

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
December 14, 2009, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Max E. Benitz, Jr. Chairman
Commissioner Leo Bowman
Commissioner James Beaver
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Keltz; Adam Fyall, Community Development Coordinator; Finance Manager Linda Ivey; Personnel Manager Melina Wenner; DPA Ryan Brown; Larry Moser, Steve Becken, and Sue Schuetze, Public Works; Treasurer Duane Davidson; Central Services Manager Randy Reid; Bryan Perry, Safety Coordinator; Deputy Treasurer Erhiza Rivera; Frank Wolf, Pest Control; Auditor Bobbie Gagner; Deputy Auditor Brenda Chilton; Pat Powell, Auditor's Office; Assessor Barb Wagner; Harriet Mercer, Assessor's Office; Rosie Sparks, Auditor's Office; Malcolm Bowie, Public Works.

Consent Agenda

Commissioner Bowman wanted to know why item "a" (contract with Imagenet) was chosen since it appeared to be the highest bidder. Randy Reid said they were within the desired requirements of the RFP and included an extra piece (access from the public, of which the County would not have to pay for) and it was in the best interest of the County to go with the highest bidder.

Josie Delvin via/video conference said it was mainly because of the security of the documents and the percentage of accuracy that was guaranteed.

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

Central Services

- a. Contract w/Imagenet LLC for Digitizing Archival Records

Clerk

- b. Contract with Mail Finance Inc for Postage Meter

Commissioners

- c. Reappointment of J Dosch to the Aging & Long Term Care Board
- d. Reappointment of S Richman to the Aging & Long Term Care Board

- e. Metro Interlocal Agreement
- f. Accountability Letter to Washington State Auditor
- g. Non-Bargaining Contribution to Employee Benefits for 2010
- h. Competitive Bidding Resolution, Rescinding Resolution 08-131
- i. Materials, Equipment & Supplies Resolution, Rescinding Resolution 08-132
- j. Small Works Roster Resolution, Rescinding Resolution 08-133
- k. Personal & Professional Services Resolution, Rescinding Resolution 04-534

Human Services

- l. Agreement, BENFRS-09/11-00, w/Greater Columbia Behavioral Health
- m. Agreement, BENFRP-09/11-00, w/Greater Columbia Behavioral Health

Juvenile Justice

- n. Personal Services Contract w/M Vera for Interpreter Services
- o. Personal Services Contract w/M Rudeen for Interpreter Services
- p. Personal Services Contract w/Stephenson Computer Consulting
- q. Personal Services Contract w/Pasco School District (Pass Through Monies)
- r. Provider Agreement w/BRK Management Services, Inc.
- s. Contract w/Washington Collectors Tri-Cities, Inc.
- t. Contract w/Tri-Cities Maintenance & Janitorial II for Janitorial Services
- u. Contract w/J & J Security & Transport, Inc. for Security Services

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- v. Personal Services Contract w/Native Plant Landscaping and Restoration, LLC

Office of Public Defense

- w. Professional Services Contract w/L Swinney, BCDCO810LPS002
- x. Professional Services Contract w/A Hewitt, BCDCO810ATH001S
- y. Professional Services Contract w/A Hewitt, BCDCO810ATH002
- z. Amendment to Professional Service Agreement w/D Mannion
- aa. Amendment to Professional Service Agreement w/D Anderson
- bb. Amendment to Professional Service Agreement w/D Campbell
- cc. Amendment to Professional Service Agreement w/S Henwood
- dd. Amendment to Professional Service Agreement w/K Hilde
- ee. Amendment to Professional Service Agreement w/L Magan
- ff. Amendment to Professional Service Agreement w/D Mannion
- gg. Amendment to Professional Service Agreement w/K Moreno
- hh. Amendment to Professional Service Agreement w/K Oldfield
- ii. Amendment to Professional Service Agreement w/J Ovens
- jj. Amendment to Professional Service Agreement w/J Paulsen
- kk. Amendment to Professional Service Agreement w/M Poland
- ll. Amendment to Professional Service Agreement w/D Stovern
- mm. Amendment to the District Court Indigent Defense Contract w/C Harkins
- nn. Amendment to the Professional Services Agreement w/S Naccarato
- oo. Amendment to the Professional Services Agreement w/P Younesi
- pp. Amendment to the Professional Services Agreement w/M Poland
- qq. Amendment to the Professional Services Agreement w/E Riley
- rr. Amendment to the Professional Services Agreement w/D Kathren
- ss. Amendment to the Professional Services Agreement w/D Hickman
- tt. Amendment to the Professional Services Agreement w/ A McKinley

- uu. Amendment to the Professional Services Agreement w/R Hui
- vv. Amendment to the Professional Services Agreement w/T Orosco
- ww. Amendment to the Professional Services Agreement w/J Celski

Parks

- xx. Badger Mountain Preserve Property Acquisition

Personnel

- yy. Personal Services Contract Amendment w/Penser North America
- zz. Personal Services Contract w/Benton-Franklin Chapter of the American Red Cross
- aaa. Establishing Salary Grades for an Animal Control Officer I, II and III

Public Works

- bbb. Approval of Budget and Assessment for the Drainage Improvement District
- ccc. Intergovernmental Agreement for State Purchasing Cooperative

Sheriff

- ddd. Contract Amendment w/Dr. Cooper
- eee. 2010 Contract w/Washington Communications, LLC dba Day Wireless Systems

Public Hearing – Benton Irrigation District

Sue Schuetze submitted an application for franchise for the Benton Irrigation District and said that no comments were received and her office recommended approval.

Opponents

Treasurer Duane Davidson said he became aware of the issue this morning. He said there was an ongoing issue between the Treasurer and Benton Irrigation District that was unresolved. He said he sent a letter regarding this matter that there was financing obtained outside of the county and the legality of that financing was questioned. He said he had not received a response and the PA's office was preparing a letter to request compliance of this issue. He requested the Board postpone action for two weeks until the issue was resolved.

The Board continued the public hearing until December 28 at 9:15 a.m.

Historical Document Preservation Fund

Duane Davidson requested the Board give its blessing for him to continue as chair of this committee and continue the grant program in 2010. He said they had heard back from all entities that received grant funds and all were appropriately spent. Additionally, he noted they were recognized in a statewide press release for their work on this committee.

Commissioner Bowman said he concurred with continuing the Historical Document Preservation Fund program. Commissioner Beaver said he also agreed. Chairman Benitz said they were agreeable to Mr. Davidson continuing as chairman and continuing the program. Mr. Davidson acknowledged Mike Huntington for his help with the program.

The Board briefly recessed, reconvening at 9:20 a.m.

Park Board Annual Report

Adam Fyall and Bert Lake gave a Powerpoint presentation outlining the projects and events that were completed in 2009.

Certifying Petitions Process

The Board discussed the different options for certifying the petitions to move the county seat. Mr. Brown said before the Board verified the number of valid signatures the following needed to be completed:

1. Decide where to store the document and preserve it;
2. Preparation of petitions to line through any obscenities, etc.;
3. Count the signatures that were turned in before verifying;
4. Establish a process for counting (either by volumes, checkout system, safekeeping and monitoring).

The Board agreed to the following:

1. The Auditor's office would keep the petitions in their possession.
2. The Auditor's office would prep the petitions, provide the initial count and volumize the petitions.
3. The Auditor's Office would determine the number of signatures of registered voters that were without question and bring signatures back that were questionable (in a report);
4. The Auditor's Office would only verify signatures up to the threshold (plus a cushion of approximately 5-10 percent if the threshold had not been met).

Ms. Gagner requested the instructions be submitted in writing.

The Board recessed, reconvening at 10:30 a.m.

Exit Conference – State Auditor

The State Auditor met with the Board and reviewed the following information presented at the Exit Conference:

- Audit Information
 - Audit Scope
 - Accountability
 - Financial Statements
 - Federal Compliance
- Audit Reports
 - Accountability Report
 - Financial Statement Reports
 - Single Audit Reports

- Audit Results
- Recommendations (no findings or management letter items)
- Status of Prior Audit Recommendations
- Conclusions
- Exit Notes

The Board briefly recessed, reconvening at 10:50 a.m.

Executive Session – Labor Negotiations

The Board went into executive session with DPA Sarah Perry via/videoconference for approximately 10 minutes to discuss labor negotiations. Also present were David Sparks, Cami McKenzie, Loretta Smith Kelty, and Melina Wenner. The Board came out at 10:55 a.m. Ms. Perry stated the Board took no action.

The Board briefly recessed, reconvening at 11:00 a.m.

Kennewick Irrigation District - Discussion

Steve Becken requested the Board eliminate the old contract for exchange of rock and water and enter into a new contract with today’s prices. He requested the Board approve a letter to have the Chairman sign to send to KID to terminate the contract. The Board agreed.

The Board briefly recessed, reconvening at 11:05 a.m.

Executive Session – Pending Litigation

The Board went into executive session with DPA Kathleen Galioto at 11:05 a.m. to discuss pending litigation for approximately 20 minutes. Also present were David Sparks, Cami McKenzie, Ryan Brown, Malcolm Bowie, Steve Becken, Norm Childress, Loretta Smith Kelty, and Melina Wenner. The Board came out at 11:10 a.m. Ms. Galioto stated the Board reviewed the pending litigation but no action was taken.

Other Business

Cancellation - Board Meeting

The Board cancelled the regular board meeting of December 21, 2009

Yakima Basin Water Enhancement Project

Chairman Benitz said the project was moving forward and the Bureau of Reclamation wanted comments presented by the end of business. He presented a draft letter and requested the Board’s approval.

MOTION: Commissioner Bowman moved to approve letter to YRBWEP 2009 Work Group. Commissioner Beaver seconded and upon vote, the motion carried.

Veterans Assistance Fund – Petition

Pat Powell presented a request for waiver of income threshold from Doug Vawter.

MOTION: Commissioner Bowman moved to approve the request for waiver from Doug Vawter. Commissioner Beaver seconded and upon vote, the motion carried.

The Board briefly recessed, reconvening at 11:25 a.m.

Vouchers

Check Date: 12/04/2009
Payroll Deductions
Taxes #: 10109121-10109124
Warrant #: 939393-939429
Total all funds: \$1,964,183.32

Check Date: 12/04/2009
Warrant #: 226424
Total all funds: \$2,648.75

Check Date: 12/04/2009
Warrant #: 226277-226423
Direct Deposit #: 48600-49174
Total all funds: \$2,503,694.59

Check Date: 12/11/2009
Warrant #: 939921-940086
Total all funds: \$4,714.05

Check Date: 12/11/2009
Warrant #: 939655-939920
Total all funds: \$462,205.26

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

Resolutions

- 9.805 Contract w/Imagenet LLC for Digitizing Archival Records
- 9.806 Contract with Mail Finance Inc for Postage Meter
- 9.807 Reappointment of J Dosch to the Aging & Long Term Care Board
- 9.808 Reappointment of S Richman to the Aging & Long Term Care Board
- 9.809 Metro Interlocal Agreement
- 9.810 Non-Bargaining Contribution to Employee Benefits for 2010

9.811 Competitive Bidding Resolution, Rescinding Resolution 08-131
 9.812 Materials, Equipment & Supplies Resolution, Rescinding Resolution 08-132
 9.813 Small Works Roster Resolution, Rescinding Resolution 08-133
 9.814 Personal & Professional Services Resolution, Rescinding Resolution 04-534
 9.815 Agreement, BENFRS-09/11-00, w/Greater Columbia Behavioral Health
 9.816 Agreement, BENFRP-09/11-00, w/Greater Columbia Behavioral Health
 9.817 Personal Services Contract w/M Vera for Interpreter Services
 9.818 Personal Services Contract w/M Rudeen for Interpreter Services
 9.819 Personal Services Contract w/Stephenson Computer Consulting
 9.820 Personal Services Contract w/Pasco School District (Pass Through Monies)
 9.821 Provider Agreement w/BRK Management Services, Inc.
 9.822 Contract w/Washington Collectors Tri-Cities, Inc.
 9.823 Contract w/Tri-Cities Maintenance & Janitorial II for Janitorial Services
 9.824 Contract w/J & J Security & Transport, Inc. for Security Services
 9.825 Personal Services Contract w/Native Plant Landscaping and Restoration, LLC
 9.826 Professional Services Contract w/L Swinney, BCDCO810LPS002
 9.827 Professional Services Contract w/A Hewitt, BCDCO810ATH001S
 9.828 Professional Services Contract w/A Hewitt, BCDCO810ATH002
 9.829 Amendment to Professional Service Agreement w/D Mannion
 9.830 Amendment to Professional Service Agreement w/D Anderson
 9.831 Amendment to Professional Service Agreement w/D Campbell
 9.832 Amendment to Professional Service Agreement w/S Henwood
 9.833 Amendment to Professional Service Agreement w/K Hilde
 9.834 Amendment to Professional Service Agreement w/L Magan
 9.835 Amendment to Professional Service Agreement w/D Mannion
 9.836 Amendment to Professional Service Agreement w/K Moreno
 9.837 Amendment to Professional Service Agreement w/K Oldfield
 9.838 Amendment to Professional Service Agreement w/J Ovens
 9.839 Amendment to Professional Service Agreement w/J Paulsen
 9.840 Amendment to Professional Service Agreement w/M Poland
 9.841 Amendment to Professional Service Agreement w/D Stovern
 9.842 Amendment to the District Court Indigent Defense Contract w/C Harkins
 9.843 Amendment to the Professional Services Agreement w/S Naccarato
 9.844 Amendment to the Professional Services Agreement w/P Younesi
 9.845 Amendment to the Professional Services Agreement w/M Poland
 9.846 Amendment to the Professional Services Agreement w/E Riley
 9.847 Amendment to the Professional Services Agreement w/D Kathren
 9.848 Amendment to the Professional Services Agreement w/D Hickman
 9.849 Amendment to the Professional Services Agreement w/ A McKinley
 9.850 Amendment to the Professional Services Agreement w/R Hui
 9.851 Amendment to the Professional Services Agreement w/T Orosco
 9.852 Amendment to the Professional Services Agreement w/J Celski
 9.853 Badger Mountain Preserve Property Acquisition
 9.854 Personal Services Contract Amendment w/Penser North America
 9.855 Personal Services Contract w/Benton-Franklin Chapter of the American Red Cross

- 9.856 Establishing Salary Grades for an Animal Control Officer I, II and III
- 9.857 Approval of Budget and Assessment for the Drainage Improvement District
- 9.858 Intergovernmental Agreement for State Purchasing Cooperative
- 9.859 Contract Amendment w/Dr. Cooper
- 9.860 2010 Contract w/Washington Communications, LLC dba Day Wireless Systems

There being no further business before the Board, the meeting adjourned at approximately 11:25 a.m.

Clerk of the Board

Chairman