

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
July 25, 2011, 8:30 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

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

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Adam Fyall, Sustainable Development Manager; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Human Services Manager Ed Thornbrugh; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; County Engineer Malcolm Bowie; Clerk Josie Delvin; District Court Administrator Jacki Lahtinen; Nick Kooiker, Treasurer's Office; Bryan Perry, Safety Coordinator; DPA Ryan Brown; Central Services Manager Randy Reid; Clark Posey and Susan Walker, Planning Department.

Workshop Agenda

Commissioner Beaver reported on his attendance at the Clean Air Authority meeting and Health Board meeting. Commissioner Small commented on his vacation and also said he received a call from Mr. Hogue and Mr. Chapman and that they wanted to talk to him later in the week about The Clore Center.

Chairman Bowman said he attended the NACO conference last week and the Governor's Transportation Task Force meeting. Additionally, he would be meeting tomorrow at WSDOT to review the new first draft of the Red Mountain Interchange and then would be attending a Red Mountain visioning meeting on Wednesday.

Chairman Bowman also stated that he invited Darryll Olsen to attend a board meeting for an update on the Benton County Water Conservancy Board.

Mr. Fyall said that Dan Wood, Washington Farm Bureau, was running late for his scheduled 9:15 time because he thought the time was scheduled for 10:00 a.m.

Board of Commissioners – Bylaws and Rules of Procedure

The Board discussed the proposed Bylaws and Rules of Procedure. Chairman Bowman said he wanted to know whether the Board wanted to start its workshop at 9:00 or whether it would be at

the end of the meeting. Commissioner Beaver said he had no problem with workshop and Board assignments at the end; that way employees could leave to do their work when the Board was reporting on its assignments. Chairman Bowman discussed his concern about not having time to make a decision, if needed, after the workshop. Mr. Sparks said the Board by its own rules should not act on items brought up in workshop until the next meeting. He said the committee assignment was moved to the end so the Board could take action if it needed to.

Commissioner Small said he liked the new order of business and wanted to give it a try.

The Board agreed to move adoption of the new bylaws to the next consent agenda on August 1.

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

Approval of Minutes

The Minutes of July 11, 2011 and July 13, 2011 were approved.

Consent Agenda

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

Commissioners

- a. Letter to WA State Liquor Control Board

Fairgrounds

- b. Line Item Transfer, Fund No. 0124-101, Dept. 000
- c. Personal Service Contract Amendment w/Moon Security Services, Inc.

Human Services

- d. Surplus of Personal Property
- e. Contract Amendment w/Knowledge Counseling Services
- f. Contract Amendment w/Safe Harbor Crisis Nursery
- g. Purchase Authorization for Computer & Printer Consumables
- h. Purchase Authorization for Computers, Printers, Software & Support
- i. Contract Amendment w/Children’s Developmental Center
- j. Contract Amendment w/EnTrust Community Services
- k. Line Item Transfer, Fund No. 0108-101, Dept. 560
- l. Letter to Greater Columbia Behavioral Health re Outpatient Providers
- m. Contract w/DesertGreen Lawn & Tree Care, LLC
- n. Professional Services Agreement w/Sharon Adolphsen

Juvenile

Personal Services Contract w/Education Service District 123

- o. Termination of Personal Services Agreement w/Knowledge Counseling
- p. Agreement w/WA State DSHS for Short Term Transition Program
- q. Agreement w/WA State DSHS for Aggression Replacement Training

Personnel

- r. Agreement w/Zee Medical, Inc. for First Aid Kits and Supplies

- s. Personal Service Contract w/Pacific MicroRem, Inc.
- t. Line Item Transfer, Fund No. 0504-101, Dept. 000
- u. Guest Trainer Contract w/C Poulsen

Public Works

- v. Traffic Control on Country Meadows Estates
- w. Contract w/Tapani Underground, Inc. for Clodfelter Road Project
- x. Bridge Inspection Agreement w/WA State Dept of Transportation
- y. Letter to Freight Mobility Strategic Investment Board for Piert Road Extension

Sheriff

- z. Purchase Authorization of Exam Gloves
- aa. Purchase Authorization of Paper Products & Gloves
- bb. Purchase Authorization for Work Crew Vehicle
- cc. Purchase Authorization for Uniform and Uniform Accessories
- dd. Maintenance Agreement w/Day Wireless Systems
- ee. Payment Authorization to Valley Marine, Inc. for Safe Boat Repairs
- ff. Line Item Transfer, Fund No. 0000-101, Dept. 121
- gg. Contract Amendment w/Buffer Zone Protection Program
- hh. Line Item Transfer, Fund No. 0000-101, Dept. 121
- ii. Purchase Authorization for Holsters from Adamson Police Products

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

Boundary Review Board - 11-02 Discussion

Clark Posey said that Benton County received an application requesting the annexation of approximately fifty-two (52) acres by City of Richland. He said if this annexation was approved, a very small portion of property (13 x 7) would be left in the county and surrounded by city limits. He said the Board needed to determine if they wanted the proposed annexation to be approved or if they wanted to file a request for review with the Boundary Review Board.

Chairman Bowman said he was not in favor of another donut hole in the county, even if it is only 13x7 feet. He commented that he thought the Board was prohibited from creating these islands.

Ryan Brown said the Board should have the Boundary Review Board make a determination on this issue if it did not want to create this donut in the county.

MOTION: Commissioner Beaver moved to approve the Planning Department to file a request for review for the proposed annexation request by the City of Richland, File No. BRB 11-02.

Ordinance Amendment to Benton County Code 9.08

Mike Shuttleworth said in 2004 the Subdivision Code was amended to provide conditional approval of a preliminary plat to be valid up to a total of five years. In 2010 the Legislature approved SSB 6544 that allowed preliminary plats to be valid for a total of seven years; also amended to allow preliminary plats approved after June 2010 and before December 2014 to be valid for seven years. Mr. Shuttleworth said his department received a letter from Senator

Honeyford stating that SSB 6544 should also apply to those preliminary plats that were approved with the five-year time limit prior to June 1, 2010.

Mr. Shuttleworth said this provision would currently apply retroactively to nine subdivisions. Chairman Bowman asked about the statute and DPA Ryan Brown said the statute was ambiguous and not well written.

Commissioner Beaver said that Senator Honeyford did not represent this part of the state and wanted to know what about the local senators. Mr. Shuttleworth said Senator Honeyford contacted the Board because a resident in Benton County had contacted him. Mr. Shuttleworth also said the Planning Commission had reviewed the issue and recommended approval.

MOTION: Commissioner Beaver moved to adopt the Planning Commission's findings of fact as our own, approving the resolution and adopting the ordinance amending BCC 9.08. Commissioner Small seconded and upon vote, the motion carried.

Unscheduled Visitors

BCES/CSEPP Headquarters

Ryan Brown discussed the issue of ownership of the headquarters. He said the interlocal agreements identified ownership of assets in proportion to money invested at 93% Benton County (FEMA money funneled through Benton County) and 7% for the rest of the entities. He said the cities had an issue with this and were proposing 50% Benton County, 25% Richland, 25% Kennewick. He wanted to know if the Board was agreeable for BCES to draft an agreement regarding ownership of this asset. The Board said it was not opposed.

Microwave System Purchased by FEMA

Mr. Brown also asked about the microwave system that has now been acquired by the State. He said the State did not want the operational costs and that Benton PUD had first right of refusal to take it and was interested, but on a limited basis. The Board agreed it should ask BCES to come in and talk to the Board about these issues.

The Board briefly recessed, reconvening at 9:42 a.m.

Washington Farm Bureau Presentation

Dan Wood, Washington Farm Bureau reviewed the HB 1653 (Ruckelshaus) that deals with critical area ordinances and agricultural activities. He said the counties could opt into the voluntary program within six months of the effective date of legislation. After that, the clock did not start until receipt of money, which could be as much as 10 years. If it did not opt in, or exited the program, then it must review and if necessary, revise the critical area ordinances related to agriculture.

He said the information would be directed to the Planning Department and they would review and bring back a recommendation. Chairman Bowman asked about funding. Mr. Wood said they were told during negotiations there was \$51 million available for conservation groups.

Mike Shuttleworth and Susan Walker said they are looking at the issue and would review above and beyond and bring back pros and cons.

Mr. Wood commented that this was the County's protection. If it didn't opt in, the Farm Bureau would not try to regulate the agriculture, but someone would. They were concerned about losing the fight and this was the protection that would buy some time.

Steve Tony, President of Benton County Farm Bureau said this was not supposed to cost the County anything and he urged the County to think seriously about it. He said until there was adequate funding, the County would not have to pay for anything.

Vouchers

Check Date: 07/15/2011
Payroll Draw Deductions
Taxes #: 10111074
Total all funds: \$31,898.63

Check Date: 07/15/2011
Warrant #: 232671-232694
Direct Deposit #: 65816-66015
Total all funds: \$113,603.44

Check Date: 07/15/2011
Warrant #: 38042-38172
Total all funds: \$3,127.69

Check Date: 07/15/2011
Warrant #: 37810-38041
Total all funds: \$1,111,567.10

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

Resolutions

11-461A	Line Item Transfer, Fund No. 0124-101, Dept. 000
11.462	Personal Service Contract Amendment w/Moon Security
11.463	Surplus of Personal Property
11.464	Contract Amendment w/Knowledge Counseling Services
11.465	Contract Amendment w/Safe Harbor Crisis Nursery

- 11.466 Purchase Authorization for Computer & Printer Consumables
- 11.467 Purchase Authorization for Computers, Printers, Software & Support
- 11.468 Contract Amendment w/Children’s Developmental Center
- 11.469 Contract Amendment w/EnTrust Community Services
- 11.470 Line Item Transfer, Fund No. 0108-101, Dept. 560
- 11.471 Letter to Greater Columbia Behavioral Health re Outpatient Providers
- 11.472 Contract w/DesertGreen Lawn & Tree Care, LLC
- 11.473 Professional Services Agreement w/Sharon Adolphsen
- 11.474 Personal Services Contract w/Education Service District 123
- 11.475 Termination of Personal Services Agreement w/Knowledge Counseling
- 11.476 Agreement w/WA State DSHS for Short Term Transition Program
- 11.477 Agreement w/WA State DSHS for Aggression Replacement Training
- 11.478 Agreement w/Zee Medical, Inc. for First Aid Kits and Supplies
- 11.479 Personal Service Contract w/Pacific MicroRem, Inc.
- 11.480 Line Item Transfer, Fund No. 0504-101, Dept. 000
- 11.481 Guest Trainer Contract w/C Poulsen
- 11.482 Traffic Control on Country Meadows Estates
- 11.483 Contract w/Tapani Underground, Inc. for Clodfelter Road Project
- 11.484 Bridge Inspection Agreement w/WA State Dept of Transportation
- 11.485 Letter to Freight Mobility Strategic Investment Board for Piert Road Extension
- 11.486 Purchase Authorization of Exam Gloves
- 11.487 Purchase Authorization of Paper Products & Gloves
- 11.488 Purchase Authorization for Work Crew Vehicle
- 11.489 Purchase Authorization for Uniform and Uniform Accessories
- 11.490 Maintenance Agreement w/Day Wireless Systems
- 11.491 Payment Authorization to Valley Marine, Inc. for Safe Boat Repairs
- 11.492 Line Item Transfer, Fund No. 0000-101, Dept. 121
- 11.493 Contract Amendment w/Buffer Zone Protection Program
- 11.494 Line Item Transfer, Fund No. 0000-101, Dept. 121
- 11.495 Purchase Authorization for Holsters from Adamson Police Products
- 11.496 Relating to Platting and Subdivision; Adoption of Ordinance 498

There being no further business before the Board, the meeting adjourned at approximately 10:33 a.m.

Clerk of the Board

Chairman