

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
July 13, 2009, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

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

Absent: Commissioner Leo Bowman (vacation)

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; Facilities Manager Roy Rogers; DPA Ryan Brown; Bryan Thorp, Public Works; Harriet Mercer, Assessor's Office; Duane Davidson, Treasurer; Mike Shuttleworth, Planning Manager; Erhiza Rivera and Nick Kooiker, Treasurer's Office; Pat Powell, Auditor's Office.

Approval of Minutes

The Minutes of July 6, 2009 were approved.

Other Business

The meeting of July 27, 2009 was cancelled.

Review Agenda

Item "h" was revised to change the wording from Assessor's Office to Treasurer's Office.

Consent Agenda

MOTION: Commissioner Beaver moved to approve the consent agenda items "a" through "n", as amended. Chairman Benitz seconded and upon vote, the Board approved the following:

Central Services

- a. Service Agreement w/Embarq for Expansion of Telephone System at Richland Auditor Clerk
- b. Line Item Transfer, Fund No. 0000-101, Dept. 106

Commissioners

- c. Line Item Transfer, Fund No. 0305-101, Dept. 000
- d. Line Item Transfer, Fund No. 0153-101, Dept. 000
- e. Canvassing Board Appointment

Coroner

- f. Service Agreement w/J Reynolds, MD, for Forensic Pathologist Services

Facilities

- g. Third Service Agreement Amendment w/Varsity Contractors, Inc.
- h. Award of Treasurer's Office Remodel to Fowler General Construction
- i. Service Agreement Amendment w/Haworth Office Furniture for Office of Public Defense

Office of Public Defense

- j. Professional Services Agreement w/Salvador Mendoza, Jr.

Parks

- k. Service Agreement w/Fowler Construction for Garage & Storage Facility at Horn Rapids

Roads/Engineer

- l. Line Item Transfer, Fund No. 0101-101, Dept. 500

Sheriff

- m. Line Item Transfer, Fund No. 0000-101, Dept. 121
- n. Agreement w/Day Wireless for Radio Maintenance

Chairman Benitz stated the 9:05 a.m. item was cancelled.

City of Kennewick – Southridge Area Partnership

Bob Hammond and Marie Mosley, City of Kennewick presented information to the Board regarding a local revitalization financing program created by SSB 5045 and asked Benton County to consider becoming a partner in the program.

Mr. Hammond described it as tax increment financing based on new construction within a designated area and the City had targeted the Southridge area. He said they were specifically asking to put together an interlocal agreement with Benton County for the program and estimated there would be about \$85,000 available from Benton County property and sales tax to contribute to this project.

He said the application would need to be in place before Sept. 1 and it was a first come, first served program. Additionally, he stated the law required the County let them know by July 15 if they decided to opt out of the program.

Commissioner Beaver said he would be willing to do what they could to facilitate this project and requested Mr. Sparks to work with Mr. Hammond and put together an interlocal agreement.

Chairman Benitz said he concurred and requested that Mr. Sparks work on a letter to confirm the County's acceptance.

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

Executive Session – Quarterly Litigation Update

The Board went into executive session at 9:30 a.m. with DPA Ryan Brown to discuss the 2nd quarter update for pending litigation for approximately 15 minutes.

Also present were Melina Wenner, Loretta Smith Kelty, David Sparks and Cami McKenzie. The Board came out at 9:43 a.m. Mr. Brown stated that no action was taken.

The Board briefly recessed, reconvening at 9:45 a.m.

Yakima River Basin - Water Enhancement Project Update

Commissioner Benitz provided background information from the last meeting with the Bureau of Reclamation and the working group regarding the Yakima River Basin Water Enhancement Project. He said they had requested each member identify an alternate and he requested that Adam Fyall be named as his alternate. Commissioner Beaver agreed.

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

Other Business

Executive Session – Potential Litigation

The Board went into executive session with DPA Ryan Brown at 9:55 a.m. for approximately 10 minutes to discuss pending litigation. Also present were David Sparks, Cami McKenzie, Mike Shuttleworth, Loretta Smith Kelty and Melina Wenner. The Board came out at 9:59 a.m. and Mr. Brown stated that no action was taken.

Vouchers

Check Date: 07/02/2009
Taxes #: 10109071-10109073
Warrant #: 928295-928333
Total all funds: \$1,854,947.45

Check Date: 07/02/2009
Warrant #: 224204-224366
Direct Deposit #: 45580-46149
Total all funds: \$1,987,273.96

Check Date: 07/10/2009
Warrant #: 928456-928679
Total all funds: \$2,814,611.46

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

Claim for Damages

CC 09-18: Received on July 7, 2009 from Alan Hooper.

Resolutions

- 9.464 Service Agreement w/Embarq for Expansion of Telephone System at Richland Auditor
- 9.465 Line Item Transfer, Fund No. 0000-101, Dept. 106
- 9.466 Line Item Transfer, Fund No. 0305-101, Dept. 000
- 9.467 Line Item Transfer, Fund No. 0153-101, Dept. 000
- 9.468 Service Agreement w/J Reynolds, MD, for Forensic Pathologist Services
- 9.469 Third Service Agreement Amendment w/Varsity Contractors, Inc.
- 9.470 Award of Treasurer's Office Remodel to Fowler General Construction
- 9.471 Service Agreement Amendment w/Haworth Office Furniture for Office of Public Defense
- 9.472 Professional Services Agreement w/Salvador Mendoza, Jr.
- 9.473 Service Agreement w/Fowler Construction for Garage & Storage Facility at Horn Rapids
- 9.474 Line Item Transfer, Fund No. 0101-101, Dept. 500
- 9.475 Line Item Transfer, Fund No. 0000-101, Dept. 121
- 9.476 Agreement w/Day Wireless for Radio Maintenance

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

Clerk of the Board

Chairman