator Jacki Lahtinen; Sgt. Trevino, Sheriff's Office; Treasurer Duane Davidson; Lexi Wingfield and Bryan Perry, Personnel Dept.; DPA Ryan Lukson; Sue Schuetze, Public Works; Pat Powell, Auditor's Office; Planning Manager Mike Shuttleworth; Sharlene Vowels, Noxious Weed; Aileen Coverdell, Auditor's Office.

Approval of Minutes

The Minutes of January 29, 2013 were approved.

Consent Agenda

Commissioner Beaver requested item "l" (line item transfer for the Sheriff's Office) be pulled.

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

Commissioners

- a. Approval of Benton County Tax Levy for 2013
- b. Letter of Appointment to the Secretary of the Senate
- c. Appointment of D Brumley to the Aging & Long Term Care Advisory Council

District Court

- d. Purchase Authorization of Law Books from Thompson West

Facilities

- e. Contract w/Schindler Elevator Corporation for Elevator Services

Human Services

- f. Contract w/Greater Columbia Behavioral Health

Juvenile

- g. Agreement w/TeamChild for the Creation of a Juvenile Rights Guide

Personnel

- h. Amending Resolution 09 618, Section 8.5 of Voluntary Employee Beneficiary Account Plan
- i. Repealing & Superseding All Previously Approved Resolutions Regarding Health Reimbursement Arrangement/Voluntary Employees' Beneficiary Association Plan

Public Works

- j. Equipment Rental Rates for County Road Equipment
- k. Public Hearing Authorization for BC Water Company, LLC Franchise Application

Sheriff

- m. Copier Lease Agreement w/Ricoh USA
- n. Contract w/Pronto Process Service, Inc. for Process Service and Delivery
- o. Authorization to Solicit Bids for Procurement of Inmate Supplies
- p. Authorization to Solicit Bids for the Procurement of Jail Chemical Supplies
- q. Authorization to Solicit Bids for the Procurement of Paper and Glove Supplies
- r. Authorization to Solicit Bids for the Procurement of Employee Uniforms – Class A
- s. Authorization to Solicit Bids for the Procurement of Employee Uniforms & Other Related Items

Item “P” - Line Item Transfer, Fund No, 0000-101, Dept. 121

Sgt. Trevino said they were applying for grant money made available through the Washington Auto Theft Authority to purchase a camera, two notebook tablets, and cell service for one year. He said he needed a line item transfer to purchase the items but they were fully reimbursable through the grant money.

MOTION: Commissioner Beaver moved to approve the line item transfer as presented. Commissioner Delvin seconded and upon vote, the motion carried unanimously.

Continued Public Hearing – CRID #23

Steve Becken reviewed the written report dated January 29, 2013 and said the rough estimate for the County to construct S. 38th Avenue and that portion of Mt. Adams view west of 38th Avenue would be approximately \$950,000. Additionally, the 6 and 1-year road programs would need to be amended and could potentially jeopardize \$6 million in RAP and STP funds projects. Right of way would need to be addressed and the costs associated with that acquisition and power pole relocation could not be determined until after a survey and design were complete. Also, the City of West Richland indicated it would not participate in construction costs of 38th Avenue outside the city limits.

Mr. Becken said that Public Works was recommending the Board not undertake construction of 38th Avenue but either approve or deny the proposed CRID. To approve, they must find that the benefit received by the construction of the road was not greater than the cost as required by RCW 36.88.035, which might require hiring an appraiser to complete an appraisal.

He said that although they were recommending approval of CRID 23, without the County making a contribution to the CRID and/or hiring an MAI to complete an appraisal, they did not know if the requirements of RCW 36.88.035 could be met. Mr. Becken then outlined the options for the Board if it approved the CRID.

Commissioner Delvin said he would recuse himself from the discussions. The Board agreed he could stay for the discussions.

Ryan Brown said he was asked to provide guidance as to the scope of authority regarding assessments for CRIDs. He said the Board had only approved the formation of a handful of CRIDs and they were not formed over strenuous objection and his office had not ever been asked for guidance.

Mr. Brown summarized the petition and said it proposed the improvements be funded 100% by assessments on the neighboring properties and the resolution intent adopted in November 2012 accepted that petition and did not propose any county road funds be used in that project. He said he understood the proposal was to evenly spread the cost of the roads over the parcels that the petition proposed be included in the CRID which resulted in assessments of roughly \$20,000 per parcel. He said it was the Board's responsibility to decide if it wanted to approve the CRID formation based on current policies. If the answer was yes, then it would need to determine if the CRID was feasible and make a written finding that it was feasible. If feasible, it would need to select a method of assessment.

The Board would need to determine if the funding proposal would work in order to determine if it was feasible. In order to do that, it would need to compare (in this case) the estimated cost of the improvements to the maximum lawful assessments. Under Washington law they were not allowed to simply spread the estimated cost of a CRID out over the parcels, but only allowed to impose assessments on those properties that would specially benefit by an improvement and only up to the extent of such benefits. Special benefits were determined by comparing fair market values (either through in-house staff or contract) of the property before and after the contemplated improvements were made. So it would need to complete the analysis and determine if the estimated special benefits for all the parcels in the aggregate would equal or exceed the estimated costs of the improvements. If determined it was not feasible, then the CRID would need to be terminated or come up with another funding method designed to make up the difference. He said the Board did not have anything that reflected the estimated amount of special benefit other than Mr. Becken's conversations with realtors and therefore, given the testimony questioning the amount of assessments on particular lots, the Board may not have what it would need to make a final feasibility.

Commissioner Beaver said he was told by the attorney the Board could only consider the proposed CRID in front of them that did not include County funds. He said he indicated at the last public hearing he believed they were asking residents to support an arterial street that was usually supported by the government. Additionally, the proposed CRID that was accepted stated the costs would be funded by 100% assessments and he didn't agree with that method. Additionally, he thought the Board had a fiduciary responsibility to fund at least a portion of 38th

Avenue and partner with the City of West Richland to construct that. He said he was in favor of doing something in that neighborhood and thought the County should assist in that process.

Steve Becken said that 38th Avenue was not an arterial but was a private road and would not become an arterial without application from the County to the State and the BFCOG to the State and to the Feds. Additionally, it would take two to four months to get classified as an arterial and he couldn't apply for it to be an arterial until he knew it would become a county road.

MOTION: Commissioner Beaver moved to deny the formation of CRID #23 as presented. Chairman Small seconded.

Discussion

Chairman Small said this was not an easy decision and they were trying to address this issue to see how they could best serve the residents. Factors to be considered were the cost of the appraisal. If the CRID were approved, the cost could be included in the assessment, however, if it were denied, the County would have to pay for it and the County had recently addressed a \$2.7 million shortfall for the new biennium budget. He said it was a very unique CRID and a lot of research was completed to make sure it was done right. He questioned whether it was really the government's responsibility to put this assessment on the residents when it was not wanted by 40% of the residents and they were trying to be fair to all.

Commissioner Beaver said he wanted to give direction to Public Works about reclassifying 38th Avenue an arterial road. Mr. Becken said the County was allotted so many miles of arterial road in the county and they were not willing to give that up unless they knew it would become a county road. He said they were not going to give an arterial classification on a private road. Commissioner Beaver recommended that issue be brought up at a different meeting so the Board could give direction.

Upon vote, the motion carried.

The Board briefly recessed, reconvening at 9:30 a.m.

Public Hearing - Coats Road Vacation

Sue Schuetze presented the proposal for vacation of Coats Road. She said that CenturyLink responded and requested a 15' utility easement be retained. Additionally, Benton REA had an existing power line and requested a utility easement be created.

Ms. Schuetze indicated it was the opinion of the Public Works Department this right of way should be vacated as presented.

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

MOTION: Commissioner Beaver moved to approve the vacation as recommended. Commissioner Delvin seconded and upon vote, the motion carried unanimously.

Human Services Update

Ed Thornbrugh said he had three issues to discuss with the Board.

1. Advisory Boards. Mr. Thornbrugh said there was declining interest and attendance for the advisory boards and the independent boards voted to recommend the boards be consolidated into a single Human Services Advisory Board. Mr. Thornbrugh recommended this action and provided draft bylaws that were currently being reviewed by legal.

MOTION: Commissioner Beaver moved to give direction to Mr. Thornbrugh to move forward on resolving his three issues. It was seconded.

2. Development of Coordinated Entry for Housing Programs. He said the intent of this would be to streamline access to key services to reduce homelessness. His recommendation was to work with the County Administrators to reorganize department positions and evaluate the need for additional positions to be funded by grants and contracts.
3. 2163 Homeless Housing. He said the steering committee reviewed the proposals and made recommendations for use of the 2163 funds. He reviewed the grant proposals and recommendations and requested approval to move forward with those recommendations.

Upon vote, the motion carried.

Emergency Services Update

Ms. Smith Kelty provided a timeline regarding the Emergency Services regionalization issue.

The Board discussed the Memorandum of Understanding (MOU) signed by the Board on December 6, 2011. The State was supposed to select and hire a consultant to conduct the study but the State never executed the version that Benton and Franklin Counties signed. The Board agreed to rescind that resolution and Memorandum of Understanding. Additionally, the State provided a new MOU that was never signed by all three parties.

Mr. Brown said the Board was back to where it was before; was it ready to agree to a merger or did it want more information before agreeing to a merger.

Commissioner Beaver said he wanted to see the feasibility first. Commissioner Delvin said he didn't know if he needed to see a feasibility study; he agreed to the concept with a merger but wanted to know the cost, buy-in, and operating expenses. Chairman Small said he wanted to see that as well and wanted to know if it would be a good business move and save money, etc. Commissioner Beaver agreed he wanted to see the proposal before agreeing to a merger.

The Board talked about sending a letter stating what it wanted to see in the proposal to answer all the questions they had. Mr. Sparks said they would work on a letter stating they supported the concept under the right circumstance and then list the circumstances.

The Board briefly recessed, reconvening at 10:09 a.m.

Yakima River Basin Watershed Enhancement Project (YRBWEP)

Derek Sandison, Wendy Christensen, Urban Eberhart, and Tom Tebb gave a Powerpoint presentation on the YRBWEP update as follows:

- Overview; size and production
- Management by Bureau of Reclamation
- Different water users
- Issues - declining water supply, reduced fisheries, municipal and domestic needs
- Integrated plan grew from Yakima River Basin Water Enhancement project – now it was well served by different groups
- Process from 2009 to present; plans and implementation
- Goals of the plan: ecological restoration; improve water supply during drought; water supply management
- Seven Elements: reservoir fish passage; habitat/watershed protection and enhancement; surface water storage; enhanced water conservation; groundwater storage element; market reallocation element; structural and operational changes
- Schedule – completed final EIS in March 2012; completed federal planning document in Oct. 2012; Federal agency support group formation in Fall, 2012; State/Capital budget request in Jan. 2013; workgroup seeking federal authorization funding 2013 and beyond.

Unscheduled Visitors

Jim Wade

Mr. Wade, Kennewick, asked how much the percentage per \$1,000 was on the resolution that was approved by the Board. Mr. Sparks said the resolution approved was for the tax levy however, the resolution completed in December certifying taxes was at approximately \$1.26 or \$1.27 per thousand.

Mr. Wade discussed the Yakama Basin water project, other sustainable development projects and his concern that salmon were more important than humans and wanted to know where the money was coming from. Commissioner Delvin said fish costs were imbedded in electrical bills.

Treasurer Update on Legislative Issues

Treasurer Duane Davidson said he spent 2 ½ days in Olympia and updated the Board on the following legislative issues:

1. Property taxes – he said there were five bills alone dealing with delinquent property taxes and giving more options to taxpayers to pay. He said two appeared to be going away with three remaining (and one the County Treasurer Association preferred) that mirrored prior legislation allowing for monthly property tax payments for delinquent taxes. He said he would be asking the Commissioners for support as they made their way through the committees.
2. Irrigation bill that larger districts really needed for foreclosure of LID's, but did not pertain to mini districts that the Treasurer served.
3. Bill about the administrative refund levy (being held up by a code reviser and being questioned about relevance). He said he wanted to drop a companion bill if he could get support in the Senate.

Income Waiver for Veterans Assistance

Pat Powell requested the Board approve an income waiver for veteran Robert Burns.

MOTION: Commissioner Beaver moved to approve the income waiver for Robert Burns. Commissioner Delvin seconded and upon vote, the motion carried.

Tom Bohlke

Mr. Bohlke, Prosser, said he heard that Red Mountain was going to draw out water for the wine groups and asked about the moratorium on withdrawals. He was told it was a 10-yr process for KID and their withdrawal permit was moved downstream; they were not taking any more water but it was just a change of location (instead of upriver KID would now be taking it downstream).

He also discussed his concern that game wardens could search without a warrant, the same as a customs agent. Commissioner Delvin said they had law enforcement authority if they went through the WA State Criminal Justice training with the same powers as any other police officer, not any special powers.

Commissioner Assignment Update

Commissioner Delvin said he resigned his Senate seat and the new appointee was sworn in on Monday. He said he was now looking forward to doing county business and had nothing to report.

Commissioner Beaver said he was lobbied pretty hard for the Senate position. Additionally, he attended meetings for the Council of Governments and Workforce Development Council.

Chairman Small said he worked on the CRID and Emergency Management regionalization issues.

Mr. Sparks reported they had tentative agreements for the union contracts. Additionally, he received a notice from the State Auditor regarding the exit conference and in the past the

Chairman ha met with the State Auditor. Commissioner Delvin asked about sitting in on that meeting and Mr. Sparks said he would work on setting up individual meetings.

Letter of Support – Water Rights for Kennewick General Hospital (KGH)

Commissioner Beaver asked the Board if it would write a letter of support for water rights for KGH to develop land in the Southridge area. Commissioner Delvin expressed his concern about some of the mitigation they were being required to do. The Board agreed to send a letter.

Commissioner Beaver also discussed HB 1350 (water right legislation) and said he had no desire to be a water cop. He said he was asked by the Snake River Irrigators group to weigh in on this subject and provide Benton County’s position. The Board agreed to write a letter.

Executive Session – Potential Litigation

The Board went into executive session with DPA Ryan Lukson at 11:10 a.m. for up to 20 minutes. Also present were Clay Vannoy via/video conference, Ryan Brown, Bryan Perry, Loretta Smith Kelty, Melina Wenner, David Sparks, and Cami McKenzie. The Board came out at 11:23 am. Mr. Lukson stated the Board discussed potential litigation but no action was taken.

Vouchers

Check Date: 1/29/2013
Warrant #: 73891
Total all funds: \$5,000

Check Date: 1/30/2013
Warrant #: 73909-74019
Total all funds: \$503,023.18

Check Date: 02/01/2013
Warrant #: 74101-74208
Total all funds: \$439,011.82

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

Resolutions

- 2013-113: Approval of Benton County Tax Levy for 2013
- 2013-114: Appointment of D Brumley to the Aging & Long Term Care Advisory Council
- 2013-115: Purchase Authorization of Law Books from Thompson West
- 2013-116: Contract w/Schindler Elevator Corporation for Elevator Services
- 2013-117: Contract w/Greater Columbia Behavioral Health
- 2013-118: Agreement w/TeamChild for the Creation of a Juvenile Rights Guide
- 2013-119: Amending Resolution 09 618, Section 8.5 of Voluntary Employee Beneficiary Account Plan

- 2013-120: Repealing & Superseding All Previously Approved Resolutions Regarding Health Reimbursement Arrangement/Voluntary Employees' Beneficiary Association Plan
- 2013-121: Equipment Rental Rates for County Road Equipment
- 2013-122: Public Hearing Authorization for BC Water Company, LLC Franchise Application
- 2013-123: Transfer of Funds – Current Expense – Dept. 121
- 2013-124: Copier Lease Agreement w/Ricoh USA
- 2013-125: Contract w/Pronto Process Service, Inc. for Process Service and Delivery
- 2013-126: Authorization to Solicit Bids for Procurement of Inmate Supplies
- 2013-127: Authorization to Solicit Bids for the Procurement of Jail Chemical Supplies
- 2013-128: Authorization to Solicit Bids for the Procurement of Paper and Glove Supplies
- 2013-129: Authorization to Solicit Bids for the Procurement of Employee Uniforms–Class A
- 2013-130: Authorization to Solicit Bids for the Procurement of Employee Uniforms & Other Related Items

There being no further business before the Board, the meeting adjourned at approximately 11:23 a.m.

Clerk of the Board

Chairman

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF THE MEMORANDUM OF UNDERSTANDING BETWEEN WASHINGTON STATE MILITARY DEPARTMENT AND BENTON COUNTY, WASHINGTON AND FRANKLIN COUNTY, WASHINGTON; RESCINDING RESOLUTION 11-785

WHEREAS, pursuant to R.C.W. 36.01.010 and R.C.W. 36.32.120 the legislative authority of each county is authorized to enter into contracts on behalf of the County and have the care of County property and management of County funds and business; and

WHEREAS, the Board of Benton County Commissioners on December 6, 2011 per Resolution 11-785 entered into a Memorandum of Understanding Between Washington State Military Department and Benton County, Washington and Franklin County, Washington; and

WHEREAS, the Board of Benton County Commissioners desires to rescind the Memorandum of Understanding entered on December 6, 2011; **NOW, THEREFORE**,

BE IT RESOLVED the Board of Benton County Commissioners hereby rescinds Resolution 11-785, the Memorandum of Understanding Between Washington State Military Department and Benton County and Franklin County.

Dated this day of, 2013.

Chairman of the Board

Chairman Pro-Tem

Member

Attest:
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF YE OLDE CAR CLUB OF THE TRI-CITIES

WHEREAS, the Ye Olde Car Club of the Tri-Cities was organized in the spring of 1963 and will be celebrating its golden anniversary in 2013; and,

WHEREAS, the Ye Olde Car Club is dedicated to the preservation and maintenance of motor vehicles of historical value, and to the showcasing of these historic automobiles as an integral part of our collective heritage; and,

WHEREAS, the Ye Olde Car Club has been a regular participant in community events throughout Benton County for a half century, such as Richland's Cool Desert Nights, West Richland's Veterans Day parade, Prosser's States Day parade, and the Benton-Franklin Fair & Rodeo's parade; and,

WHEREAS, Ye Olde Car Club members regularly visit retirement homes in the community to brighten the days of residents and share in the nostalgia of bygone eras; and,

WHEREAS, the Ye Olde Car Club makes annual donations to the auto shop programs at Tri-Tech and local high schools to help sustain those programs; **NOW THEREFORE**,

BE IT RESOLVED, by the Board of Commissioners that Benton County thanks Ye Olde Car Club for its various contributions to the communities of Southeastern Washington; and congratulates Ye Olde Car Club as it marks 50 years of preserving and celebrating America's automotive heritage.

Dated this _____ day of _____, 2013.

Chairman of the Board

Member

Member

Constituting the Board of Commissioners
of Benton County, Washington.

Attest.....
Clerk of the Board

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>	
Meeting Date:	<u>02/12/13</u>	Execute Contract	_____
Subject:	<u>Line Item</u>	Pass Resolution	<u>X</u>
	<u>Transfer –</u>	Pass Ordinance	_____
	<u>Facilities</u>	Pass Motion	_____
Prepared by:	<u>C. McKenzie</u>	Other	_____
Reviewed by:	<u>Keith Mercer</u>		
		Consent Agenda	<u>X</u>
		Public Hearing	_____
		1st Discussion	_____
		2nd Discussion	_____
		Other	_____

BACKGROUND INFORMATION

The Facilities Manager received quotes for a Pipe Freeze Kit from the following vendors:

Ferguson, Pasco, WA: \$2,865.77 plus WSST
 Fastenal, Kennewick, WA: \$3,493.73 plus WSST
 Grainger Industrial Supply: \$4,036.00 plus WSST

SUMMARY

A line item transfer in the amount of \$3,104.00 is needed to purchase a Pipe Freeze Kit for the Facilities Department from Ferguson, Pasco, WA.

RECOMMENDATION

Approve the resolution authorizing the line item transfer.

FISCAL IMPACT

2013-2014 Budget
 \$3,104.00
 Fund – Current Expense, Dept. 110
 No supplement needed

MOTION

Consent Agenda

BENTON COUNTY LINE ITEM TRANSFER

Dept Name:

Dept Nbr:

Fund Name:

Fund Nbr:

TRANSFER FROM:

TRANSFER TO:

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
518-301	3133	Building Maint. Supplies	\$3,104	518-301	3501	Small Equipment	\$3,104
TOTAL			\$3,104	TOTAL			\$3,104

Explanation:

2013-2014 Budget. A line item transfer is needed to pay for a "Pipe Freeze Kit" for the Faciliites Dept. to be paid from the Small Equipment Line Item.

Prepared by:

Date:

Approved

Denied

Date: _____

Chairman

Member

Member

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date:	Execute Amendment	<u> X </u>
Subject: <u>Third Amended Interlocal Agreement between Greater Columbia Behavioral Health Regional Support Network</u>	Pass Resolution	<u> X </u>
	Pass Ordinance	<u> </u>
	Pass Motion	<u> </u>
	Other	<u> </u>
Prepared by: Maria Loera, Sr. Secretary-DHS	COORDINATION: Ryan Lukson, BCPA	Consent Agenda
Reviewed by: Ed Thornbrugh, Administrator-DHS	Ed Thornbrugh, DHS	<u> X </u>
		Public Hearing
		<u> </u>
		1st Discussion
		<u> </u>
		2nd Discussion
		<u> </u>
		Other
		<u> </u>

BACKGROUND INFORMATION

This Agreement is made and entered into by and among the several counties organized and existing as political subdivisions under the Constitution and laws of the State of Washington which are signatory to this Agreement and shall replace all prior Agreements concerning Greater Columbia Behavioral Health ("GCBH") and/or Greater Columbia Regional Support Network which are hereby terminated.

This Agreement is entered into for continuing and expanding GCBH, which shall be organized under RCW 71.24-Community Mental Health Services Act, and RCW 39.34-Interlocal Cooperation Act, to provide programs of comprehensive mental health services and economy of resources for all member counties.

SUMMARY

Amount: N/A

Period: Effective when signed by all member counties and posted on the GCBH website and shall continue until terminated by a majority of the member counties.

Funding Source: N/A

RECOMMENDATION

- Sign the Resolution to accept the proposed Third Amended Interlocal Agreement
- Approve the proposed Third Amended Interlocal Agreement by signing all the copies where indicated

FISCAL IMPACT

There is no impact on the current expense budget.

MOTION

To approve signing a Third Amended Interlocal Agreement between Greater Columbia Behavioral Health Regional Support Network, and to authorize the Chair to sign on behalf of the Board.



Signature

RESOLUTION

Benton County Resolution No. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON;

RE: IN THE MATTER OF EXECUTING A THIRD AMENDED INTERLOCAL AGREEMENT BETWEEN GREATER COLUMBIA BEHAVIORAL HEALTH REGIONAL SUPPORT NETWORK AND BETWEEN THE COUNTIES OF: ASOTIN, BENTON, COLUMBIA, FRANKLIN, GARFIELD, KITTITAS, KLICKITAT, WALLA WALLA, WHITMAN AND YAKIMA COUNTIES; TO PROVIDE PROGRAMS OF COMPREHENSIVE MENTAL HEALTH SERVICES AND ECONOMY OF RESOURCES FOR ALL MEMBER COUNTIES, AS STATED IN RCW 71.24-COMMUNITY MENTAL HEALTH SERVICES ACT, AND RCW 39.34-INTERLOCAL COOPERATION ACT;

WHEREAS, the Third Amended Interlocal Agreement is made and entered into by and among several counties organized and existing as political subdivisions under the Constitution and laws of the State of Washington which are signatory to the attached Agreement and shall replace all prior Agreements concerning Greater Columbia Behavioral Health (“GCBH”) and/or Greater Columbia Regional Support Network which are hereby terminated and revoked; and

WHEREAS, the State of Washington legislature has adopted RCW 71.24 as amended from time to time, instituting mental health reform and authorizing regional support networks, hereinafter called RSNs; and

WHEREAS, the State of Washington has adopted RCW 71.24.025 and 71.24.300 thereby making tribal authorities eligible to participate in the administration and management of RSNs; and

WHEREAS, counties benefit from RCW 39.34 which permits local government units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities; and

WHEREAS, each member county desires to join together for the purpose of planning, authorizing, and coordinating mental health services; and

WHEREAS, it appears economically feasible and practical to do so; NOW, THEREFORE,

BE IT RESOLVED, that the Board of Benton County Commissioners hereby accept the proposed Third Amended Interlocal Agreement with Greater Columbia Behavioral Health Regional Support Network; and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Benton County Commissioners be, and hereby is, authorized to sign on behalf of Benton County, a Third Amended Interlocal Agreement between Greater Columbia Behavioral Health Regional Support Network and between the counties of: Asotin, Benton, Columbia, Franklin, Garfield, Kittitas,

Third Amended Interlocal Agreement between
GCBH RSN and the counties of Asotin, Benton,
Columbia, Franklin, Garfield, Kittitas, Klickitat,
Walla Walla, Whitman and Yakima

Page Two

Klickitat, Walla Walla, Whitman and Yakima counties; to provide programs of comprehensive mental health services and economy resources for all member counties; and

BE IT FURTHER RESOLVED, the Agreement shall become effective when signed by all member counties and posted on the GCBH website and shall continue until terminated by a majority of the member counties.

Dated thisday of , 2013

Chair

Member

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

Attest: _____
Clerk of the Board

**THIRD AMENDED INTERLOCAL AGREEMENT
GREATER COLUMBIA BEHAVIORAL HEALTH REGIONAL SUPPORT NETWORK**

This Agreement is made and entered into by and among the several counties organized and existing as political subdivisions under the Constitution and laws of the State of Washington which are signatory to this Agreement and shall replace all prior Agreements concerning Greater Columbia Behavioral Health (“GCBH”) and/or Greater Columbia Regional Support Network which are hereby terminated and revoked.

RECITALS

WHEREAS, The State of Washington legislature has adopted RCW 71.24 as amended from time to time, instituting mental health reform and authorizing regional support networks, hereinafter called RSNs; and

WHEREAS, The State of Washington has adopted RCW 71.24.025 and 71.24.300 thereby making tribal authorities eligible to participate in the administration and management of regional support networks; and

WHEREAS, counties benefit from RCW 39.34 which permits local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities; and

WHEREAS, each member county desires to join together for the purpose of planning, authorizing, and coordinating mental health services; and

WHEREAS, it appears economically feasible and practical to do so;

NOW, THEREFORE, for and in consideration of the mutual benefits, covenants, and agreements contained herein, the member counties agree as follows:

ARTICLE 1

PURPOSE

This Agreement is entered into for continuing and expanding GCBH, which shall be organized under RCW 71.24-Community Mental Health Services Act, and RCW 39.34-Interlocal Cooperation Act, to provide programs of comprehensive mental health services and economy of resources for all member counties.

ARTICLE 2

PARTIES TO AGREEMENT

The counties that are party to this Agreement are as follows: Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Klickitat, Walla Walla, Whitman and Yakima. Each member county that is a party to this Agreement certifies that it intends to participate with all other member counties to this Agreement on its effective date and with such other parties as may later be added to and become signatories to this

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN CURRENT EXPENSE FUND NUMBER 0000-101, DEPARTMENT NUMBER 138 - "ADULT AND JUVENILE DRUG COURT", AND

BE IT RESOLVED, by the Board of Benton County Commissioners, that funds shall be transferred as outlined in Exhibit "A", attached hereto.

Dated this _____ day of _____,

Chairman of the Board

Member

Member

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

Attest: _____
Clerk of the Board

cc: Dept., Auditor, File,

Prepared by: J. Bowe

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	<u>02/12/13</u>	Execute Contract	_____	Consent Agenda	XXX
Subject:	<u>Benton</u>	Pass Resolution	XXX	Public Hearing	_____
	<u>Irrigation</u>	Pass Ordinance	_____	1st Discussion	_____
	<u>District</u>	Pass Motion	_____	2nd Discussion	_____
Prepared by:	<u>L. Wingfield</u>	Other	_____	Other	_____
Reviewed by:	<u>M. Wenner</u>				

BACKGROUND INFORMATION

There has been a resignation within the Benton Irrigation District Board of Directors. Ed Schab has expressed a desire to be appointed to fill the vacancy.

SUMMARY

A vacancy on the Benton Irrigation District Board of Directors exists and needs to be filled.

RECOMMENDATION

Approve the attached resolution appointing Mr. Schab to the Benton Irrigation District Board of Directors.

FISCAL IMPACT

None.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF APPOINTING ED SCHAB TO THE BENTON IRRIGATION DISTRICT BOARD OF DIRECTORS

WHEREAS there is an open position for Director due to a resignation within the Benton Irrigation District Board of Directors; and

WHEREAS, requests for applications were solicited; and

WHEREAS, the Board of Benton County Commissioners received an application as well as a recommendation from the Benton Irrigation District for Ed Schab to fill the open position; **NOW, THEREFORE**,

BE IT RESOLVED the Board of Benton County Commissioners hereby appoints Ed Schab to fill the position of Director with the Benton Irrigation District, with said term expiring December 31, 2015.

Dated this day of, 20

Chairman of the Board

Chairman Pro Tem

Member

Constituting the Board of County
Commissioners of Benton County,
Washington

Attest:
Clerk of the Board

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>		
Meeting Date:	<u>02/12/13</u>	Execute Contract	_____	Consent Agenda
Subject:	<u>Kiona Irrigation</u>	Pass Resolution	XXX	Public Hearing
Prepared by:	<u>L. Wingfield</u>	Pass Ordinance	_____	1st Discussion
Reviewed by:	<u>M. Wenner</u>	Pass Motion	_____	2nd Discussion
		Other	_____	Other

BACKGROUND INFORMATION

Randall Bricker’s appointment to the Kiona Irrigation District has expired. Mr. Bricker has expressed a desire to be reappointed for an additional term.

SUMMARY

A vacancy on the Kiona Irrigation District exists and needs to be filled.

RECOMMENDATION

Approve the attached resolution appointing Mr. Bricker to the Kiona Irrigation District, with said term expiring on December 31, 2014.

FISCAL IMPACT

None.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF APPOINTING RANDALL BRICKER TO THE KIONA IRRIGATION DISTRICT BOARD.

WHEREAS, there has been an opening on the Kiona Irrigation District Board,

WHEREAS, Randall Bricker has expressed an interest and willingness to be appointed to the open board position; **NOW, THEREFORE**,

BE IT RESOLVED that Randall Bricker is hereby appointed by the Benton County Board of Commissioners to the Kiona Irrigation District Board with said term expiring December 31, 2014.

Dated this day of, 20

Chairman of the Board

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>02/12/13</u>	Execute Contract	_____
Subject:	<u>Civil Service Commission</u>	Pass Resolution	XXX
Prepared by:	<u>L. Wingfield</u>	Pass Ordinance	_____
Reviewed by:	<u>M. Wenner</u>	Pass Motion	_____
		Other	_____
		Consent Agenda	XXX
		Public Hearing	_____
		1st Discussion	_____
		2nd Discussion	_____
		Other	_____

BACKGROUND INFORMATION

Richard Petersen’s appointments to the Benton County Civil Service Commission has expired. Mr. Petersen has expressed a desire to be reappointed for an additional term expiring on December 31, 2017.

SUMMARY

A vacancy on the Benton County Civil Service Commission exists and needs to be filled.

RECOMMENDATION

Approve the attached resolution appointing Mr. Petersen to the Benton County Civil Service Commission.

FISCAL IMPACT

None.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF APPOINTING RICHARD PETERSEN TO THE BENTON COUNTY CIVIL SERVICE COMMISSION BOARD.

WHEREAS, there has been an opening on the Civil Service Commission Board,

WHEREAS, Richard Petersen has expressed an interest and willingness to be appointed to the open board position; **NOW, THEREFORE**,

BE IT RESOLVED that Richard Petersen is hereby appointed by the Benton County Board of Commissioners to the Benton County Civil Service Commission Board, with said term expiring on December 31, 2017.

Dated this day of, 20

Chairman of the Board

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>February 12, 2013</u> Subject: <u>Renewal of Personal Service Contract for Alarm Monitoring at Prosser & Kennewick Shops</u> Prepared by: <u>LJM</u> Reviewed by: <u>SWB</u>	Execute Agreement _____ Pass Resolution <u>XXX</u> Pass Ordinance _____ Pass Motion _____ Other _____	Consent Agenda <u>XXX</u> Public Hearing _____ 1st Discussion _____ 2nd Discussion _____ Other _____

BACKGROUND INFORMATION

By resolution dated, June 19, 2012, the Board of County Commissioners signed a Personal Services Contract with CWI Security, Inc. for Alarm Monitoring at the Prosser and Kennewick Maintenance Shops effective February 22, 2012 through February 21, 2013.

Section 2(b) to the Contract allows for the renewal of the Contract for an additional one year term at the expiration of the Contract. Thereafter, the Contract may be renewed for four separate one year time periods.

The maximum total amount payable by the County under this Contract is \$10,000.00. As of December 2012, the maximum paid by Benton County was \$2,236.16.

After reviewing the current contract and finding no changes to be made, and with the excellent service we have received from CWI Security, Inc., it is recommended that this Contract be renewed for an additional one year period.

The Deputy Prosecuting Attorney reviewed the contract and determined that a Letter of Agreement may be used to renew the Contract prior to the expiration date.

SUMMARY

The Personal Services Contract between Benton County and CWI Security, Inc., Yakima, Washington, currently in effect, will expire February 21, 2013. Section 2(b) of the Contract allows for the renewal of the Contract for an additional one year term at the expiration of the Contract.

RECOMMENDATION

The Benton County Public Works Manager recommends that the contract be renewed with CWI Security, Inc., Yakima, Washington.

FISCAL IMPACT

Funds are budgeted and available in the 2013-2014 ER&R Budget.

MOTION

Renew the Personal Services Contract with CWI Security, Inc., Yakima, Washington by authorizing the Chairman to sign a Letter of Agreement to renew said Contract.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF COUNTY ROADS RE: RENEWAL OF PERSONAL SERVICES CONTRACT WITH CWI SECURITY, INC., FOR ALARM SYSTEM MONITORING AT THE PROSSER AND KENNEWICK MAINTENANCE SHOPS

WHEREAS, by resolution 2012-330 dated June 19, 2012, a Personal Services Contract for Alarm Monitoring at the Prosser and Kennewick Maintenance Shop by CWI Security, Inc., Yakima, Washington, was executed; and

WHEREAS, Section 2(b) of the Personal Services Contract allows for renewal of the contract for one-year periods; NOW, THEREFORE,

BE IT RESOLVED that the Contract for Alarm System Monitoring at the Prosser and Kennewick Maintenance Shops be renewed for a one-year period, from February 22, 2013 through February 21, 2014; and

BE IT FURTHER RESOLVED that the Chairman is hereby authorized to sign a letter of agreement to renew said contract.

Dated this 12th day of February, 2013

Chairman of the Board.

Chairman Pro-Tem.

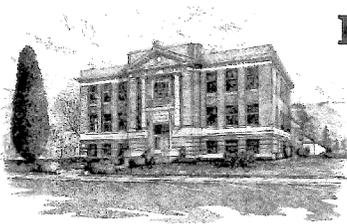
Member.

Attest: _____
Clerk of the Board

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

Orig.: Public Works

L. Moser



**Board of County Commissioners
BENTON COUNTY**

P.O. Box 190 • Prosser, WA 99350-0190
Phone (509) 786-5600 or (509) 736-3080
Fax (509) 786-5625

Jerome Delvin
District 1
Shon Small
District 2
James Beaver
District 3

February 12, 2013

Ronnie Anderson, Alarm Coordinator
CWI SECURITY, INC.
45 West Mead
Yakima, WA 98902

RE: Personal Services Contract Renewal for
Alarm System Monitoring at Maintenance Shops

This letter is written to renew the personal services contract with CWI Security, Inc., for Alarm Monitoring at the Prosser and Kennewick Maintenance Shops.

Pursuant to Section 2(b) to the contract for alarm monitoring at the Prosser and Kennewick Shops, Benton County agrees that the contract be renewed for an additional one-year term, effective February 22, 2013 through February 21, 2014.

By signing below, CWI Security, Inc., agrees to the renewal of the agreement for one year. If this is acceptable to you, please sign and return this letter within one week.

Thank you for your consideration in this matter.

Shon Small, Chairman
Board of County Commissioners

FOR CWI SECURITY, INC.,

Signature

Date

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: <u>02/12/13</u>	Execute Contract _____	Consent Agenda <u>XXX</u>
Subject: <u>Purchase 3 Pickups</u>	Pass Resolution <u>XXX</u>	Public Hearing _____
Prepared by: <u>Larry Moser</u>	Pass Ordinance _____	1st Discussion _____
Reviewed by: <u>Steve Becken</u>	Pass Motion _____	2nd Discussion _____
	Other _____	Other _____

BACKGROUND INFORMATION

On Friday, February 1, 2013, this department received an email from Loretta Smith-Kelty, Deputy County Administrator, giving notice to proceed with the purchase of three (3) new pickup trucks to replace pickup numbers #1037 & #1057 in the Parks Department and #1045 in Facilities Department. These vehicles were not budgeted in the 2013-2014 Equipment Rental & Revolving Fund Budget, therefore, a line item transfer of \$78,800.00 is required.

SUMMARY

Line item transfer of \$78,800.00 from Equipment Rental & Revolving Fund #0501-101 BARS 548-610-4930 Advance Expenditures to 594-480-6400 Capital Equipment.

RECOMMENDATION

The Benton County Public Works Manager recommends the approval of the line item transfer of \$78,800.00.

FISCAL IMPACT

\$78,800.00 for the purchase of three (3) pickups.

MOTION

Motion to approve the consent agenda.

R E S O L U T I O N

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY E. R. & R. FUNDS RE: TRANSFER OF FUNDS
WITHIN THE COUNTY E. R. & R. FUND 0501-101

BE IT RESOLVED by the Board of Benton County Commissioners that
funds be transferred between line items as defined in Exhibit A
attached hereto.

Dated this 12th day of February, 2013.

Chairman of the Board.

Chairman Pro-Tem.

Member.

Attest: _____
Clerk of the Board

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

L. Moser

BENTON COUNTY
2013-2014 BUDGET

DEPARTMENT: ER&R
FUND NAME: ER&R

DEPARTMENT NO.: 650
FUND NO.: 0501-101

TRANSFER FROM:

TRANSFER TO:

ITEM NO	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
1	548-610	4930	Advanced Expenditures	\$78,800.00	594-480	6400	Equipment	\$78,800.00

\$78,800.00

\$78,800.00

Explanation: Transfer funds from Advance Expenditures to Capital Equipment to replace pickup #1045 Facility Department and to replace two (2) pickups #1037 and #1057 Parks Department as approved by the Board of County Commissioners.

Prepared by: _____
 Approved: Larry J. Moser, Financial Administrator
 Denied:

Date: February 4, 2013
 Date: February 12, 2013

 Chairman of the Board

 Chairman Pro-Tem

 Member

Page 2 of Exhibit A
ERR Fund Transfer
February 12, 2013

Transferring \$78,800.00 from Vehicle Maintenance Function Line Item
548.610.4930 (Advanced Expenditures) to 594.480.6400 (Equipment).

There is no adverse impact on the ER&R fund budget.

**k. Purchase Authorization for Three Ford Pickups
From Columbia Ford**

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>		<u>Consent Agenda</u>	<u>XXX</u>
Meeting Date: <u>02/12/13</u>	Execute Contract	_____	<u>Public Hearing</u>	_____
Subject: <u>Purchase (3) Pickups</u>	Pass Resolution	<u>XXX</u>	<u>1st Discussion</u>	_____
Prepared by: <u>Larry Moser</u>	Pass Ordinance	_____	<u>2nd Discussion</u>	_____
Reviewed by: <u>Steve Becken</u>	Pass Motion	_____	<u>Other</u>	_____
	Other	_____		

BACKGROUND INFORMATION

On December 18, 2012, the Board of County Commissioners authorized the Chairman to sign Amendment Number 2 to the Washington State Department of Enterprise Services Intergovernmental Agreement Number 2010-WPC-023 extending the use of the State Purchasing Cooperative contracts for equipment, materials, and supplies. The Equipment Rental and Revolving (ER&R) Fund wishes to purchase three (3) new 2013 Ford Heavy Duty ¾ Ton 4WD Pickups as listed on the State Purchasing Cooperative contract number #06912.

SUMMARY

	<u>UNIT 1, 2 & 3 Reg Cab</u>
2013 Ford HD ¾ Ton 4WD Pickups: Base price state contract	=\$67,164.00
Add options	<u>5,643.00</u>
Subtotal	\$72,807.00
Washington State Sales Tax 8.2% per contract	<u>5,970.17</u>
Total	\$78,777.17

Total purchase including licensing each unit not to exceed \$79,000.00

RECOMMENDATION

The Benton County Public Works Manager recommends the approval of the purchase through the use of the State Purchasing Cooperative contract system.

FISCAL IMPACT

A line item transfer of \$78,800.00 will be made in the 2013-2014 ER&R Budget for this item.

MOTION

Motion to approve the consent agenda.

R E S O L U T I O N

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY ROAD PURCHASES RE: E. R. & R. PURCHASE OF THREE (3) NEW 2013 FORD HEAVY DUTY ¾ TON 4WD PICKUPS FROM COLUMBIA FORD, LONGVIEW, WASHINGTON

WHEREAS, by Resolution 2012-833 dated December 18, 2012, the Board of County Commissioners authorized the Chairman to sign Amendment Number 2 to the Washington State Department of Enterprise Services Intergovernmental Agreement Number 2010-WPC-023 extending the use of the State Purchasing Cooperative contracts for the purchase of equipment, materials, and supplies; and

WHEREAS, the Equipment Rental and Revolving Fund wishes to purchase three (3) new 2013 Ford Heavy Duty ¾ Ton 4WD pickups to replace vehicle numbers #1037 & #1057 in the Parks Department and #1045 in the Facilities Department as listed on the State Purchasing Cooperative contract number #06912; and

WHEREAS, a deputy prosecuting attorney has reviewed the State purchasing contract for the pickups; and

WHEREAS, the Public Works Manager recommends the approval of the purchase through the use of the State Purchasing Cooperative contract system; NOW, THEREFORE,

BE IT RESOLVED that the Board of County Commissioners authorizes the Public Works Manager to proceed with the purchase of three (3) new 2013 Ford Heavy Duty ¾ Ton 4WD Pickups from Columbia Ford, Longview, Washington through the use of the State Purchasing Cooperative contract system to replace vehicle numbers #1037 and #1057 in the Parks Department and #1045 in the Facilities Department; and

BE IT FURTHER RESOLVED that the purchase of three (3) new 2013 pickups in the amount of \$72,807.00 plus Washington State Sales Tax in the amount of \$5,970.17 for a total of \$78,777.17 and the total purchase not to exceed \$79,000.00 is hereby authorized to be purchased from the 2013-2014 Equipment Rental and Revolving Fund #0501101 Budget.

Dated this 12th day of February, 2013.

Chairman of the Board.

Chairman Pro-Tem.

Member.

Attest: _____
Clerk of the Board

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

L. Moser

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF COUNTY ROADS RE: PURCHASE OF LIQUID DE-ICER FROM ROADWISE, INC., TACOMA, WASHINGTON

WHEREAS, by Resolution 2012-833 dated December 18, 2012, the Board of County Commissioners authorized the Chairman to sign Amendment Number 2 to the Washington State Department of Enterprise Services Intergovernmental Agreement Number 2010-WPC-023 extending the use of the State Purchasing Cooperative contracts for the purchase of equipment, materials, and supplies; and

WHEREAS, the liquid de-icer that Public Works previously purchased has been dispersed and it is necessary to purchase additional de-icer; and

WHEREAS, liquid de-icer is listed on the State Contract OSP 02708 and is available from two vendors:

Roadwise, Inc., Tacoma, WA \$156.95/ton
(FreezGard CI Plus-liquid magnesium chloride)

America West Environmental Supplies, Pasco, WA \$167.50/ton
(Calcium Chloride with BOOST);

and

WHEREAS, our liquid de-icer storage tank in Kennewick and the Washington State Department of Transportation shared tank in Benton City currently contains liquid magnesium chloride; and

WHEREAS, America West Environmental Supplies only sells calcium chloride which cannot be mixed with magnesium chloride, currently in our tank; and

WHEREAS, the amount of de-icer needing to be purchased is dependent upon weather conditions and can vary from year to year; and

WHEREAS, the Public Works Manager recommends the purchase of liquid de-icer as listed on State Contract OSP 02708 from Roadwise, Inc., Tacoma, Washington; NOW, THEREFORE,

BE IT RESOLVED that the Benton County Public Works Department is hereby authorized to purchase liquid de-icer from Roadwise, Inc., Tacoma, Washington, from February 12, 2013 through December 31, 2013, at a total price not to exceed \$50,000.00; and

BE IT FURTHER RESOLVED that the Public Works Manager is hereby authorized to proceed with the purchase.

Dated this 12th day of February 2013.

Chairman

Chairman Pro-Tem

Member

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

Orig.: Public Works
cc: Auditor

L. Moser

Return to:
Benton County Public Works
P.O. Box 1001
Prosser, WA 99350

m. Vacation of Improved Coats Road Right of
Way

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY ROADS RE: CE 1968 VAC, PROPOSED VACATION OF IMPROVED COATS ROAD RIGHT OF WAY LOCATED EASTERLY OF DISTRICT LINE ROAD IN SECTIONS 30 AND 31, TOWNSHIP 10 NORTH, RANGE 26 EAST, WILLAMETTE MERIDIAN (W.M);

WHEREAS, Resolution No. 2013-022, dated January 28, 2013, scheduled a public hearing for February 5, 2013 to consider the request of Gamble Land and Timber, LTD to vacate and abandon the following described right of way within Benton County:

The South 30.0 feet of Section 30, Township 10 North, Range 26 East, W.M.; and, the North 30.0 feet of Section 31, Township 10 North, Range 26 East, W.M;

EXCEPT, right of way for District Line Road;

WHEREAS, The original right of way was established 60.00 feet wide under New Road No. 54 on July 5, 1904; and recorded August 24, 1904; and the meetings, correspondence, and establishment are recorded in Commissioners Journal F on pages 9, 19, 127, 130, 153, 167, 185, and 274; and

WHEREAS, Benton County Public Works completed a review of the proposal and determined that legal access to all parcels does exist if this right of way is vacated; and the County Engineer recommends that the public will benefit by the right of way being vacated and abandoned, and said right of way will not be needed for future County Road System; and

WHEREAS, Benton County Public Works received responses from two utilities regarding the proposed vacation; CenturyLink has an existing underground telephone line running along the south side of Coats Road approximately 230.0 feet, from District Line Road easterly and has requested that a 15.0 foot utility easement be retained; and Benton REA also has an existing power line along the south side of Coats Road extending approximately 1,750.0 feet, from District Line Road easterly, and has requested that a 15.0 foot utility easement be retained; and the County Engineer recommends that a utility easement be retained as follows:

The South 15.00 feet of the North 30.00 feet of the West 1,750.00 feet of Section 31, Township 10 North, Range 26 East, W.M.; and

WHEREAS, there being no further testimony forthcoming, the Board closed the Public Hearing and

finds as follows:

1. Notice of public hearing was given as provided by statute;
2. The subject right of way is an existing improved gravel county road named Coats Road with a 60.0 foot right of way width; and
3. The right of way is not the sole legal access to any separate parcel;
4. After review the County Engineer recommended that the public will benefit by the right of way being vacated and abandoned, and said right of way will not be needed for future County Road System; NOW, THEREFORE

BE IT RESOLVED that the following described right of way be vacated and abandoned:

The South 30.0 feet of Section 30, Township 10 North, Range 26 East, W.M.; and, the North 30.0 feet of Section 31, Township 10 North, Range 26 East, W.M;

EXCEPT, right of way for District Line Road; and

Vacation of right of way containing 3.727 acres more or less in Section 30; and containing 3.727 acres more or less in Section 31; and

BE IT FURTHER RESOLVED that the following utility easement be retained:

The South 15.00 feet of the North 30.0 feet of the West 1,750.0 feet of Section 31, Township 10 North, Range 26 East, W.M.;

Dated this 12th day of February, 2013.

Chairman

Chairman Pro-Tem

Member

Attest: _____
Clerk of the Board

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

Orig.: Benton County Public Works

Dan Ford/Sue Schuetze

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	<u>02/12/13</u>	Execute Contract	_____	Consent Agenda	<u> X </u>
Subject:	<u>Amending Resolution 2013-103</u>	Pass Resolution	<u> X </u>	Public Hearing	_____
Prepared by:	<u>J. Thompson</u>	Pass Ordinance	_____	1st Discussion	_____
Reviewed by:	<u>JH</u>	Pass Motion	_____	2nd Discussion	_____
		Other	_____	Other	_____

BACKGROUND INFORMATION/SUMMARY

Per resolution 12-677, section 2.2.2 Purchases or Leases between \$5,000 and \$24,999, "In order to assure that a purchase or lease is awarded to the lowest responsible bidder (vender); purchases or leases in the price range are to be approved by the BOCC pursuant to a written resolution signed by a majority of the BOCC."; and

Resolution 2013-103 authorized payment for the previous purchase of forty-four (44) Firestone Firehawk GT Z Pursuit tires from Commercial Tire, Pasco, WA, in the amount of \$5,188.64 including W.S.S.T. from the 2011/12 Current Expense (0000-101) Department 121, Sheriff Patrol budget. The information used at the time of the initial resolution was from a report with incorrect information. The payment for the purchase should be paid from the Current Expense (0000-101) Department 121, Sheriff Patrol and Department 125, Sheriff Traffic budgets.

RECOMMENDATION

Approve attached resolution amending resolution 2013-103 authorizing payment for the previous purchase of tires from the 2011/12 Current Expense (0000-101) Department 121, Sheriff Patrol and Department 125, Sheriff Traffic budgets.

FISCAL IMPACT

No fiscal impact.

MOTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AMENDING RESOLUTION 2013-103 THAT AUTHORIZED PAYMENT OF THE PURCHASE OF PATROL CAR TIRES FOR THE BENTON COUNTY SHERIFF'S OFFICE FROM COMMERCIAL TIRE OF PASCO, WA

WHEREAS, per resolution 12-677, section 2.2.2 Purchases or Leases between \$5,000 and \$24,999, "In order to assure that a purchase or lease is awarded to the lowest responsible bidder (vendor); purchases or leases in the price range are to be approved by the BOCC pursuant to a written resolution signed by a majority of the BOCC."; and

WHEREAS, per resolution 2013-103, the Board authorized payment for the previous purchase of forty-four (44) Firestone Firehawk GT Z Pursuit tires from Commercial Tire, Pasco, WA, in the amount of \$5,188.64 including W.S.S.T.; and

WHEREAS, the payment for this purchase was approved to be paid from the 2011/12 Current Expense (0000-101) Department 121, Sheriff Patrol budget; and

WHEREAS, the payment for the purchase should be paid from both the Current Expense (0000-101) Department 121, Sheriff Patrol and Department 125, Sheriff Traffic budgets; **NOW THEREFORE**,

BE IT RESOLVED, payment for the purchase is to be paid from the 2011/12 Current Expense (0000-101) Department 121, Sheriff Patrol and Department 125, Sheriff Traffic budgets; and

BE IT FURTHER RESOLVED, with the total amount payable not to exceed \$5,300.00 including shipping and W.S.S.T.; and

BE IT FURTHER RESOLVED, resolution 2013-103 is hereby amended.

Dated this _____ day of _____, 2013.

Chairman of the Board

Member

Member

Constituting the Board of Commissioners
of Benton County, Washington.

Attest.....
Clerk of the Board

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: 2/12/13 Subject: 2012 Annual Certification Report for the Federal Equitable Sharing Agreement	Execute Contract _____ Pass Resolution <u> X </u> Pass Ordinance _____ Pass Motion _____ Other _____	Consent Agenda <u> X </u> Public Hearing _____ 1st Discussion _____ 2nd Discussion _____ Other _____
Prepared by: J.Thompson Reviewed by: <i>JH</i>		

BACKGROUND INFORMATION/ SUMMARY

The Benton County Sheriff's Office participates in the Federal Equitable Sharing Agreement with the federal government for the use of federally forfeited cash, property proceeds, and any interest earned thereon, which are equitably-shared with participating law enforcement agencies. Pursuant to this agreement the Benton County Sheriff's Office is required to submit yearly the Federal Annual Certification Report.

The yearly Federal Annual Certification Report must be signed by the Benton County Sheriff and the Chairman of the Board of Benton County Commissioners.

ITEM REVIEWED BY

Ryan Lukson, DPA – Confirming that no finding or settlement agreement regarding Benton County discriminating against any person or group in violation of any of the federal civil rights statues listed.

RECOMMENDATION

Approve the attached resolution authorizing the Chairman of the Board to sign, on behalf of the Board, the Federal Equitable Sharing Agreement and Certification including the 2012 Annual Certification Report.

FISCAL IMPACT

No fiscal impact to Current Expense (0000-101).

MOTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE FEDERAL EQUITABLE SHARING AGREEMENT AND CERTIFICATION INCLUDING THE 2012 ANNUAL CERTIFICATION REPORT

WHEREAS, the Benton County Sheriff's Office participates in the Federal Equitable Sharing Agreement with the federal government for the use of federally forfeited cash, property proceeds, and any interest earned thereon, which are equitably-shared with participating law enforcement agencies. Pursuant to this agreement the Benton County Sheriff's Office is required to submit yearly the Federal Annual Certification Report; and

WHEREAS, the yearly Federal Annual Certification Report must be signed by the Benton County Sheriff and the Chairman of the Board of Benton County Commissioners, **NOW THEREFORE,**

BE IT RESOLVED, by the Board of Benton County Commissioners that the Chairman of the Board of Benton County Commissioners is authorized to sign, on behalf of the Board, the Federal Equitable Sharing Agreement and Certification including the 2012 Annual Certification Report.

Dated this _____ day of February, 2013.

Chairman of the Board

Member

Member

Constituting the Board of County Commissioners
of Benton County, Washington

Attest: _____
Clerk of the Board

CC: Sheriff's Office, Auditors Office

Prepared by: J. Thompson

<u>AGENDA ITEM</u>	<u>ACTION NEEDED</u>	<u>DISCUSSION TYPE</u>
Meeting Date: 12 Feb 2013 Subject: RROSN letter Memo Date: 31 Jan 2013 Prepared By: AJF Reviewed By:	Execute Contract Pass Resolution Pass Ordinance Pass Motion X None	Consent Agenda X Public Hearing 1st Discussion 2nd Discussion Other

SUMMARY & BACKGROUND

The "Ridges to Rivers Open Space Network" (RROSN) is the local coalition that developed the *Ridges to Rivers Regional Open Space Vision Plan* (Plan) that was completed in early 2012 and presented to the community.

Later in the year, RROSN decided to apply for an annual award for outstanding contributions to citizen planning given jointly by the Washington Chapter of the American Planning Association and the Planning Association of Washington. They asked if Benton County, among other jurisdictions, would write a letter in support of their application. The County submitted a letter, and in October RROSN did receive the award.

There is a similar award given by the American Planning Association on the national level. RROSN is applying for consideration for this award also and has again asked if Benton County would provide a letter of support. Attached for commissioner consideration is a draft of that letter.

FISCAL IMPACT

None.

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Jerome Delvin
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

12 February, 2013

Scott Woodward, President
Ridges to Rivers Open Space Network
480 Columbia Park Trail
Richland, Washington 99352

Dear Mr. Woodward,

The Board of Commissioners is pleased to learn that the Ridges to Rivers Open Space Network (RROSN) has applied for consideration for the 2014 American Planners Association National Award for Planning Excellence in the category of "Grassroots Initiative" for its development of the *Vision Plan for Open Space Conservation and Trail Connectivity in the Mid-Columbia Region* (Plan). We followed the Plan throughout its six years of development and we know that it represents an outstanding example of grassroots citizen participation in local planning.

The Board appreciates the challenges of your work, as you sought solutions for protecting the best natural assets of our region while committing to a balanced, sustainable economy for our community's future. We recognize that development of the Plan was a complex and regimented process, involving the formation of a steering committee; coordination with city and county planners; inventory of the region's open space assets; researching laws, ordinances, and codes; polling the community and gathering input; revising and refining the document through an iterative public process; finalizing and presenting the Plan to stakeholders; and now implementation of the Vision.

We know that RROSN will be very competitive in consideration of this award, and we wish you the very best in receipt of the recognition that your efforts deserve.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

Shon Small, Chairman

Jerome Delvin

Jim Beaver