

*January 4, 2010*

**THE BOARD OF  
BENTON COUNTY  
COMMISSIONERS  
AGENDA PACKET**

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
December 28, 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 Kelty; Adam Fyall, Community Development Coordinator; Finance Manager Linda Ivey; Personnel Manager Melina Wenner; Mike Shuttleworth and Clark Posey, Planning; Malcolm Bowie and Steve Becken, Public Works; Treasurer Duane Davidson and Erhiza Rivera, Deputy Treasurer; Juvenile Administrator Sharon Paradis; Sue Schuetze, Public Works.

Approval of Minutes

The Minutes of December 7, 2009 were approved.  
The Minutes of December 9, 2009 were approved.  
The Minutes of December 14, 2009 were approved.

Consent Agenda

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

Board of Equalization

- a. Line Item Transfer, Fund No. 0000-101, Dept. 103

Clerk

- b. Line Item Transfer, Fund No. 0146-101, Dept. 000

Commissioners

- c. Amending Resolution 08-965, Payment of Vouchers, Payroll & Budget at Department Level
- d. Adopting Percentage Rates for Salaries for BF Superior Court

Cooperative Extension

- e. Memorandum of Agreement w/WA State University Extension

Facilities

- f. Personal Service Contract w/ Dynamic Laundry Systems, Inc.

- g. Public Works Contract w/A One Refrigeration & Heating, Inc.

Human Services

- h. Reappointment to the Mental Health Advisory Board
- i. Reappointments to the Substance Abuse Administrative Board
- j. Contract Amendment, #0963-68016-01, w/DSHS, Health & Recovery Services Admin.
- k. Mental Health Block Grant Agreement w/Greater Columbia Behavioral Health

Juvenile Justice

- l. Personal Service Contract Amendment w/Apollo Sheet Metal
- m. Personal Service Contract Amendment w/Tri Cities Chaplaincy
- n. Personal Service Contract Amendment w/Jacqueline Van Wormer
- o. Juvenile Center Operations Budget and Facilities Budget
- p. Flat Monthly Payments for 2010 Juvenile Center Operations Budget and Facilities Budget

Office of Public Defense

- q. Personal Services Contract w/M Rudeen for Interpreter Services
- r. Personal Services Contract w/R Arteaga for Interpreter Services
- s. Personal Services Contract w/A Uvalle for Interpreter Services

Personnel

- t. Personal Services Contract for Security Services for Superior Court
- u. Personal Services Contract w/LegenDid

Planning

- v. SPV 09-04, Vacation of Short Plat No. 1632
- w. SPV 09-06, Vacation of Short Plat No. 3194

Prosecuting Attorney

- x. Line Item Transfer, Fund No. 0000-101, Dept. 117

Public Works

- y. Authorization to Sign Sheet One of Cottonwood Business Park, CE 1919 CRP
- z. Purchase of Equipment, Materials and Supplies Through WA St. Purchasing Cooperative
- aa. Rental of Crack Seal Machine
- bb. Purchase of Liquid Deicer
- cc. Crushing and Stockpiling 2009 & 2010

Sheriff

- dd. Agreement with Benton County Emergency Services -Work Crew Services
- ee. Authorization to Purchase Cleaning Supplies from Zep Sales & Service
- ff. Authorization to Purchase Uniform & Accessories from Blumenthal Uniform Co.
- gg. Authorization to Purchase Supplies from Crown Paper & Janitorial Supply, Inc.
- hh. Authorization to Purchase Supplies from Columbia Basin Paper & Supply
- ii. Authorization to Purchase Inmate Clothing from Bob Barker Company Inc.
- jj. Personal Service Contract w/Sign & Wonders Inc. - Vehicle Decal
- kk. Personal Service Contract w/Jiffy Car Wash Inc.
- ll. Personal Service Contract w/Northwest Marine and Sport - Boat Repair & Maintenance
- mm. Personal Service Contract w/Mel's Inter City Collision, Inc. - Vehicle Tows
- nn. Personal Service Contract w/Jack's Superior Auto Body, LLC. - Automobile Repair
- oo. Personal Service Contract w/Bergstrom Aircraft, Inc. - Aircraft Maintenance
- pp. Personal Service Contract w/Johnny David Allstead - Inmate Barber Services
- qq. Agreement Amendment w/City of Olympia

Sustainable Development

- rr. Right-of-Way Grant for Rattlesnake Mountain Shooting Facility
- ss. Contract w/Prosser Economic Development Association

Treasurer

- tt. Master Agreements and Purchase w/Technology Unlimited, Inc.
- uu. Line Item Transfer, Fund No. 0000-101, Dept. 124

Workforce Development Council

- vv. Service Provider Contract Modification w/Employment Security Department
- ww. Service Provider Contract Modification w/Columbia Industries
- xx. Service Provider Contract w/Career Path Services Employment & Training
- yy. Service Provider Contract w/Career Path Services Employment & Training

Commissioners Beaver and Bowman both congratulated the team on securing the new bond rating from the trip to San Francisco.

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

**Board Assignments – 2010**

The Board discussed the organization of the Board of Benton County Commissioners for 2010. Chairman Benitz nominated Commissioner Beaver to be Chairman and also to sit on the Hanford Area Economic Investment Fund Board. Commissioner Bowman said he disagreed with the nomination since it was the practice of the Board to rotate the Chairman Pro Tem to Chairman.

**MOTION:** Commissioner Beaver moved to approve the organization of the Board of County Commissioners for 2010 as proposed by Chairman Benitz. Chairman Benitz seconded and upon vote, the motion carried with Commissioner Bowman opposing.

**Public Hearing – Short Plat Vacation – SPV 09-07**

Mike Shuttleworth presented the proposed vacation of the 10-foot telephone easement by Benton County Fire District #1.

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

**MOTION:** Commissioner Beaver moved to approve the proposed vacation of SPV 09-07. Commissioner Bowman seconded and upon vote, the motion carried.

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

**Continued Public Hearing – Franchise Application – Benton Irrigation District**

Steve Becken said the public hearing was continued at the request of the Treasurer's office. He said his office recommenced the franchise be approved at this time.

The public hearing was previously closed for testimony.

The Board requested the Public Works Department review the policy for franchise requests to see if it was time for a change and bring back a recommendation to the Board.

**MOTION:** Commissioner Bowman moved to approve the franchise application for Benton Irrigation District. Commissioner Beaver seconded and upon vote, the motion carried.

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

### **Juvenile Detention - Electrical System Replacement**

Sharon Paradis said they were not able to complete the electrical system upgrade before the end of the year and requested the Board allow the project to go forward in 2010 which would require a supplement to the budget in the approximate amount of \$76,000.

**MOTION:** Commissioner Bowman moved to approve the electrical upgrades at the Juvenile Detention center in an approximate amount of \$76,000. Commissioner Beaver seconded and upon vote, the motion carried.

### **Other Business**

#### **Water Storage – Yakima Basin Issues**

Commissioner Bowman discussed the previous letter sent out and wondered if the Board should revise the letter to state it approved the current plan, even though it was still in favor of large water storage.

Commissioner Beaver said he had a conversation with Mr. Sandison on the issue and he was also in agreement with smaller projects but with a long-range plan for larger storage.

Chairman Benitz suggested the Board wait until it received the integrated water resource water plan to see how DOE was going to proceed and then invite Derek Sandison to come and discuss the issue with Benton County.

The Board agreed.

#### **Preliminary Plat – SUB 09-02 – Hidden Hills**

Mike Shuttleworth said this was a closed record hearing and the Board could not receive new testimony, only clarification of statements made at the Planning Commission Hearing.

Mr. Shuttleworth said his office recommended the Board adopt the preliminary plat.

**MOTION:** Commissioner Beaver moved to approve the Preliminary Plat of Hidden Hills SUB 09-02 with the stated conditions. Commissioner Bowman seconded.

Discussion

Commissioner Bowman asked if the smaller lots were allowed since the property was in the urban growth boundary and Mr. Shuttleworth said that was correct.

Upon vote, the motion carried unanimously.

Energy Northwest

The Board requested Mr. Fyall write a letter to Energy Northwest supporting their license renewal to operate.

The Board briefly recessed, reconvening at 9:55 a.m.

**Final Plat of Bryon Estates, SUB 07-05**

Mr. Shuttleworth stated that all conditions had been satisfied and he recommended approval.

**MOTION:** Commissioner Beaver moved to approve the final plat of Bryon Estates SUB 07-05. Commissioner Bowman seconded and upon vote, the motion carried.

**Vouchers**

Corrected Copy

Check Date: 11/30/2009

Warrant #: 938806-938822

Total all funds: \$722.54

Check Date: 12/15/2009

Taxes # 10109125-10109126

Total all funds: \$35,812.81

Check Date: 12/15/2009

Warrant #: 226431-226662

Total all funds: \$111,529.30

Check Date: 12/18/2009

Warrant #: 940287-940540

Taxes #: 01161209

Wire #: 05021209

Total all funds: \$1,129,668.11

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

## Resolutions

- 09-861 Organization of the Benton County Commissioners for the Year 2010
- 09-862 Line Item Transfer, Fund No. 0000-101, Dept. 103
- 09-863 Line Item Transfer, Fund No. 0146-101, Dept. 000
- 09-864 Amending Resolution 08-965, Payment of Vouchers, Payroll & Budget at Department Level
- 09-865 Adopting Percentage Rates for Salaries for BF Superior Court
- 09-866 Memorandum of Agreement w/WA State University Extension
- 09-867 Personal Service Contract w/ Dynamic Laundry Systems, Inc.
- 09-868 Public Works Contract w/A One Refrigeration & Heating, Inc.
- 09-869 Reappointment to the Mental Health Advisory Board
- 09-870 Reappointments to the Substance Abuse Administrative Board
- 09-871 Contract Amendment, #0963-68016-01, w/DSHS, Health & Recovery Services Admin.
- 09-872 Mental Health Block Grant Agreement w/Greater Columbia Behavioral Health
- 09-873 Personal Service Contract Amendment w/Apollo Sheet Metal
- 09-874 Personal Service Contract Amendment w/Tri Cities Chaplaincy
- 09-875 Personal Service Contract Amendment w/Jacqueline Van Wormer
- 09-876 Juvenile Center Operations Budget and Facilities Budget
- 09-877 Flat Monthly Payments for 2010 Juvenile Center Operations Budget and Facilities Budget
- 09-878 Personal Services Contract w/M Rudeen for Interpreter Services
- 09-879 Personal Services Contract w/R Arteaga for Interpreter Services
- 09-880 Personal Services Contract w/A Uvalle for Interpreter Services
- 09-881 Personal Services Contract for Security Services for Superior Court
- 09-882 Personal Services Contract w/LegenDid
- 09-883 SPV 09-04, Vacation of Short Plat No. 1632
- 09-884 SPV 09-06, Vacation of Short Plat No. 3194
- 09-885 Line Item Transfer, Fund No. 0000-101, Dept. 117
- 09-886 Authorization to Sign Sheet One of Cottonwood Business Park, CE 1919 CRP
- 09-887 Purchase of Equipment, Materials and Supplies Through WA St. Purchasing Cooperative
- 09-888 Rental of Crack Seal Machine
- 09-889 Purchase of Liquid Deicer
- 09-890 Crushing and Stockpiling 2009 & 2010
- 09-891 Agreement with Benton County Emergency Services -Work Crew Services
- 09-892 Authorization to Purchase Cleaning Supplies from Zep Sales & Service
- 09-893 Authorization to Purchase Uniform & Accessories from Blumenthal Uniform Co.
- 09-894 Authorization to Purchase Supplies from Crown Paper & Janitorial Supply, Inc.
- 09-895 Authorization to Purchase Supplies from Columbia Basin Paper & Supply
- 09-896 Authorization to Purchase Inmate Clothing from Bob Barker Company Inc.
- 09-897 Personal Service Contract w/Sign & Wonders Inc. - Vehicle Decal
- 09-898 Personal Service Contract w/Jiffy Car Wash Inc.
- 09-899 Personal Service Contract w/Northwest Marine and Sport - Boat Repair & Maintenance

- 09-900 Personal Service Contract w/Mel's Inter City Collision, Inc. - Vehicle Tows
- 09-901 Personal Service Contract w/Jack's Superior Auto Body, LLC. - Automobile Repair
- 09-902 Personal Service Contract w/Bergstrom Aircraft, Inc. - Aircraft Maintenance
- 09-903 Personal Service Contract w/Johnny David Allstead - Inmate Barber Services
- 09-904 Agreement Amendment w/City of Olympia
- 09-905 Right-of-Way Grant for Rattlesnake Mountain Shooting Facility
- 09-906 Contract w/Prosser Economic Development Association
- 09-907 Master Agreements and Purchase w/Technology Unlimited, Inc.
- 09-908 Line Item Transfer, Fund No. 0000-101, Dept. 124
- 09-909 Service Provider Contract Modification w/Employment Security Department
- 09-910 Service Provider Contract Modification w/Columbia Industries
- 09-911 Service Provider Contract w/Career Path Services Employment & Training
- 09-912 Service Provider Contract w/Career Path Services Employment & Training
- 09-913 Approval of Vacation of Easement – SPV 09-07
- 09-914 Approval of Preliminary Plat Application – Hidden Hills – SUB 09-01
- 09-915 Approval of Final Plat of Byron Estates; SUB 07-05

There being no further business before the Board, the meeting adjourned at approximately 10:00 a.m.

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Clerk of the Board

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Chairman

Q

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY,  
WASHINGTON

IN THE MATTER OF CANCELLATION OF UNCLAIMED WARRANTS AS SET  
FORTH IN RCW 36.22.100

WHEREAS, RCW 36.22.100, Cancellation of Unclaimed Warrants, specifies in part  
"...warrants not presented within one year of the date of their issue shall be cancelled  
by the legislative authority of the county..."; and

WHEREAS, certain warrants have not been presented for payment within one year of  
the date of their issue, from the following funds:

<u>Name of Fund</u>	<u>Number</u>	<u>Outstanding Balance</u>
Current Expense	0000-101	\$2,757.80
BC Payroll	6311-101	1,385.56
<b>Total</b>		<b>\$4,143.36</b>

**BE IT RESOLVED** by the Board of Benton County Commissioners that all outstanding  
warrants issued on or before December 31, 2008, are hereby canceled as of December  
31, 2009. The Auditor and Treasurer of Benton County are instructed to cancel all  
record of such warrants, so as to leave the funds as though such warrants had never  
been drawn.

**BE IT FURTHER RESOLVED** the Auditor of Benton County is instructed to exclude  
outstanding warrants that are redeemed after the preparation, but before the passage of  
this resolution and all outstanding warrants that are requested in writing by the issuing  
departments to remain outstanding.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ \_\_.

\_\_\_\_\_  
**Chairman of the Board**

\_\_\_\_\_  
**Member**

\_\_\_\_\_  
**Member**

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

Attest: \_\_\_\_\_  
**Clerk of the Board**

b

AGENDA/WORKSHOP ITEM		TYPE OF ACTION NEEDED			
Meeting Date:	4-JAN-2009	Execute Contract	___	Consent Agenda	<u>x</u>
Subject:	Computer Equipment & Software Purchasing	Pass Resolution	<u>x</u>	Public Hearing	___
		Pass Ordinance	___	1 <sup>st</sup> Discussion	___
Prepared By:	J. Randall Reid	Pass Motion	___	2 <sup>nd</sup> Discussion	___
Reviewed By:	Loretta SmithKelty	Other	___	Other	___

**BACKGROUND INFORMATION**

Beginning in 2008, a resolution similar to the attached is being submitted to the Board each year in order to make explicit the authority for Central Services to purchase hardware and software from the Washington Department of Information Services - Technology Brokering Services (TBS) contracts, including the Western States Contracting Alliance (WSCA). Most of the county computers, printers and desktop software products are purchased through these contracts. The county has had a Customer Service Agreement with TBS since 1997. The resolution also affirms that Benton County recognizes these contracts as fulfilling the statutory requirements for public contracts and purchasing under the Revised Code of Washington, including RCW 39.04.190 and RCW 39.04.270. For purchases of equipment or software not included in the TBS or WSCA contracts, Central Services will either initiate an acquisition process as set forth in RCW 39.04.270 or make the acquisitions under the purchasing guidelines adopted by the Board in Resolutions 08-131, 132, 133 and subsequent.

**SUMMARY**

The attached resolution authorizes Central Services to purchase computer hardware and software from contracts negotiated by the State of Washington within the limitations of the 2010 budget as approved or supplemented.

**RECOMMENDATION**

1<sup>ST</sup> Pass resolution.

2<sup>nd</sup>

**FISCAL IMPACT**

None: Included in approved 2010 budget.

**MOTION**

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF PURCHASING COMPUTERS, PRINTERS, NETWORK DEVICES, SOFTWARE, AND SUPPORT IN 2010

WHEREAS, the Board of Commissioners of Benton County has approved the purchase of new and replacement computers, new and replacement printers, new and replacement network devices, software license and support renewals as part of the Central Services budget for 2010; and

WHEREAS, most of the computers, printers, network devices, software products, and support used by Benton County are available through contracts competitively solicited and negotiated by the Technology Brokering Services division of the Washington Department of Information Services (TBS), including the Western States Contracting Alliance (WSCA); and

WHEREAS, Benton County has been a long time participant in the contracts negotiated by TBS under Customer Service Agreement #8030-0, Interlocal #97-INT-070; NOW THEREFORE,

BE IT RESOLVED, by the Board of Benton County Commissioners, that the contracts available through TBS meet the requirements of RCW 39.04.190 and RCW 39.04.270 for acquiring electronic data processing and telecommunications products; and

BE IT FURTHER RESOLVED, by the Board of Benton County Commissioners, that the Manager of Central Services is authorized to purchase hardware and software through TBS to the amounts approved within the 2010 budget without the soliciting competitive bids or further authorization from the Board of Benton County Commissioners.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

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

Attest: \_\_\_\_\_  
Clerk of the Board

REID

C

# RESOLUTION

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

**IN THE MATTER OF A BLANKET SERVICE AGREEMENT FOR "AS NEEDED" SNOW REMOVAL SERVICES WITH MURPHEY BROTHERS GENERAL EXCAVATING, LLC AT ALL BENTON COUNTY LOCATIONS**

**WHEREAS**, per resolution 09-811, any public works services or materials involving less than \$25,000, advertisement and competitive bidding may be dispensed, and such contracts may be entered into after direct negotiation and authorization from the Board of Benton County Commissioners; and

**WHEREAS**, though competitive bidding is not required, the Facilities Manager solicited quotes and received the following:

- Murphey Brothers Gen. Excavating, LLC, Prosser, WA \$85.00/hr
- Meeske Excavation, LLC, Prosser, WA \$85.00/hr w/\$150.00 min. charge
- Conrad Russell Excavation, LLC, Prosser, WA \$100.00/hr

**WHEREAS**, the Facilities Manager reviewed the quotes and recommends a blanket service agreement with Murphey Brothers Gen. Excavating, LLC – Contractors License No. MURPHBG931DF to be put in place for "as needed" snow removal services for the following locations, but not limited to: Prosser Courthouse parking lots; Prosser Planning Annex parking lot; WSU Annex parking lot and/or other locations as requested by Benton County Facilities Manager; and

**WHEREAS**, prices for said services are in accordance with the agreement and the contractor's rate sheet attached hereto for an accumulative contract amount not to exceed \$5,000 including WSST; **NOW THEREFORE**,

**BE IT RESOLVED** by the Board of Benton County Commissioners, Benton County, Washington, the Board concurs with the recommendation and hereby awards Murphey Brothers Gen. Excavating, LLC the blanket service agreement for "as needed" services said Benton County locations; and

**BE IT FURTHER RESOLVED** the Board hereby authorizes the Chairman to sign the service agreement attached hereto.

**BE IT FURTHER RESOLVED** the term of the attached contract expires on April 30, 2011.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Attest: \_\_\_\_\_  
Clerk of the Board

Original: File 10-10003 – Lisa Small  
cc: Facilities; Auditor; R. Ozuna; Murphey Brothers

Small

# RESOLUTION

d

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AWARDING A BLANKET PUBLIC WORKS CONTRACT TO YODER INC. DOING BUSINESS AS COFFEY REFRIGERATION FOR "AS NEEDED" KITCHEN EQUIPMENT REPAIR SERVICES THROUGHOUT BENTON COUNTY FACILITIES, CURRENT EXPENSE FUND NUMBER 0000-101, SHERIFF CUSTODY DEPARTMENT 120 AND COUNTY FACILITIES DEPARTMENT 110

WHEREAS, per resolution 09-811, any contracts for public works services or materials involving less than twenty-five thousand (\$25,000), advertisement and competitive bidding may be dispensed with, and such contracts may be entered into after direct negotiation and authorization by the Board of Commissioners; and

WHEREAS, Facilities personnel solicits Yoder Inc. for various kitchen equipment repair projects; and

WHEREAS, the Facilities Manager recommends a blanket service agreement with Yoder Inc., Kennewick, WA to be put in place for "as needed" kitchen equipment repair services and other miscellaneous services they are qualified to perform throughout Benton County facilities; and

WHEREAS, this blanket contract would allow the Facilities Manager to move forward with services without requiring a contract for each service needed; and

WHEREAS, the prices for said services is in accordance to the agreement and Yoder Inc.'s price rate attached hereto for an accumulative contract amount not to exceed \$15,000 including WSST; NOW THEREFORE,

BE IT RESOLVED by the Board of Benton County Commissioners, Benton County, Washington, the Board concurs with the Facilities Manager's recommendation and hereby awards Yoder Inc. the blanket service agreement for "as needed" services throughout Benton County facilities in an amount not to exceed \$15,000 for the 2010 calendar year; and

BE IT FURTHER RESOLVED the Board hereby authorizes the Chairman to sign the public works contract attached hereto; and

BE IT FURTHER RESOLVED the term of the attached contract commences on January 1, 2010 and expires on December 31, 2010.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2009

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Attest: \_\_\_\_\_  
Clerk of the Board

e

# RESOLUTION

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

**IN THE MATTER OF THE BOARD OF BENTON COUNTY COMMISSIONERS  
AUTHORIZING PAYMENT TO APOLLO SHEET METAL, INC. FOR "AS NEEDED"  
SERVICES**

**WHEREAS**, per resolution 08-926 dated November 24, 2008 the Board of Benton County Commissioners entered into a blanket service agreement with Apollo Sheet Metal, Inc. for "as needed" services for plumbing, sheet metal, and other miscellaneous services they are qualified to perform throughout all Benton County locations for a total contract amount not to exceed \$20,000.00 including WSST, and a contract termination date of December 31, 2009; and

**WHEREAS**, final billings came in the last week of December indicating the total amount of "as needed" services exceeded the contract amount by approximately \$5,000 including WSST; and

**WHEREAS**, due to the fact the contract's expiration date is December 31, 2009, a contract amendment to increase the contract amount is not an option; **NOW, THEREFORE**

**BE IT RESOLVED** the Board of Benton County Commissioners hereby authorizes payment to Apollo Sheet Metal, Inc. for "as needed" services that were provided to Benton County for an additional amount not to exceed \$5,000 including WSST.

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**

f

# RESOLUTION

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

**IN THE MATTER OF DECLARING AN EMERGENCY FOR THE STORM DAMAGE TO A ROOF LOCATED AT THE BENTON COUNTY FAIRGROUNDS**

**WHEREAS**, the Benton County fairgrounds personnel discovered damage to approximately 1/3 of the Sundowns Arena roof membrane, two heat pumps, and a fan motor exhaust system for the kitchen after a large wind storm causing approximately \$40,000 worth of damage; and

**WHEREAS**, the damage was reported to the Safety Coordinator, who took pictures and reported the damages to the County's property insurer, Affiliated FM; which has a \$10,000 dollar deductible; and

**WHEREAS**, the Facilities Manager recommends extending the roofing material the full length of the building of where the damage is, to eliminate seams and prevent any chance of leaks; and

**WHEREAS**, quotes from two (2) roofing contractors were solicited and received from J.R. Swigart Co., Inc., Pasco, WA - Contractors License - JRSWICI055KN in the amount of \$11,444.00 excluding WSST (extending the material the length of the roof); and Gillespie Roofing, Inc., Walla Walla, WA - Contractors License GILLERI136DE in the amount of \$17,920.00 excluding WSST (extending the material the length of the roof); and

**WHEREAS**, due to the change in weather, the Facilities Manager and Safety Coordinator declared this to be an emergency and contacted J.R. Swigart Co., Inc. as the lowest bidder to get on site as soon as possible to repair the damaged roof and prevent additional damage to the building; **NOW, THEREFORE**

**BE IT RESOLVED** the Board of Benton County Commissioners hereby declares the wind damage to the roof located at the Fairgrounds an emergency and authorizes payment for services rendered to date to J.R. Swigart Co., Inc.; and

**BE IT FURTHER RESOLVED**, the Board hereby concurs to move forward with the appropriate contract with J.R. Swigart Co., Inc. for said services authorizing the Chairman of the Board to sign the attached contract in the total amount payable, including acceptable overages, incidentals and other unanticipated costs not to exceed \$13,000.00 excluding W.S.S.T.

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

Orig: Fairgrounds  
cc: Auditor; R. Ozuna, Risk Mgmt, J.R. Swigart Co.

**RESOLUTION**

9

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

IN THE MATTER OF COUNTY FRANCHISES RE: APPLICATION FOR A FRANCHISE BY THE CITY OF RICHLAND, TO LOCATE, CONSTRUCT, MAINTAIN, OPERATE, USE, REPAIR, OR REPLACE IF NECESSARY, A WATER SYSTEM, A SEWER SYSTEM, A STORMWATER SYSTEM, AND AN ELECTRICAL SYSTEM, ALL LOCATED WITHIN THE COUNTY OF BENTON, STATE OF WASHINGTON, UPON, OVER, UNDER, ALONG AND ACROSS CERTAIN COUNTY ROADS AND PUBLIC HIGHWAYS, OR PARTS THEREON, PHYSICALLY LOCATED IN THE UNINCORPORATED AREA OF THE URBAN GROWTH AREA OF THE CITY OF RICHLAND;

WHEREAS, The City of Richland has submitted an application to continue a franchise within the area listed above in unincorporated Benton County, NOW, THEREFORE,

BE IT RESOLVED that a Public Hearing on the application for franchise by the City of Richland be held on Monday, February 1, 2010 at 9:05 a.m. Local Time, in the Board of County Commissioners Meeting Room, Benton County Courthouse, 620 Market Street, Prosser, Washington.

Dated this 4<sup>th</sup> day of January 2010.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Chairman Pro-Tem

\_\_\_\_\_  
Member

Attest: \_\_\_\_\_  
Clerk of the Board

Constituting the Board of County  
Commissioners of Benton County,  
Washington

MB:LSS

# RESOLUTION

h

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

IN THE MATTER OF COUNTY FRANCHISES RE: APPLICATION FOR A FRANCHISE BY PLYMOUTH WATER DISTRICT, TO LOCATE, CONSTRUCT, MAINTAIN, OPERATE, USE, REPAIR, OR REPLACE IF NECESSARY, A WATER SYSTEM ALL LOCATED WITHIN THE UNINCORPORATED COUNTY OF BENTON, STATE OF WASHINGTON;

WHEREAS, Plymouth Water District has submitted an application to continue a franchise within the area in unincorporated Benton County, NOW, THEREFORE,

BE IT RESOLVED that a Public Hearing on the application for franchise by the Plymouth Water District to be held on Monday, February 1, 2010 at 9:10 a.m. Local Time, in the Board of County Commissioners Meeting Room, Benton County Courthouse, 620 Market Street, Prosser, Washington.

Dated this 4<sup>th</sup> day of January 2010.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Chairman Pro-Tem

\_\_\_\_\_  
Member

Attest: \_\_\_\_\_  
Clerk of the Board

Constituting the Board of County  
Commissioners of Benton County,  
Washington

MB:LSS

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE BOARD TO SIGN THE AGREEMENT BETWEEN BENTON COUNTY AND BENTON COUNTY FIRE DISTRICT #1 FOR THE PURPOSE OF HAVING BENTON COUNTY PROVIDE WORK CREW(S) TO BENTON COUNTY FIRE DISTRICT #1

WHEREAS, the Benton County Correctional Facility routinely provides alternative programs for some eligible inmates as provided by law; and

WHEREAS, the continued offering of alternative programs to full incarceration for certain non-violent offenders helps them in development of a work ethic and self discipline; and

WHEREAS, the sentencing of offenders to work crew is an effective punishment; and

WHEREAS, RCW 9.94A.725 provides for a work crew sentence for persons convicted of crimes; and

WHEREAS, individuals on the work crew can provide a benefit to the public at minimal cost; and

WHEREAS, the implementation of a work crew concept in Benton County has proven to be in the best interest of the taxpayers of Benton County; and

WHEREAS, Benton County has an Agreement with Benton County Fire District #1 for the purpose of having Benton County provide work crew(s) to Benton County Fire District #1 for 2009, via Resolution 08-811; and

WHEREAS, the Benton County Sheriff's Office recommends entering into another contract for the purpose of having Benton County provide work crew(s) to Benton County Fire District #1 for the calendar year 2010; **NOW THEREFORE,**

**BE IT RESOLVED,** the Benton County Commissioners hereby approves the attached Agreement for the purpose of having Benton County provide work crew(s) to Benton County Fire District #1 and authorizes the Board to sign the attached Agreement between Benton County and Benton County Fire District #1; and

**BE IT FURTHER RESOLVED,** the term of the attached Agreement commences on January 1, 2010 and expires on December 31, 2010.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of Commissioners  
of Benton County, Washington.

Attest.....  
Clerk of the Board

BENTON COUNTY  
SALARY REQUEST STATEMENT

REASON FOR REQUEST Experience

POSITION Corrections Officer

Shannon R. Sharp

NAME OF AFFECTED EMPLOYEE/CANDIDATE

EFFECTIVE DATE 12/28/09

OFFICE/DEPARTMENT Sheriff / Custody

SALARY FROM Grade 6 3,474 TO Grade 4 3,796

Larry Taylor  
ELECTED OFFICIAL/DEPARTMENT DIRECTOR  
DATE 12/28/09

APPROVED _____
DENIED _____
CHAIRMAN _____
MEMBER _____
MEMBER _____
DATE _____

**BACKGROUND INFORMATION** (Attach documentation; organizational chart, application, contract language, budgetary approval, appraisal, Resolution, etc.)

BASIS: Attachment a

**FISCAL IMPACT AND REVIEW**

FIRST YEAR IMPACT: —

AGGREGATE IMPACT: —

Attach the Employment Opportunity, if applicable, and Classification Description document(s). State how this individual meets or exceeds the criteria listed in these documents.

List names of other employees who hold the same classification. Include grade, step, and salary.

White--Personnel BCPERS 0014/95	Yellow--Payroll	Pink--Commissioners	Goldenrod--Department
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BENTON COUNTY  
SALARY REQUEST STATEMENT

REASON FOR REQUEST Experience

POSITION Corrections Officer

Keilen L. Harmon

NAME OF AFFECTED EMPLOYEE/CANDIDATE

EFFECTIVE DATE 1/01/2010

OFFICE/DEPARTMENT Sheriff / Custody

Grade 6      Grade 2

SALARY FROM 3,474 TO 4,163

APPROVED _____
DENIED _____
CHAIRMAN _____
MEMBER _____
MEMBER _____
DATE _____

[Signature]  
ELECTED OFFICIAL/DEPARTMENT DIRECTOR  
DATE 12/28/09

BACKGROUND INFORMATION (Attach documentation; organizational chart, application, contract language, budgetary approval, appraisal, Resolution, etc.)

BASIS: attachment A

FISCAL IMPACT AND REVIEW

FIRST YEAR IMPACT: —

AGGREGATE IMPACT: —

Attach the Employment Opportunity, if applicable, and Classification Description document(s). State how this individual meets or exceeds the criteria listed in these documents.

List names of other employees who hold the same classification. Include grade, step, and salary.

White--Personnel BCPERS 0014/95	Yellow--Payroll	Pink--Commissioners	Goldenrod--Department
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# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

**IN THE MATTER OF EXTENDING THE PERSONAL SERVICE CONTRACT TO THE TRI-CITIES CHAPLAINCY FOR FURNISHING INMATE CHAPLAIN SERVICES FOR THE BENTON COUNTY JAIL FACILITY LOCATED IN KENNEWICK, WA, INMATE BENEVOLENCE FUND NUMBER 0116-101.**

**WHEREAS**, per resolution 09-814, "...that contracts for non-public works services the county need not advertise or follow a formal competitive bidding procedure, but shall instead evaluate and utilize the procedures it deems best under the individual circumstances in order to obtain services of the highest quality at the lowest cost"; and

**WHEREAS**, Benton County and Tri-Cities Chaplaincy entered into a Contract dated March 31, 2008, via resolution 08-443, whereby Tri-Cities Chaplaincy would furnish inmate counseling services for the Benton County Jail Facility located in Kennewick, WA; and

**WHEREAS**, the contract specifies that upon mutual agreement of the parties, the contract terms and conditions may be extended for three (3) subsequent one year periods on mutual written agreement of the parties; and

**WHEREAS**, the parties extended the contract terms and conditions for calendar year 2009, via Resolution 08-996; and

**WHEREAS**, the Sheriff's Office is pleased with the services provided by the Tri-Cities Chaplaincy and recommends extending the contract for calendar year 2010. **NOW, THEREFORE,**

**BE IT RESOLVED**, by the Board of Benton County Commissioners, Benton County, Washington, the Board concurs with the Sheriff's Office recommendation and hereby awards the personal service contract to the Tri-Cities Chaplaincy in the amount of \$147,973 for the calendar year 2010; and

**BE IT FURTHER RESOLVED** that the Board authorizes the Chairman to sign the attached contract extension agreement; and

**BE IT FURTHER RESOLVED**, the term of the attached contract expires on December 31, 2010.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of County Commissioners  
of Benton County, Washington

Attest: \_\_\_\_\_  
Clerk of the Board

Orig      Sheriffs Office  
cc:        Auditor, R. Ozuna, Chaplaincy

Prepared by: J. Thompson

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE CONTRACT AMENDMENT BETWEEN BENTON COUNTY AND DR. W. THOMAS COOPER M.D., FOR INMATE PHYSICIAN SERVICES LOCATED AT THE BENTON COUNTY JAIL FACILITY, CURRENT EXPENSE FUND NUMBER 0000-101, SHERIFF CUSTODY DEPARTMENT 120

WHEREAS, the Board awarded and authorized the Chairman to sign the contract between Benton County (hereinafter "COUNTY") and Dr. W. Thomas Cooper M.D. (hereinafter "CONTRACTOR") for inmate physician services, via Resolution 08-893; and

WHEREAS, the contract was extended for the calendar year 2009 via Resolution 08-998; and

WHEREAS, the Benton County Jail is required to offer physician services to inmates through contracting physicians to provide such services; and

WHEREAS, the CONTRACTOR has requested an extension through January 31, 2010 to allow adequate time for legal review; and

WHEREAS, the COUNTY and the CONTRACTOR wish to extend the Contract through January 31, 2010 and increase the total amount payable to ninety four thousand dollars and zero cents (\$94,000.00); **NOW THEREFORE**

**BE IT RESOLVED**, the Benton County Commissioners hereby approve the attached Contract Amendment between Benton County and Dr. W. Thomas Cooper M.D. and authorize the Chairman of the Board to sign the same.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of Commissioners  
of Benton County, Washington.

Attest.....  
Clerk of the Board

Orig      Sheriffs Office  
cc:      Auditor, R. Ozuna, Cooper

Prepared by: J. Thompson

# RESOLUTION

m

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS FROM CURRENT EXPENSE FUND NUMBER 0000-101, SHERIFF CUSTODY DEPARTMENT NUMBER 120 TO CURRENT EXPENSE FUND NUMBER 0000-101, SHERIFF PATROL DEPARTMENT 121.

BE IT RESOLVED, by the Board of Benton County Commissioners, that 2009 funds shall be transferred as outlined in Exhibit "A", attached hereto.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

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

Attest: \_\_\_\_\_  
Clerk of the Board

## BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Sheriff Custody      Dept Nbr: 120  
 Fund Name: Current Expense      Fund Nbr: 0000-101

**TRANSFER FROM: SHERIFF CUSTODY**

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
523.200	1865	Custody Officer	\$35,000	521.210	2105	Uniforms & Accessories	\$35,000
<b>TOTAL</b>			<b>\$35,000</b>	<b>TOTAL</b>			<b>\$35,000</b>

**TRANSFER TO: SHERIFF PATROL**

**Explanation:**  
 The Sheriff's Office request that funds are moved from a salary line item in Sheriff Custody, department 120, (that is not being utilized due to an employee being on leave for an extended period of time) to the uniforms & accessories line item in Sheriff Patrol, department 121. This line item transfer is needed to fund the replacement of 40 Threat Level II ballistic vests, due to expire in 2010 as well as an additional six (6) SWAT Threat Level III-A ballistic vests that are also due to expire in 2010. The replacement of bulletproof vest is required by the Occupational Safety and Health Administration (OSHA).

Prepared by: Julie Thompson      Date: 22-Dec-2009

Approved       Denied       Date: \_\_\_\_\_

\_\_\_\_\_  
 Chairman  
 \_\_\_\_\_  
 Member  
 \_\_\_\_\_  
 Member

# RESOLUTION



BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

**IN THE MATTER OF AWARDING THE PERSONAL SERVICE CONTRACT TO ICOP DIGITAL, INC. FOR REPAIR AND REPLACEMENT OF ICOP DIGITAL VIDEO SYSTEMS, MODEL 20/20, FOR THE SHERIFF'S OFFICE PATROL VEHICLES, CURRENT EXPENSE FUND NUMBER 0000-101, SHERIFF PATROL DEPARTMENT 121.**

**WHEREAS**, per resolution 09-814, "...that contracts for non-public works services the county need not advertise or follow a formal competitive bidding procedure, but shall instead evaluate and utilize the procedures it deems best under the individual circumstances in order to obtain services of the highest quality at the lowest cost"; and

**WHEREAS**, Benton County has purchased and installed ICOP digital video systems, model 20/20, in the patrol deputy vehicles, via Resolutions 08-481 and 08-853; and

**WHEREAS**, the Sheriff's Office is pleased with the units purchased through ICOP Digital, Inc. and recommends entering into a contract that provides four additional years of warranty coverage for repair and replacement of ICOP digital video systems, model 20/20, from the date the initial one year warranty period expired; **NOW THEREFORE**

**BE IT RESOLVED**, by the Board of Benton County Commissioners, Benton County, Washington, the Board concurs with the Sheriff's Office recommendation and hereby awards the personal service contract to ICOP Digital, Inc. in the amount of \$45,499.42 including WSST; and

**BE IT FURTHER RESOLVED** that the Board authorizes the payment in full from the 2009 Current Expense Fund 0000-101, Sheriff Patrol Department 121 budget; and

**BE IT FURTHER RESOLVED** the term of the attached contract commences May 1, 2009 and expires on May 1, 2013.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of Commissioners  
of Benton County, Washington.

Attest.....  
Clerk of the Board

Orig: Sheriff's Office  
cc: Auditor, R. Ozuna, ICOP Digital, Inc.

Prepared by: J. Thompson



# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

**IN THE MATTER OF AWARDING THE PERSONAL SERVICE CONTRACT TO COLUMBIA CLEANERS FOR UNIFORM CLEANING FOR THE SHERIFF'S OFFICE EMPLOYEES, INMATE BENEVOLENCE FUND 0116-101, CANINE/BOAT PATROL FUND 0127-101, CURRENT EXPENSE FUND NUMBER 0000-101, DEPARTMENTS 118, 119, 120, 121, AND 125.**

**WHEREAS**, per resolution 09-814, "...that contracts for non-public works services the county need not advertise or follow a formal competitive bidding procedure, but shall instead evaluate and utilize the procedures it deems best under the individual circumstances in order to obtain services of the highest quality at the lowest cost"; and

**WHEREAS**, Benton County has a contract with Columbia Cleaners for furnishing dry cleaning services, via Resolution 08-1002; and

**WHEREAS**, the Sheriff's Office is pleased with the services provided by Columbia Cleaners and recommends entering into a contract for the period of January 1, 2010 through June 30, 2010; **NOW THEREFORE**

**BE IT RESOLVED**, by the Board of Benton County Commissioners, Benton County, Washington, the Board concurs with the Sheriff's Office recommendation and hereby awards the personal service contract to Columbia Cleaners in the amount of \$60,000.00 including WSST; and

**BE IT FURTHER RESOLVED** that the Board authorizes the Chairman to sign the attached Personal Service Contract; and

**BE IT FURTHER RESOLVED** the term of the attached contract commences January 1, 2010 and expires on June 30, 2010.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of Commissioners  
of Benton County, Washington.

Attest .....  
Clerk of the Board

P

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

**IN THE MATTER OF AWARDING THE PERSONAL SERVICE CONTRACT TO OLYMPIC SECURITY SERVICES, INC. FOR UNARMED SECURITY GUARD SERVICES FOR THE JAIL LOBBY AND JUSTICE CENTER LOCATED IN KENNEWICK, WA, CURRENT EXPENSE FUND NUMBER 0000-101, SHERIFF CUSTODY DEPARTMENT 120, INSURANCE MANAGEMENT FUND 0504-101.**

**WHEREAS**, per resolution 09-814, "...that contracts for non-public works services the county need not advertise or follow a formal competitive bidding procedure, but shall instead evaluate and utilize the procedures it deems best under the individual circumstances in order to obtain services of the highest quality at the lowest cost"; and

**WHEREAS**, the Sheriff's Office solicited quotes for unarmed security guard services for the 2010 calendar year; and

Olympic Security Services, Inc., Tukwila, WA (cost per week \$3,059.43)  
J&J Security & Transport, Inc., West Richland, WA (cost per week \$3,088.05)  
Guardsmark, LLC, Spokane, WA (cost per week \$3,923.29)

**WHEREAS**, Olympic Security Services, Inc., has the lowest cost per week; and

**WHEREAS**, the Sheriff's Office recommends entering into a contract with Olympic Security Services, Inc., for calendar year 2010; **NOW THEREFORE**

**BE IT RESOLVED**, by the Board of Benton County Commissioners, Benton County, Washington, the Board concurs with the Sheriff's Office recommendation and hereby awards the personal service contract to Olympic Security Services, Inc. in an amount not to exceed \$170,000.00 including WSST; and

**BE IT FURTHER RESOLVED** that the Board authorizes the Chairman to sign the attached Personal Service Contract; and

**BE IT FURTHER RESOLVED** the term of the attached contract commences January 1, 2010 and expires on December 31, 2010.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of Commissioners  
of Benton County, Washington.

Attest.....  
Clerk of the Board

Orig: Sheriff's Office  
cc: Auditor, R. Ozuna, Olympic Security Services, Inc.

Prepared by: J. Thompson

<u>AGENDA ITEM</u>	<u>ACTION NEEDED</u>	<u>DISCUSSION TYPE</u>
<b>Meeting Date: 04 Jan 2010</b> <b>Subject: "Beaver Storage"</b> <b>Memo Date: 26 Dec 2009</b> <b>Prepared By: AJF</b> <b>Reviewed By: LSK</b>	<b>Execute Contract</b> <b>Pass Resolution</b> <b>Pass Ordinance</b> <b>Pass Motion</b> <b>Other</b>	<b>Consent Agenda X</b> <b>Public Hearing</b> <b>1st Discussion</b> <b>2nd Discussion</b> <b>Other</b>

### SUMMARY & BACKGROUND

Attached is a letter of comment to the Department of Ecology for Commissioner consideration. The letter is a response to Ecology's request for "consultation" on the matter of whether water stored by beaver dams should be counted toward permitable supplies and whether a program of beaver (re)introduction should be funded by Ecology.

Admittedly, your author's tone is a little sarcastic in this response. The main message is that Ecology needs to quit screwing-around with this kind of stuff and focus its limited resources on the big issues at hand.

I thought it apropos that the letter would be signed by someone named Beaver.

The original Ecology letter is also attached for context and reference.

# # #

Leo Bowman  
District 1  
Max Benitz, Jr.  
District 2  
James Beaver  
District 3

Board of County Commissioners  
BENTON COUNTY

David Sparks  
County Administrator

Loretta Smith Kely  
Deputy County Administrator

28 December 2009

Dan Haller  
Office of Columbia River  
Washington Department of Ecology  
15 West Yakima Avenue – Suite 200  
Yakima, Washington 98902-3452

**Re: "Beaver Storage"**

Dear Mr. Haller,

Benton County is in receipt of the Office of Columbia River's (OCR) notice requesting consultation on whether new permits from the Columbia River can be issued based on water supplies developed through the introduction of beaver into tributary watersheds. We thank you for the opportunity to provide input on the matter.

Beaver are indeed an amazing, native species. Once maligned and eradicated from entire watersheds, their value to the ecosystem is only recently gaining the widespread appreciation it deserves. Beavers' abilities to transform entire drainages from channelized, inert streams into diverse, flourishing communities are often understated. It is encouraging to see that Ecology recognizes the many benefits of naturally-occurring beaver populations in our watersheds, one of which is slow-release water storage.

One of the keys here is "naturally-occurring". Beaver are an excellent colonizer of new territories, and when left alone by humans, they will do just fine in repatriating the stream systems from which they were previously exiled. The only assistance they need from the government is to get out of the way. It is our opinion that with State budgets are strained as they are, redundancy does not serve any of us well, and Ecology should probably not be getting into the wildlife management business when we already have an agency charged with that function – the Department of Fish and Wildlife.

Scale is the other key issue. As Benton County has been working with Ecology and many other interested parties on the renewal of the Yakima River Basin Watershed Enhancement Project, it has become clear to all us how inadequate the system developed in the early 1900s is for meeting the needs of the 21st Century. We need to

be applying ourselves to discussing big, bold projects that overhaul and reinvent the entire storage and conveyance system in the Yakima Basin and beyond. Meanwhile, Ecology is distracted and spending its energy (and dollars) off on a tangent asking if new permits should be issued for 250 acre-feet of water puddled-up by some rodents.

While that 250 acre-feet might help someone water a few acres of apples in Pateros, we need real water storage solutions here in the Yakima Basin. Irrigators and local governments have consistently talked about the need for new water storage on the order of around 1 million acre-feet.

The specific question that OCR asked in the notice was, *"if 250 acre-feet of water is demonstrably stored through the pilot project, could Ecology issue 165 acre-feet in new uninterrupted Columbia River permits?"* Our response to that question at this time is no. For one, the numbers are miniscule; for two, beavers are animals susceptible to disease, depredation, and their own whims, and their handiwork can be undependable and wiped-out by floods; and for three, Ecology needs to keep its eye on the ball and focus on substantive, meaningful remedies for sufficient and reliable water supplies for the long-term. To the extent that beaver populations thrive in our watersheds and improve habitats and small-scale natural storage, that should be considered a bonus for everyone; but it is not a substitute for real solutions to real problems.

In closing, we reiterate that Ecology and stakeholders in the Columbia Basin need to reel themselves in from impractical, quixotic adventures such as "beaver storage". It is time to quit nibbling around the margins and deal with these water issues head-on. Again, as always we thank you for the opportunity to participate in this discussion and will continue to be available for further consultation on these issues that are crucial to our future here in Benton County.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

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James Beaver, Chairman

cc: Washington Department of Fish and Wildlife – Region Three  
Yakima County Board of Commissioners

ajf



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

RECEIVED  
DEC 02 2009  
BENTON COUNTY  
COMMISSIONERS

Max	✓
Leo	✓
Jim	✓
David	✓
Loretta	✓
Other	A Full

November 30, 2009

Benton County  
C/O County Commissioners  
620 Market Street  
Prosser WA 99350

**RE: Consultation on Beaver Storage and Issuance of New Columbia River Permits**

Dear Sir or Madam:

By this letter, the Office of Columbia River (OCR) is requesting consultation on whether new permits from the Columbia River can be issued based on water supply developed through introduction of beaver in tributary watersheds.

Background

In 2008, OCR funded The Lands Council<sup>133</sup> with a \$30,000 grant<sup>134</sup> to study the feasibility of introduction of beaver in tributaries of the Columbia River as a natural alternative to man-made storage dams. That study, currently under review, compiles significant evidence supporting the ability of beaver dams to store water in surface impoundments and associated aquifer systems. In 2009, The Lands Council applied for \$50,000 for a 50% grant to introduce beaver in 5 tributaries, and identified several landowners willing to participate in a beaver introduction pilot program. Those landowners are in WRIA's 54, 55, 59, and 60. They will gather empirical evidence on the amount of water stored and the retiming of stream flows. OCR is considering funding this pilot project and will make a funding decision in January 2010.

Requirements of the Columbia River Program

The Columbia River Program has several statutory mandates regarding stored water behind man-made dams, which could be applicable to natural storage as well.

First, 2/3<sup>rd</sup>s of the water stored must be allocated by OCR to out-of-stream uses (e.g. new water rights)<sup>135</sup>. In this pilot case, The Lands Council projects that approximately 250 acre-feet of water will be stored among 5 pilot sites. 2/3rds of that 250 acre-feet, approximately 165 acre-feet of water, would be made allocated as new water rights.

<sup>133</sup> <http://www.landscouncil.org/beaversolution/>.

<sup>134</sup> <http://www.ecy.wa.gov/programs/wr/cwp/images/pdf/grants/map/landscouncil.pdf>.

<sup>135</sup> See RCW 90.90.020.

Second, 1/3<sup>rd</sup> of the water stored must be allocated by OCR to instream uses. RCW 90.90.020 requires OCR to coordinate the timing of releases with the department of fish and wildlife and fisheries comanagers to maximize benefits to salmon and steelhead populations. In this case, although natural storage cannot be managed in the same manner as man-made storage, The Lands Council predicts that water stored in the winter and spring would be slowly released throughout the summer months, which will benefit salmon and steelhead. Tributaries to the Columbia River would benefit from the retiming of the entire 250 acre-feet of water and the Columbia River would benefit from the 1/3<sup>rd</sup> of the 250 acre-feet (85 acre-feet) dedicated for fisheries.

Third, before issuing new water rights from the Columbia River, under WAC 173-563-020(4), consultation is required.

*Any water right application considered for approval or denial after July 27, 1997 will be evaluated for possible impacts on fish and existing water rights. The department will consult with appropriate local, state, and federal agencies and Indian tribes in making this evaluation. Any permit which is then approved for the use of such waters will be, if deemed necessary, subjected to instream flow protection or mitigation conditions determined on a case-by-case basis through the evaluation conducted with the agencies and tribes.*

Before OCR commits any additional funding to the Lands Council for this project, we are consulting with fisheries interests to determine whether natural storage by beavers can fit under our program. Our question: if 250 acre-feet of water is demonstrably stored through the pilot project, could Ecology issue 165 acre-feet in new uninterruptible Columbia River permits? OCR seeks your opinion and comments on this concept through January 4, 2009. Please provide written or email comments to:

Dan Haller, Office of Columbia River  
15 W. Yakima Ave., Ste 200  
Yakima, WA 98902-3452  
[dhal461@ecy.wa.gov](mailto:dhal461@ecy.wa.gov)

If you have questions on this project, please feel free to contact:

- Dan Haller, Office of Columbia River at (509) 454-4255
- Mike Peterson, The Lands Council at (509) 838-4912, [mpetersen@landscouncil.org](mailto:mpetersen@landscouncil.org).
- Derek Sandison, Office of Columbia River at (509) 457-7120

Thanks in advance for your comments.

Sincerely,



Derek I. Sandison, Director  
Office of Columbia River

<u>AGENDA ITEM</u>	<u>ACTION NEEDED</u>	<u>DISCUSSION TYPE</u>
Meeting Date: 04 Jan 2010 Subject: CGS license renewal Memo Date: 29 Dec 2009 Prepared By: AJF Reviewed By: LSK	Execute Contract Pass Resolution Pass Ordinance Pass Motion Other X	Consent Agenda X Public Hearing 1st Discussion 2nd Discussion Other

**SUMMARY & BACKGROUND**

This is a general letter of support for Energy Northwest's license renewal for the Columbia Generating Station. Also attached is Energy Northwest's recent letter to the Board introducing the renewal process and requesting County support.

**FISCAL IMPACT**

Not applicable.

# # #

Leo Bowman  
District 1  
Max Benitz, Jr.  
District 2  
James Beaver  
District 3

**Board of County Commissioners  
BENTON COUNTY**

David Sparks  
County Administrator

Loretta Smith Kelty  
Deputy County Administrator

4 January 2010

JV Parrish, Chief Executive Officer  
Energy Northwest  
Post Office Box 968 – Mail Drop 1023  
Richland, Washington 99352-0968

**Re: Columbia Generating Station License Renewal**

Dear Mr. Parrish,

Benton County is aware that Energy Northwest is beginning the process of renewing its operating license for the Columbia Generating Station with the Nuclear Regulatory Commission. We want to voice our support for this renewal.

Benton County has a long and sustained record of supporting nuclear energy in our community in general, and of the Columbia Generating Station in specific. We believe that any realistic and sustainable portfolio of clean and affordable baseload power sources must be a mix that includes nuclear energy.

While we are not in a position to comment on specific aspects of the license renewal process at this time, Benton County supports continued operation of the Columbia Generating Station and Energy Northwest's efforts to renew its license to do so. We look forward to learning more about the process in the coming year, and to working with you however we are able to facilitate the license renewal.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
James Beaver, Chairman



J. V. Parrish  
 Chief Executive Officer  
 P.O. Box 968, Mall Drop 1023  
 Richland, WA 99352-0968  
 Ph. 509.377.8031 F. 509.377.8637  
 jvparrish@energy-northwest.com

RECEIVED  
 DEC 22 2009  
 BENTON COUNTY  
 COMMISSIONERS

December 18, 2009

Commissioner Leo Bowman  
 Benton County Commissioner  
 620 Market St  
 Prosser, WA 54981

Subject: COLUMBIA GENERATING STATION LICENSE RENEWAL

Max	<input checked="" type="checkbox"/>
Leo	<input checked="" type="checkbox"/>
Jim	<input checked="" type="checkbox"/>
David	<input checked="" type="checkbox"/>
Loretta	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>

Dear Commissioner Bowman,

Energy Northwest will submit a license renewal application for our Columbia Generating Station to the U.S. Nuclear Regulatory Commission on Jan. 19, 2010. This new license will extend plant operations through 2043.

For more than two decades, Columbia has been a vital part of the region's energy mix and has consistently provided vast quantities of clean and affordable power to Northwest ratepayers in direct support of growing regional energy demands.

Washington currently enjoys some of the lowest electrical utility rates in the United States – driven largely by the federal hydroelectric system and our nuclear energy facility. Sustained strong economic recovery will require continued support of these reliable and low-cost baseload power sources. Columbia supplies about 6 percent of Washington's power supply – enough to power one million homes. Columbia is also environmentally responsible. The power produced emits zero greenhouse gas emissions. The facility has a small footprint, and the used fuel is stored safely and securely on-site, a practice that can continue for decades to come.

Renewal of Columbia's operating license is key to meeting the region's electricity needs. It will help ensure a reasonable cost of power for households and businesses and help drive a strong economy. As a public power agency, Energy Northwest pays more than \$3.5 million in "privilege taxes" to the state of Washington for the privilege of generating electricity in the state. Annual privilege taxes are distributed by the state to 36 separate jurisdictions, including Washington's school fund and the state's general fund.

Since 2008, the NRC has extended the operating licenses for 26 facilities across the country, including 48 nuclear power reactors. Over the next 10 years, NRC expects a large number of the remaining nuclear power plants, including Columbia, to apply for a 20-year license renewal.

Public involvement is an important part of the license renewal process, and Energy Northwest wants stakeholders to have an opportunity to share their views. We will schedule information meetings in spring 2010 where the public can learn more about both Columbia and license renewal. Our public outreach efforts will continue throughout the renewal process.

As we move forward in this process, please consider sending us a letter of support for this valuable energy resource. Also, I would like to extend an offer to you, to tour Columbia Generating Station at your convenience and learn first-hand about the positive impact of this significant regional energy asset.

If you have any questions or would like further information, do not hesitate to contact me.

Respectfully,

J. V. Parrish  
 Chief Executive Officer

9:05

<b>AGENDA ITEM:</b> <b>MTG. DATE:</b> January 4, 2010 <b>SUBJECT: SV-09-02</b> Vacation of the 20 ft drainage easement on Lot 5 of Badger View Ranchettes <b>Memo date:</b> December 28, 2009 <b>Prepared By:</b> Clark A. Posey <b>Reviewed By:</b> Michael Shuttleworth	<b>TYPE OF ACTION NEEDED</b> Execute Contract Pass Resolution X Pass Ordinance Pass Motion X Other	Consent Agenda Public Hearing X 1st Discussion 2nd Discussion Other
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**BACKGROUND INFORMATION**

The final plat of Badger View Ranchettes was recorded on April 18, 2005. The plat included a 20-foot drainage easement running Northeasterly through lot 5 of Badger View Ranchettes. On November 10, 2009, the Benton County Planning Department received a Subdivision Vacation Application from Michael Luckman to vacate that portion of the 20-foot drainage easement, located on lot 5.

Affected agencies have been contacted regarding this vacation and of those that have responded: the Benton Franklin District Health Dept approves the request provided the abandonment of the natural drainage is supported by a one hundred year storm water runoff analysis assuring storm water runoff has been addressed. The Public Works Department recommended approval of this drainage easement, Based on the their review, and have determined that the landscaping on adjacent lot 6 and the proposed leveling on lot 5 that the drainage easement is no longer needed and would not adversely affect any other properties. The Public Works Department has recommended approval of the Subdivision Vacation 09-02.

**SUMMARY**

Benton County has received an application requesting the vacation of a 20-foot drainage easement running Northeasterly through lot 5 of Badger View Ranchettes. It is the County Public Works Department's conclusion that the elimination of this drainage easement will not cause runoff problems. The Board of County Commissioners has scheduled a public hearing for January 4, 2010 at 9:05 a.m. Third Floor, Courthouse, Prosser WA and the public hearing notice was published on December 24, 2009.

**RECOMMENDATION**

It is the recommendation of the Planning Department that the Board of County Commissioners conduct a public hearing and based on the testimony received, either approve or deny the request to vacate the 20 foot drainage easement running Northeasterly through Lot 5 of Badger View Ranchettes. Based on the information received, the Planning Department supports the comments of the Public Works Department and recommends approval of this request.

**FISCAL IMPACT**

None

**MOTION**

The Benton County Planning Department recommends the following motion: The Board of County Commissioners approve the vacation of that portion of the 20-foot drainage easement that runs Northeasterly through Lot 5 of Badger View Ranchettes and Lot 3 of Short Plat 1331 with the drainage easement centerline described as follows. Beginning at the Southeast corner of Section 4, Township 8 North, Range 28 East W.M. Thence S 89° 41' 59" W, 150.54 Feet to the true point of beginning of the centerline of the drainage easement, thence N 40° 51' 43" E 292.84 Feet, thence N 72° 59' 00" E approximately 60 Feet to the East property line of said lot 5 of Badger View Ranchettes and the end of the 20 foot drainage easement.



Commissioners' Date Stamp:

**TRANSMITTAL  
REQUEST FOR SUPPLEMENTAL APPROPRIATION**

Fund Name: **Juvenile**  
Dept Name: **Grant Reimbursement**

Fund Number: **0115-101**  
Dept Number: **174**

**Request Summary**

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
527.400.1605	Counselor II	23,670	23,670
527.400.2102	FICA	1,811	1,811
527.400.2103	Medical Insurance	4,326	4,326
527.400.2104	Retirement	1,262	1,262
527.400.3101	Office Supplies	2,745	2,400
527.400.4101	Legal Fees	13,865	13,865
527.400.4103	Professional Services	16,802	16,802
527.400.4131	Security	5,038	5,038
527.400.9908	Accumulated Leave	414	414
<b>Total Supplement</b>		<b>\$69,933</b>	

Revenue		
Fund Number	Item Name	Amount
349.12.0006	Juvenile Services to Drug Court	69,933
<b>Total Revenue</b>		<b>\$69,933</b>

**Basis for Supplement:**  
Appropriate Funds for Juvenile Drug Courts for 2010.

**Review Comments**

Commissioners: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Auditor's Office: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Commissioners**

\_\_\_\_\_  
CHAIRMAN  
 \_\_\_\_\_  
COMMISSIONER  
 \_\_\_\_\_  
COMMISSIONER

- Approved for Hearing
- Denied

Commissioners' Date Stamp:

**TRANSMITTAL**  
**REQUEST FOR SUPPLEMENTAL APPROPRIATION**

Fund Name: **Current Expense**  
 Dept Name: **Superior Court**

Fund Number: **0000-101**  
 Dept Number: **123**

**Request Summary**

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
512.212.1496	Drug Court Case Manager	40,466	40,466
512.212.1542	Receptionist Secretary	14,862	14,862
512.212.2102	Social Security	4,262	4,262
512.212.2103	Medical Insurance	0	0
512.212.2104	Retirement	2,970	2,970
512.212.3101	Office Supplies	500	500
512.212.4102	Contract Services	10,560	10,560
512.212.4103	Professional Services	2,500	2,500
512.212.5190	Drug Court	316	316
512.212.9908	Accumulated Leave	255	255
<b>Total Supplement</b>		<b>\$76,691</b>	

Fund Number	Item Name	Amount
349.12.0007	Superior Court Services to Drug Court	50,426
342.33.0002	Drug Court Participation Fees	3,000
	Beginning Fund Balance (\$15,000 participation fees already in budget)	15,000
338.12.0001	Franklin County Contribution	8,265
<b>Total Revenue</b>		<b>\$76,691</b>

**Basis for Supplement:**  
 Appropriate Funds for Adult Drug Courts for 2010.

**Review Comments**

Commissioners: \_\_\_\_\_  
 \_\_\_\_\_  
 Auditor's Office: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Commissioners**

\_\_\_\_\_  
 CHAIRMAN

\_\_\_\_\_  
 COMMISSIONER

\_\_\_\_\_  
 COMMISSIONER

- Approved for Hearing
- Denied



Commissioners' Date Stamp:

# TRANSMITTAL REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Current Expense**  
Dept Name: **Clerk**

Fund Number: **0000-101**  
Dept Number: **106**

**Request Summary**

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
512.300.1905	Temporary Help	3,333	3,333
	(\$2,488 for Juvenile) (\$845 for Superior Court)		
<b>Total Supplement</b>		<b>\$3,333</b>	

Revenue		
Fund Number	Item Name	Amount
349.12.0009	Clerk Services to Drug Court	3,333
<b>Total Revenue</b>		<b>\$3,333</b>

**Basis for Supplement:**  
Appropriate Funds for Adult & Juvenile Drug Courts for 2010.

**Review Comments**

Commissioners: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Auditor's Office: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Commissioners**

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
COMMISSIONER

\_\_\_\_\_  
COMMISSIONER

Approved for Hearing

Denied

Commissioners' Date Stamp:

**TRANSMITTAL**  
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Current Expense**  
Dept Name: **Office of Public Defense**

Fund Number: **0000-101**  
Dept Number: **136**

**Request Summary**

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
512.819.4163	Superior Court Indigent Defense	24,720	263,670
Total Supplement		\$24,720	

Revenue		
Fund Number	Item Name	Amount
349.15.0006	OPD Services	24,720
Total Revenue		\$24,720

**Basis for Supplement:**  
Appropriate Funds for Adult & Juvenile Drug Courts for 2010.

**Review Comments**

Commissioners: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Auditor's Office: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Commissioners**

\_\_\_\_\_  
CHAIRMAN  
  
 \_\_\_\_\_  
COMMISSIONER  
  
 \_\_\_\_\_  
COMMISSIONER

- Approved for Hearing
- Denied

Commissioners' Date Stamp:

**TRANSMITTAL**  
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Human Services**  
Dept Name: **County Substance Abuse**

Fund Number: **0108-101**  
Dept Number: **506**

**Request Summary**

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
597.100.0153	Transfer Out to Vit	22,000	22,000
<b>Total Supplement</b>		<b>\$22,000</b>	

Revenue		
Fund Number	Item Name	Amount
	Fund Balance	22,000
<b>Total Revenue</b>		<b>\$22,000</b>

**Basis for Supplement:**  
Appropriate Funds for Adult Drug Court for 2010. The revenue source is a portion of the amount presently budgeted for 2010 in 334.04.6618 Substance Abuse State

**Review Comments**

Commissioners: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Auditor's Office: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Commissioners**

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
COMMISSIONER

\_\_\_\_\_  
COMMISSIONER

- Approved for Hearing
- Denied

## BENTON COUNTY AGENDA ITEM

AGENDA ITEM:		<b>Type of Action</b>	
MEETING DATE:	01/04/10 – 9:10AM	Execute Contract	CONSENT AGENDA
SUBJECT:	Line Item Transfer	Pass Resolution	<input checked="" type="checkbox"/> PUBLIC HEARING
		Pass Ordinance	<input type="checkbox"/> 1 <sup>ST</sup> DISCUSSION
		Pass Motion	<input type="checkbox"/> 2 <sup>ND</sup> DISCUSSION
Prepared By:	Pat Austin	Other	<input type="checkbox"/> OTHER
Reviewed By:	D. Sparks L. Smith-Kelty L. Ivey	Approve for Hearing	<input type="checkbox"/>

### BACKGROUND INFORMATION

As requested during the budget process, the Superior Court is proposing to reduce a Family Court Services position to one-half FTE and apply the \$21,735 savings from that position to the Adult Drug Court program as Benton County's funding for the program. The Family Court Services Specialist funding has been moved to the Part-Time Help line item at a reduced level creating the savings for Drug Court. This will enable the Court to provide both a Family Court Services CASA program and an Adult Drug Court program.

The Superior Court requests a line item transfer from Family Court Services line item Nos. 0000101.123.00000.512.211.1491, 2102, 2103, 2104, and 9908 in the amount of \$48,086 to Family Court Services line item No. 0000101.123.00000.512.211.1489 and Adult Drug Court line items 0000101.123.00000.512.212.1496, 2102, 2103, 2104, and 9908 effective January 1, 2010.

### SUMMARY

Line item transfers:

AMOUNT: \$26,351  
 FROM: 0000101.123.00000.512.211.1491 (Court Volunteer Specialist)  
 TO: 0000101.123.00000.512.211.1489 (Part-time Office Help)

AMOUNT: \$9,499  
 FROM: 0000101.123.00000.512.211.1491 (Court Volunteer Specialist)  
 TO: 0000101.123.00000.512.212.1496 (Drug court Case Manager)

AMOUNT: \$413  
 FROM: 0000101.123.00000.512.211.2103 (Medical Insurance)  
 TO: 0000101.123.00000.512.212.1496 (Drug Court Case Manager)

AMOUNT: \$727  
 FROM: 0000101.123.00000.512.211.2102 (Family Serv. - Social Security (FICA))  
 TO: 0000101.123.00000.512.212.2102 (ADC - Social Security (FICA))

AMOUNT: \$9,962  
 FROM: 0000101.123.00000.512.211.2103 (Family Serv. - Medical Insurance)

TO: 0000101.123.00000.512.212.2103 (ADC – Medical Insurance)

AMOUNT: \$507

FROM: 0000101.123.00000.512.211.2104 (Family Serv. – Retirement)

TO: 0000101.123.00000.512.212.2104 (ADC – Retirement)

AMOUNT: \$627

FROM: 0000101.123.00000.512.211.9908 (Family Serv. – Accumulated Leave)

TO: 0000101.123.00000.512.212.9908 (ADC – Accumulated Leave)

**RECOMMENDATION**

Recommend approval.

**FISCAL IMPACT**

No impact at this time.

**MOTION**

I move to approve Resolution No. \_\_\_\_\_ authorizing line item transfers in the amount of \$48,086.00 effective January 1, 2010 as outlined on Exhibit "A" of the Resolution.

# RESOLUTION NO. \_\_\_\_\_

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

**IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN CURRENT EXPENSE FUND NUMBER 0000101, DEPARTMENT NUMBER 123 SUPERIOR COURT BUDGET.**

**BE IT RESOLVED** by the Board of Benton County Commissioners that funds shall be transferred as outlined in Exhibit "A" attached hereto effective January 1, 2010.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

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

Attest: \_\_\_\_\_  
Clerk of the Board

Cc: Auditor, file; Superior Court Administration

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Superior Court

Dept Nbr: 123

Fund Name: Current Expense

Fund Nbr: 0000101

TRANSFER FROM: Superior Court Family Court Services

TRANSFER TO: Superior Court Adult Drug Court

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
512.211	1491	Court Volunteer Specialist	\$26,351	512.211	1489	Part-time Office Help	\$26,351
512.211	1491	Court Volunteer Specialist	\$9,499	512.212	1496	Drug Court Case Manager	9,499
512.211	2103	Medical Insurance	\$413	512.212	1496	Drug Court Case Manager	413
512.211	2102	Social Security (FICA)	\$727	512.212	2102	Social Security (FICA)	727
512.211	2103	Medical Insurance	\$9,962	512.212	2103	Medical Insurance	9,962
512.211	2104	Retirement	\$507	512.212	2104	Retirement	507
512.211	9908	Accumulated leave	\$627	512.212	9908	Accumulated Leave	627
TOTAL			\$48,086	TOTAL			\$48,086

Explanation: As requested during the budget process, the Superior Court is proposing to reduce a Family Court Services position to one-half FTE and apply the \$21,735 savings from that position to the Adult Drug Court program as Benton County's funding for the program. The Family Court Services Specialist funding has been moved to the Part-Time Help line item at a reduced level creating the savings for Drug Court. This will enable the Court to provide both a Family Court Services CASA program and an Adult Drug Court program.

Prepared by: Patricia Austin, Superior Court Administrator

Date: 04-Jan-2010

Approved

Denied

Date: \_\_\_\_\_

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

9:25 AM

# Executive Session – Pending Litigation

Ryan Brown

Steven W. Becken  
Public Works Manager  
Malcolm Bowie, P.E.  
Benton County Engineer

Area Code 509  
Prosser 786-5611  
Tri-Cities 736-3084  
Ext. 5664  
Fax 786-5627

# Benton County

## Department of Public Works

Post Office Box 1001 - Courthouse  
Prosser, Washington 99350-0954

9:40

To: Board of Benton County Commissioners

From: Steven W. Becken, Public Works Manager

RE: Wisner Parkway Railroad Crossing

Date: December 29, 2009

We have received an estimate of cost from the railroad for their work on the Wisner Parkway Railroad Crossing. The railroad has estimated the cost of the crossing at \$377,750.00, cost of the easement at \$150,000.00 and temporary construction license at \$18,000.00 for a total of \$545,750.00.

We sent an email to BNSF requesting they review the cost of the easement. They valued the land at \$2.50 per square foot. Our review of sales in that area showed land to be worth \$0.56 per square foot. We also plan to ask them about the temporary construction license. The price changed from \$1,290.00 on Webber Canyon Road to \$18,000.00 here.

When our estimate of cost for construction, engineering and inspection is added to the railroad's estimate, we are in excess of \$900,000.00. Even though our estimate may be high, we will never approach the original estimate of \$500,000.00 without major concessions by the railroad.

Two major factors enter into the current estimate being considerable higher than the original estimate. Originally we believed we could use railroad crossing equipment removed from the Intertie on this project. Based on this and the cost for the Cottonwood Drive crossing done four or five years ago, we estimated the crossing at \$250,000.00. Our roadwork was also originally estimated at \$250,000.00; however, the Federal Government nixed our original location of the intersection with Badger Road, forcing us to move it to the West. Moving it to the West increased the grade of the road and requires us to change the road surface from asphalt to concrete. We chose to go with concrete because of past experience with a steep grade, trucks and other large vehicles braking to a stop at the intersection with Badger Road causing the new road to rut requiring a rebuild of the road before its time.

We have the following need to be resolved before construction can begin:

1. We seem to remember the Board stating the County would spend \$500,000.00 on the crossing, however, we cannot find that statement in the minutes. Is the Board willing to fund all, part or nothing over the \$500,000.00 figure?

2. If the Board determines to fund a part of the overrun, do we go to the Wisers and the School District and ask for their help in covering the amount over \$500,000.00? Commissioner Beaver spoke with someone from the school and I believe that they gave an indication that they would participate in the cost overrun, however, we have nothing in writing verifying this. It would seem prudent to have the School Board concur with this and give its concurrence to the County in writing. A request for financial support should be taken to the School Board and should come from the Commissioners office.

The Wisers have not indicated that they would be willing to participate in any costs of the crossing other than possibly providing material for the fill at a reduced cost. Their stance has been that the County said it would pay for the crossing with no mention of a \$500,000.00 cap. One method of having them participate may be the following: At an earlier Board meeting, the County informed the Wisers that we would participate in the cost of the construction of the road in front of the property we purchased for the proposed shop. Our cost was to be based upon actual costs of the road. One method of participation from the Wisers may be to ask them to waive our responsibility for our share of the road cost and consider that the Wisers share of the cost of the crossing. The cost of the road in front of our property has not been computed into any of these estimates and is an additional cost of this project to the County.

3. We have applied to the WUTC for a crossing number for this crossing. We need to have that number before we can apply to the railroad for permission to enter onto the right of way to construct the road. Between the time needed for our signing the easement request after receiving the crossing number and the railroad approving the request, we could be looking at the first of February or later before receiving approval from the railroad.

We have scheduled advertising the project on Tuesday, January 5, 2010 with bid opening set for January 21. Does the Board want us to continue on our present course of beginning advertising the project and opening bids on January 21 or do you want to delay the project until some or all of the preceding are answered or completed? The special provisions have been written stating the contractor cannot begin construction until receiving notice to proceed from the County. We can delay the start of construction for an indefinite amount of time, however, there does reach a point where we will impact the contractor's profit margin and project scheduling.