

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
July 12, 2010, 8:30 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman James Beaver
Commissioner Leo Bowman
Commissioner Max E. Benitz, Jr.
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; Facilities Manager Roy Rogers; Ed Thornbrugh, Human Services Manager; Steve Becken, Public Works Manager; Planning Manager Mike Shuttleworth; Clark Posey, Planning; Erhiza Rivera, Deputy Treasurer; Stuart Holmes, Auditor's Office; Duane Davidson, Treasurer; DPA Ryan Brown; Pat Powell, Auditor's Office; DPA Sara Perry; Malcolm Bowie, Public Works.

Workshop Agenda

Jurisdictional Council – Open Space

Commissioner Bowman asked about this board and Commissioner Beaver said he had attended, along with Commissioner Peck. He said that he stated he was invited to the meeting to talk, but that Benton County had not taken a formal position on the issue.

Urban Growth Expansion

Commissioner Bowman asked about reviewing with the Planning Department the rules governing urban growth since the County might not be in compliance with its own rules and Comprehensive Plan. Mr. Shuttleworth said that urban growth was covered by the countywide planning policy and that it was a multi-jurisdictional policy. He said they planned to get together in December to begin a series of workshops and that 2013 was the time for major changes to the Comprehensive Plan.

Red Mountain Application Letter

Commissioner Bowman presented the letter to Senator Murray regarding changing the formula for the funding request for Red Mountain. The Board agreed to add it to the consent agenda.

The Board briefly recessed, reconvening at 9:00 a.m.

Approval of Minutes

The Minutes of June 28, 2010 were approved.

Consent Agenda

MOTION: Commissioner Benitz moved to approve the consent agenda items “a” through “w”, adding “x” (Letter supporting Red Mountain Interchange). Commissioner Bowman seconded and upon vote, the Board approved the following:

Auditor

- a. Lease Agreement w/Pitney Bowes

Commissioners

- b. Canvassing Board Appointment

Facilities

- c. Contract w/Fire Control Sprinkler System, Inc. for Backflow Testing
- d. Contract w/Fire Control Sprinkler System, Inc. for Fire Sprinkler Inspection
- e. Service Agreement w/ABM Janitorial Services for Janitorial Services

Human Services

- f. Authorization to Purchase HVAC System
- g. Appointment to the Mental Health Advisory Board

Juvenile

- h. Contract w/Inter-City Legal Processing & Messenger Services
- i. Employer Contract w/State of Washington Work Study Program
- j. Personal Services Contract w/E Chapin as Independent Clinic Facilitator

Office of Public Defense

- k. Payment for Professional Svcs/Attorney Fees for M Iaria, Amending Resolution 08-829

Personnel

- l. Services Contract Amendment w/Pacific MicroRem

Planning

- m. Habitats & Species Information Release Agreement w/WA St Dept of Fish and Wildlife

Public Works

- n. Franchise Application Public Hearing Authorization for Sunheaven Farms
- o. Franchise Application Public Hearing Authorization for MacKay & MacDonald/Lewis & Clark Ranch
- p. Vacation and Abandonment of Unimproved Road Right of Way of Hunts Plat
- q. Authorization to Schedule and Advertise a Bid Date for Pavement Marking 2010
- r. Contract Extension for Card Lock Service for Gasoline and Diesel Fuel
- s. Change Speed Limit on Route 4 South – Hanford Site
- t. Public Hearing Authorization for Vacation Known as Dunham Road

Sheriff

- u. Purchase of Jail Supplies from Crown Paper and Janitorial, Inc.

Sustainable Development

- v. Tri-Cities Regional Rivershore Enhancement Master Plan Participation

- w. Letter to K Gasper re Hanford Advisory Board
- x. Letter to Senator Murray

Commissioner Bowman asked about item “q” and whether there was now a sufficient supply of road paint. Steve Becken indicated the request for bid was so the County could get in line to receive road paint and the supply issue was not yet resolved.

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

Public Hearing – Application for Franchise – Eaton Park Improvement Club

Steve Becken presented the application for franchise filed by Eaton Park Improvement Club. He said that based upon current franchise requirements, he recommended the Board approve as submitted with conditions.

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

MOTION: Commissioner Benitz moved to approve application for franchise for Eaton Park Improvement Club with conditions. Commissioner Bowman seconded and upon vote, the motion carried unanimously.

The Board briefly recessed, reconvening at 9:10 a.m.

Ordinance Amending BCC Chapter 9.08

Mike Shuttleworth presented the ordinance amendment relating to short plat subdivisions and adding nine new sections. The Planning Commission conducted its public hearing and recommended approval.

MOTION: Commissioner Benitz moved to approve the ordinance amendment to BCC Chapter 9.08 and adopt the Planning Commission’s recommendation, findings and conclusions as their own. Commissioner Bowman seconded and upon vote, the motion carried unanimously.

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

Ordinance Amending BCC Chapter 9.04

Mr. Shuttleworth said the amendment was to update the code and make changes in the short plat process pertaining to the use of private access easements. Six people testified pertaining to the easement limits and the Planning Commission recommended removing the provision that private access easements serving more than 8 lots be upgraded to county road standards and that all short platted lots could be served by a 40-foot access easement.

DPR Ryan Brown discussed the current issues with private access easements and the county’s attempt to address the issues by amending the short plat ordinance relating to private access easements. Mr. Brown said that regardless of whether the Board agreed with the Planning

Commission or the Planning Department, the language in the ordinance still needed to be amended. He recommended a workshop to rework the language in the ordinance and have the County Commissioners hold another public hearing,

The Board agreed to have a special meeting workshop and then move forward with a public hearing for adoption of the ordinance.

The Board briefly recessed, reconvening at 9:40 a.m.

Executive Session – Union Negotiations

The Board went into executive session at 9:40 a.m. with DPA Sarah Perry to discuss union negotiations for approximately 10 minutes. Also present were David Sparks, Ryan Brown, Loretta Smith Kelty, and Cami McKenzie. The Board came out at 9:45 a.m. Ms. Perry stated the Board discussed union negotiations and the Board took no action.

The Board briefly recessed, reconvening at 9:50 a.m.

Executive Session – 2nd Quarter Litigation Update

The Board went into executive session at 9:50 a.m. for approximately 10 minutes to discuss the 2nd quarter litigation update with DPA Ryan Brown. Also present were David Sparks, Loretta Smith Kelty and Cami McKenzie. The Board came out at 10:02 a.m. Mr. Brown went back into executive session with the Board for another five minutes. The Board came out at 10:05 a.m. and Mr. Brown said the Board discussed pending litigation and took no action.

Homeless Housing 2010 Semi Annul Report

Ed Thornbrugh and Judith Gidley presented the written Homeless Housing Semi Annual 2010 report and briefly discussed the following:

- 2010 Point in Time Count
- Importance of Homeless Housing Funds
- Home Base Connections
- Increase in Homeless Housing Units
- Challenges and Upcoming Activities

Unscheduled Visitors

Veterans' Assistance Fund

Pat Powell presented an income waiver request for Robert Jerome Burns.

MOTION: Commissioner Benitz moved to approve the income waiver request as presented for Robert Jerome Burns. Commissioner Bowman seconded and upon vote, the motion carried unanimously.

Vouchers

Check Date: 07/02/2010
Warrant #: 230687-230818
Direct Deposit #: 55292-55870
Total all funds: \$2,015,094.59

Check Date: 07/02/2010
Taxes #: 10110071-10110073
Warrant #: 13941-13979
Total all funds: \$1,786,204.38

Check Date: 07/02/2010
Warrant #: 13526-13718
Warrant #: 13735-13940
Total all funds: \$1,464,700.54

Check Date: 07/07/2010
Warrant #: 14006-14007
Total all funds: \$948.02

Check Date: 07/09/2010
Warrant #: 14008-14203
Total all funds: \$265,202.49

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

Resolutions

- 10.382 Lease Agreement w/Pitney Bowes
- 10.383 Contract w/Fire Control Sprinkler System, Inc. for Backflow Testing
- 10.384 Contract w/Fire Control Sprinkler System, Inc. for Fire Sprinkler Inspection
- 10.385 Service Agreement w/ABM Janitorial Services for Janitorial Services
- 10.386 Authorization to Purchase HVAC System
- 10.387 Appointment to the Mental Health Advisory Board
- 10.388 Contract w/Inter-City Legal Processing & Messenger Services
- 10.389 Employer Contract w/State of Washington Work Study Program
- 10.390 Personal Services Contract w/E Chapin as Independent Clinic Facilitator
- 10.391 Payment for Professional Srvcs/Attorney Fees for M Iaria, Amending Resolution 08-829
- 10.392 Services Contract Amendment w/Pacific MicroRem
- 10.393 Habitats & Species Information Release Agreement w/WA St Dept of Fish and Wildlife
- 10.394 Franchise Application Public Hearing Authorization for Sunheaven Farms
- 10.395 Franchise Application Public Hearing Authorization for MacKay & MacDonald/Lewis & Clark Ranch

- 10.396 Vacation and Abandonment of Unimproved Road Right of Way of Hunts Plat
- 10.397 Authorization to Schedule and Advertise a Bid Date for Pavement Marking 2010
- 10.398 Contract Extension for Card Lock Service for Gasoline and Diesel Fuel
- 10.399 Change Speed Limit on Route 4 South – Hanford Site
- 10.400 Public Hearing Authorization for Vacation Known as Dunham Road
- 10.401 Purchase of Jail Supplies from Crown Paper and Janitorial, Inc.
- 10.402 Tri-Cities Regional Rivershore Enhancement Master Plan Participation
- 10.403 Adoption of Ordinance 474 Amending BCC Title 9.08 Relating to Platting and Subdivisions

There being no further business before the Board, the meeting adjourned at approximately 10:30 a.m.

Clerk of the Board

Chairman