

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
February 14, 2011, 8:30 a.m.  
Commissioners' Conference Room  
Benton County Courthouse, Prosser, WA

**Present:** Chairman Leo Bowman  
Commissioner James Beaver  
Commissioner Shon Small  
County Administrator David Sparks  
Clerk of the Board Cami McKenzie

**Benton County Employees Present During All or a Portion of the Meeting:** Deputy Administrator Loretta Smith Keltz; Adam Fyall, Community Development Coordinator; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; County Engineer Malcolm Bowie; Animal Control Manager Larry Taylor; Deputy Treasurer Erhiza Rivera; DPA Ryan Brown; Central Services Manager Randy Reid; Pat Powell, Auditor's Office; Treasurer Duane Davidson.

#### Workshop Agenda

Commissioner Small said that Ed Thornbrugh went to Olympia regarding the GCBH bill (regarding paying back counties that kick out large amounts to counties that are not covered under the RSN), there was good support from other counties, and the bill may be pushed to the next level.

Commissioner Beaver said he toured the Animal Control facility and was impressed with the workmanship. Additionally, he discussed the Park Board and said he was working with them on their program and also mentioned the success of the shooting facility and its 2700+ members.

The Board also discussed the architectural report regarding the Canal Building remodel.

Chairman Bowman provided information on bills that were going to executive session (including public records requests, open public meetings, and naming the official state rock). Additionally, he discussed frivolous public records requests and the possibility of having a "clearinghouse" to look at the validity of such requests.

Chairman Bowman said he would not be present for the Health District meeting and Commissioner Beaver said he would try to get him the information regarding the final applicants so he could comment on them prior to the meeting.

The Board briefly recessed, reconvening at 9:00 a.m. for the regular session.

## **Approval of Minutes**

The Minutes of February 7, 2011 were approved.

## **Consent Agenda**

**MOTION:** Commissioner Beaver moved to approve the consent agenda items “a” through “q”. Commissioner Small seconded and upon vote, the Board approved the following:

### **Auditor**

- a. Letter to Washington State Auditor’s Office re 2009 Accountability Audit

### **Central Services**

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

### **Commissioners**

- c. Line Item Transfer, Fund No. 0305-101, Dept. 000
- d. Opt Out of the City of Richland’s Local Revitalization Financing Plan
- e. Letter to Senator Jerome Delvin re Hanford Area Economic Investment Fund Committee
- f. Appreciation Letter to Home Builders Association of Tri-Cities

### **Cooperative Extension**

- g. Proclamation – Have a Heart for Kids Day

### **Planning**

- h. Short Plat Vacation – SPV 10-09
- i. Short Plat Vacation – SPV 10-10

### **Public Works**

- j. Rural Arterial Program Project Agreement w/St of WA County Road Administration Board
- k. Traffic Control on Portions of Cottonwood Springs and Cottonwood Creek Subdivisions
- l. Establishing Speed Limit on Grandview Lane
- m. Establishing Speed Limit on Summit View Drive
- n. Cost Sharing Agreement w/Cottonwood Commercial Plaza, LLC for Wiser Parkway

### **Sheriff**

- o. Ammunition Purchase from Dooley Enterprises off State Contract
- p. Personal Service Contract w/Dynamic Laundry Systems, Inc.

### **Superior Court**

- q. Establishing 2011 Percentage Rates and Salaries for Benton Franklin Superior Court

## **Benton Irrigation District Interviews**

The Board discussed conducting the interviews for the Benton Irrigation District and agreed on Monday, February 28, 2011 at 1:15 p.m. at the Courthouse.

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

## **Veterans Assistance Waiver**

Pat Powell presented a waiver of income limit threshold for Alfred Lentz.

**MOTION:** Commissioner Small moved to approve the waiver of income limit threshold for veterans' assistance for Alfred Lentz. Commissioner Beaver seconded and upon vote, the motion carried unanimously.

### **Continued Public Hearing – Animal Control Ordinance**

Adam Fyall presented the ordinance for animal control and said there were not any changes since the last public hearing and no comments were received.

Chairman Bowman asked Mr. Taylor if they were ready to enforce the ordinance and Mr. Taylor said they were.

Chairman Bowman said the public hearing was previously closed for public input, but would reopen it if anyone present wanted to comment. As there was no one present, public testimony was closed.

**MOTION:** Commissioner Beaver moved to approve the Adoption of the Ordinance Relating to Animal Control and Adding a New Chapter to Title 2 of the Benton County Code. Commissioner Small seconded and upon vote, the motion carried unanimously.

### **Cancellation of Meeting**

**MOTION:** Commissioner Small moved to cancel the meeting of February 22, 2011. Commissioner Beaver seconded and upon vote, the motion carried unanimously.

The Board briefly recessed, reconvening at 9:15 a.m.

### **Property Proposal**

Lisa Small presented a proposal from Ron Martin to purchase surplus parcel 1-0697-100-0012-000 in the amount of \$800.00. Ms. Small said the property had been shown to be non-buildable and useless to Benton County. Ms. Small recommended the Board accept the offer and require Mr. Martin to complete a boundary line adjustment to convert the two parcels into one, pay all fees, and have a surveyor re-write the legal description.

**MOTION:** Commissioner Beaver moved to approve to surplus the property, as required, and accept the proposal in the amount of \$800.00. Commissioner Small seconded and upon vote, the motion carried unanimously.

### **Unscheduled Visitors**

#### **Bills on Tort Reform**

DPA Ryan Brown said if there were any bills on tort reform, he urged the Board to contact their legislators. He said of specific interest to the County was the law on "joint and several liability" (it forced the County to settle cases that would normally go to trial even if was only 1% liable).

Also, the seat belt issue (the law did not allow the County to raise the lack of seat belt as a defense), i.e. if the individual ran a stop sign because it was down, the county would be liable, even if the seat belt might have saved them from injury or death.

The Board briefly recessed, reconvening at 9:25 a.m.

### **Vouchers**

Check Date: 02/04/2011  
Taxes #: 10111021-10111023  
Warrant #: 27904-27927  
Total all funds: \$1,811,861.48

Check Date: 02/04/2011  
Warrant #: 231849-231962  
Direct Deposit #: 61052-61635  
Total all funds: \$2,049,305.40

Check Date: 02/11/2011  
Warrant #: 2812628476  
Taxes #: 01160211  
Total all funds: \$532,730.04

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

### **Resolutions**

- 11-114: Line Item Transfer, Fund No. 0502-101, Dept. 000
- 11-115: Line Item Transfer, Fund No. 0305-101, Dept. 000
- 11-116: Opt Out of the City of Richland's Local Revitalization Financing Plan
- 11-117: Proclamation – Have a Heart for Kids Day
- 11-118: Short Plat Vacation – SPV 10-09
- 11-119: Short Plat Vacation – SPV 10-10
- 11-120: Rural Arterial Program Project Agreement w/St of WA County Road Administration Board
- 11-121: Traffic Control on Portions of Cottonwood Springs and Cottonwood Creek Subdivisions
- 11-122: Establishing Speed Limit on Grandview Lane
- 11-123: Establishing Speed Limit on Summit View Drive
- 11-124: Cost Sharing Agreement w/Cottonwood Commercial Plaza, LLC for Wiser Parkway
- 11-125: Ammunition Purchase from Dooley Enterprises off State Contract
- 11-126: Personal Service Contract w/Dynamic Laundry Systems, Inc.
- 11-127: Establishing 2011 Percentage Rates and Salaries for Benton Franklin Superior Court
- 11-128: Adopting Ordinance Relating to Animal Control

There being no further business before the Board, the meeting adjourned at approximately 9:25 a.m.

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Clerk of the Board

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Chairman