June 21, 2010

THE BOARD OF BENTON COUNTY COMMISSIONERS AGENDA PACKET

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
June 14, 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 Kelty; Adam Fyall, Community Development Coordinator; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Facilities Manager Roy Rogers; Human Services Administrator Ed Thornbrugh; Erhiza Rivera, Deputy Treasurer; DPA Ryan Brown; Planning Manager Mike Shuttleworth; Treasurer Duane Davidson; DPA Sarah Perry; Steve Becken, Public Works; Susan Walker, Planning.

Workshop Agenda

Spokane Request

Commissioner Bowman said that Spokane wanted Benton County and others to support the campaign of NSC (road from Canada to Mexico – major national trade route). He said he personally was opposed (and would not be able to attend the meeting), but wanted to know the Board's position. Both Commissioner Benitz and Chairman Beaver said they were not in favor of supporting the project.

Item "h" – Surplus of Cell Phones

Commissioner Bowman said he wanted to review whether the Board could donate the surplus cell phones to agencies (i.e. domestic violence services, etc.). The Board agreed with donating the phones.

Department of Agriculture Visit

Commissioner Benitz said he received a call from Dan Newhouse at Department of Agriculture and they toured Benton County to see damage to the hay, cherry, and asparagus crops. He said he would be talking to the Governor about a declaration of disaster in Benton County and expected that declaration to be made. If not, he would be making a presentation to Benton County about the impacts of the loss of crops.

Peer Exchange – Energy Communities Alliance

Adam Fyall and Chairman Beaver reported on their attendance at the Peer Exchange in Las Vegas. Additionally, Mr. Fyall provided a written report of the conference and a copy of ECA's work plan.

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

Approval of Minutes

The Minutes of May 24, 2010 were approved.
The Minutes of June 7, 2010 were approved as corrected.
The Special Bi-County Minutes of June 7, 2010 were approved.

Consent Agenda

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

Auditor
a. Line Item Transfer, Fund No. 0111-101, Dept. 000
Central Services
b. Authorization for Payment and Declaring an Emergency for Data Recovery Services
Commissioners
c. Setting of Elected Officials' Salaries; Amending Resolution 07-267
d. Reappointments to the Benton County Public Facilities District Board
e. Professional Service Contract w/Entrix, Inc to Provide Consulting Services
Planning
f. Short Plat Vacation of Short Plat 3001
Public Works
g. Public Hearing Authorization for Eaton Park Improvement Club
h. Surplus of Personal Property – Cell Phones
i. Surplus of Personal Property – Equipment Parts
Sheriff
j. Mailing Equipment Lease Agreements w/Neopost Leasing
k. Purchase of Public Safety Communication Equipment
l. Authorization to Sign the COPS Hiring Recovery Program Grant Application

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

Executive Session – Pending Litigation

The Board went into executive session at 9:05 a.m. for approximately 10 minutes with DPA Ryan Brown to discuss pending litigation. Also present were David Sparks, Cami McKenzie, Susan Walker, Mike Shuttleworth, Loretta Smith Kelty, and Melina Wenner. The Board came

out at 9:10 a.m. Mr. Brown stated the Board discussed pending litigation and no action was taken.

MOTION: Commissioner Benitz moved to approve the resolution in the matter of settling the appeal of Resolution 09-728 by Petitioners John Brodeur, Futurewise, and Vince Panesko. Commissioner Bowman seconded and upon vote, the motion carried unanimously.

MOTION: Commissioner Benitz moved to approve the resolution in the matter of settling the appeal of Resolution 09-727 by Petitioners John Brodeur, Futurewise, and Vince Panesko. Commissioner Bowman seconded and upon vote, the motion carried unanimously.

Executive Session – Union Negotiations

The Board went into executive session with DPA Sarah Perry for approximately 15 minutes to discuss union negotiations. The Board came out at 9:15 a.m. Ms. Perry stated the Board took no action.

The Board recessed until 9:25 a.m.

Affordable Housing Interlocal Agreement

Ed Thornbrugh presented an interlocal agreement regarding administering funds collected as a result of the Affordable Housing for All surcharge. He said once the interlocal was executed, the next step would be to seat a steering committee.

MOTION: Commissioner Benitz moved to approve the resolution executing the interlocal agreement between Benton County, City of Benton City, City of Prosser, City of Richland, and the City of West Richland. Commissioner Bowman seconded.

Discussion

Commissioner Bowman asked why the City of Kennewick was not part of the agreement. Mr. Thornbrugh said that Kennewick was invited and encouraged to participate but ultimately decided not to sign the agreement. However, it did not prevent projects in Kennewick from being approved.

Upon vote, the motion carried unanimously.

Vouchers

Check Date: 6/4/2010
Warrant #: 230514-230644
Direct Deposit #: 54468-55052
Total all funds: $2,045,926.79

Check Date: 6/6/2010
Taxes #: 10110061-10110063
Warrant #: 11492-11528
Total all funds: $1,778,673.94
Check Date: 6/11/2/10
Warrant #: 11672-11930
Tax Wire Transfer #: 1160610
Total all funds: $886,717.38

Check Date: 6/11/2010
Warrant #: 11931-12230
Total all funds: $8,988.12

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

Resolutions

10-327:	Settling Appeal of Resolution 09-728
10-328	Settling Appeal of Resolution 09-727
10-329	Line Item Transfer, Fund No. 0111-101, Dept. 000
10-330	Authorization for Payment and Declaring an Emergency for Data Recovery Services
10-331	Setting of Elected Officials' Salaries; Amending Resolution 07-267
10-332	Reappointment of Ernie Kuhn to the Benton County Public Facilities District
10-333	Reappointment of Amy Ward to the Benton County Public Facilities District
10-334	Reappointment of Troy Berglund to the Benton County Public Facilities District
10-335	Professional Service Contract w/Entrix, Inc to Provide Consulting Services
10-336	Short Plat Vacation of Short Plat 3001
10-337	Public Hearing Authorization for Eaton Park Improvement Club
10-338	Surplus of Personal Property – Cell Phone
10-339	Surplus of Personal Property – Equipment Parts
10-340	Mailing Equipment Lease Agreements w/Neopost Leasing
10-341	Purchase of Public Safety Communication Equipment
10-342	Authorization to Sign the COPS Hiring Recovery Program Grant Application
10-343	Interlocal Agreement – Affordable Housing Surcharge

There being no further business before the Board, the meeting adjourned at approximately 9:35 a.m.

Clerk of the Board

Chairman

Minutes

Public Hearing and Joint Session
of the Boards of County Commissioners of
Benton County, Klickitat County and Yakima County
April 27, 2009
Benton County Public Utility District, Conference Room

County Commissioners Present:

Benton County: Chairman Max Benitz, Jr., Commissioner Leo Bowman, Commissioner James Beaver

Klickitat County: Chairman David Sauter, Commissioner Rex F. Johnston, Commissioner Ray Thayer

Yakama County: Chairman J. Rand Elliot, Commissioner Mike D. Leita, Commissioner Kevin J Bouchey

Present During All or a Portion of the Public Hearing and Joint Session: David McClure and Doreen Wooden—Klickitat County Natural Resources Department, Adam Fyall–Benton County, Greg Schuler-Department of Ecology, Bruce Beauchene-City of Kennewick, Clark Posey-Benton County Planning, Mike Shuttleworth-Benton County Planning, Cami McKenizie-Benton County.

Call to Order

Acting as Chairman for the public hearing and joint session of the Boards of County Commissioners of Benton, Klickitat, and Yakima Counties (hereinafter referred to collectively as "the Boards"), Benton County Commissioner Max Benitz, Jr. called the meeting to order at 2:00 P.M. Chairman Benitz welcomed the commissioners from Yakima and Klickitat Counties to Benton County and thanked them for participating.

Chairman Benitz informed that the purpose of the meeting was to consider the watershed management plan for Rock Creek-Glade Watershed, WRIA 31 (WRIA 31). Chairman Benitz said that, with the county commissioners' agreement, the meeting would open with a public hearing for approximately a half an hour with a staff report on the WRIA [Water Resource Inventory Area] plan, followed by proponents' testimony and then opponents' testimony, followed by clarification of matters raised by the testimony. The public hearing will then be closed and action by all nine county commissioners will be requested. The three Boards of County Commissioners agreed.

Public Hearing

Chairman Benitz opened the public hearing and invited David McClure to provide a summary.

Staff Reports

David McClure informed that he is the director of Klickitat County's Natural Resources Department and served as the coordinator for the watershed planning effort. Watershed planning was initiated in WRIA 31 in 2001 with the concurrence of Yakima County, Benton County, Klickitat County and City of Kennewick. However, it took a while to organize the planning effort and the Planning Unit did not started meeting until 2003. Yakama County elected not to participate in the planning process, but did not opt out of watershed planning as could have been done under statue. Therefore, Yakama County,

Benton County and Klickitat County need to participate in the public hearing and approval of the plan. The planning effort included the water quantity, water quality, and habitat components of watershed planning, but did not include developing a recommendation for an in-stream flow rule.

Mr. McClure informed that the Planning Unit conducted watershed assessments, as required in statue, as well as a couple of supplemental studies. One study evaluated surface and ground water quality. The other was at a multi purpose water storage study. The planning process concluded in January 2008 with the Planning Unit unanimously approving the proposed watershed plan and recommending it to the three Boards of County Commissioners.

Mr. McClure informed that the proposed watershed plan was reviewed pursuant to the State Environmental Policy Act (SEPA) by Klickitat County Planning Director Curt Dryer and Tom Tebb of the Department of Ecology acting lead officials under a co-lead agency agreement between Klickitat County and the Department of Ecology. They issued a determination of significance and adopted the state-wide Environmental Impact Statement (EIS) for Watershed Planning plus an addendum to the final EIS for Watershed Planning. The Boards may consider comments on the adopted addendum to the final EIS for Watershed Planning, but the final EIS for Watershed Planning is not open for public comment. Opening the adopted addendum for comment is not required under the SEPA rules, but we have opened it for public comment. We advertised that the public is welcome to attend this meeting and speak on SEPA issues as well as testify for or against the proposed watershed plan.

Chairman Benitz called for questions.

Commissioner Leo Bowman inquired about the City of Kennewick being an initiating government, and whether the City would need to sign a resolution adopting the watershed plan.

Mr. McClure explained that under statute the counties are the only parties that need to approve the proposed watershed plan. He noted that Bruce Beauchene from the City of Kennewick is present at the hearing and informed that the City's representative did vote to approve the watershed plan when it was before the Planning Unit.

There being no other questions, Chairman Benitz thanked Mr. McClure and invited Adam Fyall to report.

Mr. Fyall informed that he is Benton County Commissioners' staff and has served as the Chairman of the Planning Unit from 2003 to present. He expressed appreciation for the efforts of Watershed Planning Coordinator David McClure and Greg Schuler from the Department of Ecology. He commented on high level participation by the Planning Unit members and expressed appreciation for their efforts. He also recognized Mercer Canyons which allowed the Planning Unit to meet at their office, which one of the few meeting places that are centrally located in the watershed. In summary, Mr. Fyall said that, speaking on behalf of the Planning Unit which unanimously endorsed the plan, we would like to see the commissioners adopt the plan.

Chairman Benitz called for questions. There being none, Chairman Benitz thanked Mr. Fyall and invited Greg Schuler to report.

Greg Schuler informed that he is the Department of Ecology who is assigned to represent the agency, well as other state agencies. The Department of Fish and Wildlife and State Health Department were the two other agencies he worked with the most in helping the Planning Unit achieve the approved

proposed plan. All requirements under the statue have been met in terms of preparing this plan and approving it. The Planning Unit was a stellar group to work with. The Planning Unit addressed difficult issues and we were able to work through them between Ecology management, other agencies, and the Planning Unit. In approving the plan, as part of the Planning Unit, he accepted a number of obligations that are in the plan pertaining to how Ecology works with the Planning Unit, currently and in the future, so that we can move forward. Most of these are process obligations that lay the foundation for the Planning Unit to continue great work.

Commissioner Leo Bowman inquired about how many WRIA's in the state have not completed watershed planning.

Mr. Schuler stated that there are a few were late in getting started in the WRIA process and are in the early to middle of the assessment phase. Most have completed their plans. There are four or five on the west side of the state that did not make it through with an approved plan due to issues that could not be resolved.

There being no other questions, Chairman Benitz thanked Mr. Schuler.

Public Testimony

Chairman Benitz opened the hearing to receive testimony from those wishing to speak in favor of the watershed plan

Bruce Beauchene approached the Boards and stated his name and address for the record:

Bruce Beauchene – City of Kennewick, Utility Services Manager;
Home address 98705 East Clover Road, Kennewick WA 99336.

Mr. Beauchene stated that he was speaking in support of the document and report. This has been an on going process that has taken many years. With the support of Mr. McClure and Mr. Fyall and the support of the counties that initiated it, the first part of the process has been completed. Continued support is important to address some of the big water issues we have in this WRIA. Water is the key to continue growth. As a representative of the largest city within the WRIA, we understand the importance of developing our water resources. We are fortunate to have the Columbia River, which we rely on; but we all know that water availability in the River is being challenged. It is a big issue that we are dealing with. The City of Kennewick is looking at an aquifer storage and recovery project, which was kicked-off as part of the watershed planning process and a grant from Ecology. In closing, Mr. Beauchene thanked everyone involved and expressed appreciation for their continuing support.

Chairman Benitz thanked Mr. Beauchene and called for testimony from those wishing to speak in favor of the proposed watershed management plan. Hearing none, Chairman Benitz called for testimony from those wishing to speak in opposition to the proposed watershed management plan. Hearing none, Chairman Benitz called for questions or clarifying statements regarding the testimony. There being none, Chairman Benitz closed the public hearing.

Joint Session of the Boards of County Commissioners

Chairman Benitz opened deliberations by the Boards. He informed that Benton County prepared a draft resolution accepting the watershed management plan and asked for deliberation of the options.

Chairman Benitz thanked Mr. McClure for his leadership and thanked the Klickitat County Commissioners for making him available to help. He then thanked Adam Fyall and Greg Schuler for their time and hard work.

Commissioner Bowman moved for approval of the "Watershed Management Plan Rock-Glade Watershed (WRIA 31)."

Commissioner David Sauter seconded the motion.

Chairmen Benitz asked for questions from Yakima County.

Commissioner Mike Leita informed that the Yakima County Commissioners had no questions and spoke in favor of the resolution.

Chairmen Benitz asked for questions from Klickitat County.

Commissioner David Sauter informed that the Klickitat County Commissioners had no questions and spoke in favor of the resolution.

Chairmen Benitz asked for questions from Benton County.

Commissioner Beaver thanked the team involved in the planning effort. He noted for the record that Department of Ecology participated as part of the team. He gave recognition and expressed appreciation to the Department of Ecology for stepping forward and getting involved in trying to solve the problems.

Commissioner Bowman called for the question. Chairman Benitz called the question. The motion carried unanimously.

Adjournment
Chairman Benitz adjourned the joint session of Benton, Klickitat, and Yakima Counties at 2:23 P.M.

Board of County Commissioners
of Benton County, Washington

_____
Chairman

_____
Clerk of the Board

Board of County Commissioners
of Klickitat County, Washington

_____
Chairman

_____
Clerk of the Board

Board of County Commissioners
of Yakima County, Washington

_____
Chairman

_____
Clerk of the Board

a

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN CURRENT EXPENSE FUND NUMBER 0000-101, DEPARTMENT NUMBER 137 TO DEPARTMENT NUMBER 107.

BE IT RESOLVED, by the Board of Benton County Commissioners, that 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

cc: Dept., Auditor, File, LSK

EXHIBIT "A"

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Animal Control Dept Nbr: 137

Fund Name: Current Expense Fund Nbr: 0000-101

TRANSFER FROM: Dept 137 TRANSFER TO: Dept 107

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
521.230	1905	Temporary Help	$5,000	511.100	1905	Temporary Help	$5,000
TOTAL			$5,000	TOTAL			$5,000

Explanation:

Transferring money in order to help offset administration cost of setting up contracts and other miscellaneous administration duties associated with the new animal control facility.

Prepared by: Keith Mercer Date: 14-Jun-2010

Approved ☐ Denied ☐ Date: _____

_____
Chairman

_____
Member

_____
Member

b

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF THE AUTHORIZATION FOR PLACEMENT OF RETAINAGE FUNDS INTO AN INTEREST-BEARING ESCROW ACCOUNT

WHEREAS, in accordance with RCW 60.28.011, G2 Commercial Construction, Inc., has requested Benton County to place the retained funds from the contract for the Animal Control Facility, into an interest-bearing escrow account to be maintained by Community First Bank; and

WHEREAS, an Escrow Agreement and Escrow Instruction have been executed have been executed by G2 Commercial Construction, Inc.; and

WHEREAS, the Escrow Agreement and Escrow Instructions are presented for approval by the Board of Benton County Commissioners; **NOW, THEREFORE**

BE IT RESOLVED, the Board of Benton County Commissioners, Benton County, Washington hereby authorizes the Chairman of the Board to sign the Escrow Agreement and Escrow Instructions attached hereto.

Dated this ..... day of ....., 20 ....

_____
Chairman of the Board

_____
Chairman Pro-Tem

_____
Member

Constituting the Board of County Commissioners of Benton County, Washington

Attest: .....
Clerk of the Board

Orig: Lisa Small
cc: Auditor; BWA; G2 Commercial Const.

Small

Contract Escrow # 14011148

ESCROW ACCOUNT AGREEMENT

To : Community First Bank
6401 Clearwater Ave,
Kennewick, WA 99336

The undersigned G2 Commercial Construction, Inc. herein referred to as the CONTRACTOR, has directed Benton County herein referred to as the AGENCY, to deliver to you its checks which shall be payable to you and the CONTRACTOR jointly. Such checks are to be held and disposed of by you in accordance with the following instructions and upon the terms and conditions hereinafter set forth.

Instructions

1. Checks made payable to you and the CONTRACTOR jointly upon delivery to you shall be endorsed by you and forwarded for collection. The money will then be used by you to purchase, as directed by the CONTRACTOR, one of the two investment options provided on the attachment to this agreement. Purchase of such bonds or other securities shall be in a form, which shall allow you alone to reconvert such bonds or other securities into money, if you are required to do so by AGENCY as provided in paragraph 4 of this agreement.

2. When interest on the securities held by you pursuant to this agreement accrues and is paid, you shall collect such interest and forward it to the CONTRACTOR at its address designated below unless otherwise directed by the CONTRACTOR.

3. You are not authorized to deliver to the CONTRACTOR all or any part of the securities held by you pursuant to this agreement (or any money derived from the sale of such securities or the negotiation of AGENCY checks) except in accordance with written instructions from AGENCY. Compliance with such instructions shall relieve you of further liability related thereto. The estimated completion date on the contract underlying this agreement is November 28, 2010.

4. In the event AGENCY orders you to do so in writing, you shall within thirty-five days of receipt of such order, reconvert into money together with any other money held by you hereunder to AGENCY.

5. The CONTRACTOR agrees to pay you as compensation for your services hereunder as follows:

Payment of all fees shall be sole responsibility of the CONTRACTOR and shall not be deducted from the property placed with you pursuant to this Escrow Agreement until and unless AGENCY directs the release to the CONTRACTOR of the securities and money held hereunder whereupon you shall be granted a first lien upon such property released and shall be entitles to reimburse yourself of such property for the entire amount of your fees and provided herein above. In the event you are made a party to any litigation with respect to the property held by you hereunder, or in the event that the conditions of the escrow are not promptly fulfilled, or that you are required to render any service not provided for in these instructions, or that there is any assignment of the interests of this escrow or any modifications hereof, you shall be entitled to reasonable compensation for such extraordinary services from the CONTRACTOR and reimbursement from the CONTRACTOR for all costs and expenses, including attorney fees occasioned by such default, delay, controversy, or litigation.

6. This agreement shall not be binding until executed by the CONTRACTOR, and AGENCY and accepted by you.

7. This instrument contains the entire agreement between you, the CONTRACTOR and AGENCY with respect to this escrow account, and you are not a party not bound by any instrument or agreement other that this. You shall not be required to give notice nor demand, nor required to take notice of any default or any other matter, not be found by nor required to give notice or demand, nor required to take any action whatever except as herein expressly provided. You shall not be liable for any loss or damage not caused by your own negligence or willful misconduct.

8. Binding Agreement and Assignment

The forgoing provisions shall be binding upon the assigns, successors, personal representative and heirs of the parties hereto, and shall be effective as of the day accepted by the Escrow Agent. Any corporation into which the Escrow Agent may merge, sell, or transfer its escrow business and assets, shall automatically by and become successor Escrow Agent hereunder and vested with all powers as was its predecessor without the execution or filing of any instruments, or further act, deed or conveyance on the parties hereto.

Retention account for the Benton Franklin Animal Control Facility

The undersigned have read and hereby approve the instructions as given above governing the administration of this escrow account and do herby execute this Escrow Agreement on this _____ day of _____, _____.

G2 Commercial Construction, Inc	**Benton County**
Contractor	Owner / Agency
201 N Edison Street Ste 227	PO Box 190
Address	Address
Kennewick WA 99336	Prosser, WA 99350
City, State Zip	City, State Zip
509-783-8900	509-786-5600
Phone:	Phone:
509-783-8901	509-786-5625
Fax:	Fax:
Vice President	Chairman
Title	Title
Signature Ami Gunther	Signature Jim R. Beaver
Owner / Agency	

The above Escrow instructions received and accepted this _____ day of _____, _____.

Authorized Signature

Bank or Trust Company

EXHIBIT A

APPROVED ESCROW INVESTMENTS

Approved bonds and securities are bonds, notes or other securities constituting direct and general obligations of the United States or the bonds notes or other securities constituting the direct and general obligation of any instrumentality of the United States, and interest and principal of which are unconditionally guaranteed by the United States. These securities are guaranteed by the full faith and credit of the United States Government and consist of U.S. Treasury Bills, U.S. Treasury Notes, and U.S. Treasury Bonds. In addition, other investments may consist of Repurchase Agreements and Time Certificates of Deposit in banks qualified as public depositories.

C

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BENTON COUNTY COMMISSIONERS TO SIGN THE BENTON PUD DEVELOPER'S AGREEMENT AND APPLICATION FOR SERVICE FOR THE BENTON COUNTY ANIMAL CONTROL FACILITY

BE IT RESOLVED by the Board of Benton County Commissioners, Benton County, Washington, the Board hereby authorizes the Chairman to sign the Benton PUD No. 1 Developer's Agreement and Application for Services for Benton County Animal Control Facility.

Dated this ..... day of ....., 20 ....

_____
Chairman of the Board

_____
Chairman Pro-Tem

_____
Member

Constituting the Board of County Commissioners of Benton County, Washington

Attest: .....
Clerk of the Board

Orig: Lisa Small
cc: Facilities; BWA; G2 Construction; PUD

Small

Developer's Agreement

This page must be returned in the envelope provided or faxed to (509) 586-6876

Return this page to:
Benton PUD
Attn: Engineering Dept.
PO Box 6270
Kennewick, WA 99336

By signing below, you agree to the responsibilities as the Developer.

DEVELOPER:

BPUD Project # 106401
Public Utility District #1 of Benton County

Signature

Signature (BPUD Field Engineer)

James R. Beaver, Chairman
Printed Name Benton County Commissioner

COMPANY:

Benton County Animal Control
Please print

Date Signed: (00/00/0000) _____

SIGNATURE FOR FEES (IF APPLICABLE)

By signing below, you agree to pay the fees as mentioned earlier in this letter. After Benton PUD receives this signature page back, the project fees ***will be invoiced*** to you.

Signature

James R. Beaver, Chairman
Printed Name Benton County Commissioner

Company Name: Benton County Animal Control

Date Signed: _____

Address of where to send bill:

(Name of Company)
Benton County Animal Control

(Contact Name)
Harry Taylor

(Mailing Address)
1116 N. Grant Ct.
Kennewick, WA 99336

Phone #:

UBI # of the Company or Social Security # of the person responsible for paying the primary fee.

91-6001296

Payment Options: Your invoice may be paid online at www.bentonpud.org through a checking/savings account deduction, or you may mail or deliver a check to our offices. Credit card payments are not accepted for primary fees.

BENTON P.U.D

APPLICATION FOR SERVICE

S.O.#

CUSTOMER NAME: Benton County Animal Control (LAST / FIRST / MI)

SERVICE ADDRESS: 1116 N Grant Ct., Kennewick, WA 99336

SUBDIVISION/PLAT: 2508 LOT: 2 BLOCK: ____ TAX ID# 91-6001296

HAVE YOU EVER HAD SERVICE WITH BENTON PUD? ☐ YES ☒ NO PHONE NUMBER: ( )

BILLING AND ACCOUNT INFORMATION:

NAME: Benton County Animal Control SS#,DL# OR UBI#: 91-6001296

PHONE: HOME: ( ) WORK: ( )

MAILING ADDRESS: 1116 N Grant Ct, Kennewick, WA 99336

CO-APPLICANT: None SS#,DL# OR UBI#: ____

PHONE: HOME: ( )

CONTACT PERSON:

GENERAL CONTRACTOR: Doug Gunther G2 Commercial Construction PHONE NUMBER: (509) 783-8900

ELECTRICIAN: Brashear Electric - Greg Ford PHONE NUMBER: (509) 783-1001

TYPE OF SERVICE: ☐ OVERHEAD ☒ UNDERGROUND ☐ RESIDENTIAL ☐ COMMERCIAL ☐ NEW SERVICE ☐ ALTERED SERVICE ☐ IRRIGATION ☐ SECURITY LIGHT

TEMPORARY POWER: ☐ UNMETERED ☐ METERED

LOAD INFORMATION:

☐ HOUSE ☐ DUPLEX ☐ APARTMENT ☐ MFG. HOME ☐ SHOP ☒ COMMERCIAL 3200 SQ. FEET

SERVICE SIZE: ☐ 200 AMP ☐ 320 AMP ☒ OTHER 400 AMPS (480V/3PH)

TYPE OF HEAT:

HEAT PUMP 5 TON ____ BACK-UP (KW SIZE OR GAS) ELECTRIC FURNACE 6,750 ~~KW~~ WATTS

OTHER ELECTRIC HEAT ____ TOTAL KW ☐ GAS ☐ OIL ☐ OTHER ☐ NO HEAT

ADDITIONAL LOADS:

AIR CONDITIONING ____ TON PUMP SIZE ____ HP WATER HEATER: ☒ ELEC. ☐ GAS (8000 W)

HOT TUB ____ KW SAUNA ____ KW POOL ____ KW

ADDITIONAL INFORMATION:

☐ DOG LIFE SUPPORT EQUIP. PLEASE SPECIFY: ☐ CRITICAL ☐ NON-CRITICAL

PAYMENT OPTIONS:

☒ CHECK/CASH PLEASE CHARGE MY ☐ VISA ☐ M/C

ACCT# EXP.

SIGNATURE ____ DATE ____

Benton PUD James R. Beaver, Chairman
Benton County Commissioner

Rev. 09/12/03

d

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF AUTHORIZING THE BOARD OF BENTON COUNTY COMMISSIONERS TO SIGN THE UTILITY EASEMENT GRANTING BENTON COUNTY PUBLIC UTILITY DISTRICT NO. 1 A TEN (10) FOOT WIDE UTILITY EASEMENT ON LAND OWNED BY BENTON COUNTY FOR POWER TO THE BENTON COUNTY ANIMAL CONTROL FACILITY, KENNEWICK, WA

BE IT RESOLVED, the Board of Benton County Commissioners, Benton County, Washington hereby concurs with the utility easement granting Benton County Public Utility District No. 1 a ten (10) foot wide easement on land owned by Benton County with the legal description of Ptn. Lot 2, Short Plat 2508, Sec 33, T. 9 N., R 29 E., W.M. and Assessors Tax Parcel No. 1-3399-201-2508-002.

Dated this ..... day of ....., 20 ....

_____
Chairman of the Board

_____
Chairman Pro-Tem

_____
Member

Constituting the Board of County Commissioners of Benton County, Washington

Attest: .....
Clerk of the Board

Orig: Lisa Small
cc: Facilities; BWA; G2 Construction; PUD

Small

After recording, return to:

Benton County Commissioners
P.O. Box 190
Prosser, WA 99350

Document Title: EASEMENT
Reference Number of Related Documents
Grantor: Benton County
Grantee(s): Benton County Public Utility District No. 1
Legal Description: Ptn. Lot 2, Short Plat 2508, Sec. 33, T. 9 N., R. 29 E., W.M.
Assessor's Tax Parcel Number: 1-3399-201-2508-002

EASEMENT

THE GRANTOR, Benton County, a political subdivision of the State of Washington, for and in consideration of Mutual Benefits, grant a perpetual, non-exclusive utility easement to Benton County Public Utility District No. 1, their heirs, successors and assigns over the following described real estate, situated in the County of Benton, State of Washington, together with all acquired title of the grantors therein:

THE NORTH 10.00 FEET OF LOT 2, SHORT PLAT 2508, AS RECORDED IN VOLUME 1 OF SHORT PLATS, PAGE 2508, RECORDS OF BENTON COUNTY, WASHINGTON **EXCEPT** THE EAST 93.27 FEET THEREOF

TOGETHER WITH THE WEST 10.00 FEET OF THE NORTH 55.50 FEET OF THE EAST 103.27 FEET OF SAID LOT 2.

Dated this _____ day of _____, 20_____

_____ Chairman

_____ Chairman ProTem

_____ Member

STATE OF WASHINGTON,)
) ss.
County of Benton)

On this date personally appeared before me _____ _____ to me known to be the Board of County Commissioners of Benton County, a political subdivision of the State of Washington, that executed the foregoing instrument, and acknowledge the instrument to be the free and voluntary act of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed is the seal of said County.

Given under my hand and official seal this _____day of _____ 20____.

_____
Notary Public in and for the State of Washington,
residing at _____
My appointment expires: _____

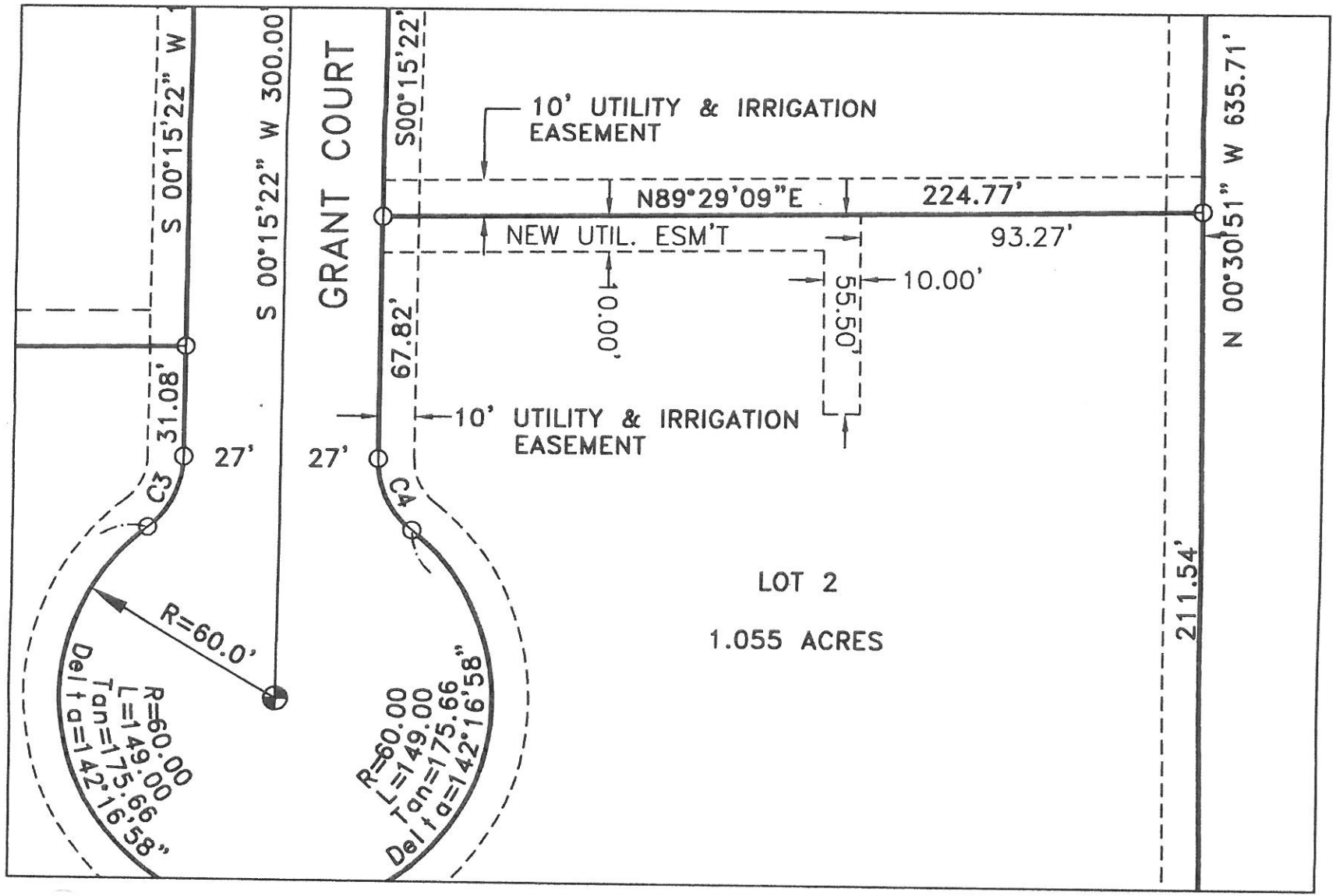
LEGAL DESCRIPTION
UTILITY EASEMENT

THE NORTH 10.00 FEET OF LOT 2, SHORT PLAT 2508, AS RECORDED IN VOLUME 1 OF SHORT PLATS, PAGE 2508, RECORDS OF BENTON COUNTY, WASHINGTON **EXCEPT** THE EAST 93.27 FEET THEREOF

TOGETHER WITH THE WEST 10.00 FEET OF THE NORTH 55.50 FEET OF THE EAST 103.27 FEET OF SAID LOT 2.

JOB 04910
REV 3-29-10
F:\LEGALS\LEG10\04910_UTIL.DOC
DPB/GBW

EXHIBIT MAP
NEW UTILITY EASEMENT



e

BENTON COUNTY

RESOLUTION NO._____

BEFORE THE BOARD OF COMMISSONERS OF BENTON COUNTY, WASHINGTON;

IN THE MATTER OF REAPPOINTMENT OF CARL ADRIAN TO THE BENTON-FRANKLIN WORKFORCE DEVELOPMENT COUNCIL

WHEREAS, the term of office for Carl Adrian on the Benton-Franklin Workforce Development Council, Position B-10 which represents Economic Development, expires on June 30, 2010, and

WHEREAS, Carl Adrian, TRIDEC, , has expressed his interest and willingness to be reappointed as a member on the Workforce Development Council, Position B-10 Economic Development; **NOW, THEREFORE,**

BE IT RESOLVED that Carl Adrian is hereby reappointed, as of July 1, 2010 to fill the Position B-10, which represents Economic Development, said term expiring on June 30, 2013.

Dated _____

_____
Chairman of the Board

Attest:

_____
Member

_____
Clerk to the Board

_____
Member

Constituting the Board of Commissioners of
Benton County,
Washington

cc: WDC; Adrian; Benton Co.

BENTON COUNTY

RESOLUTION NO._____

BEFORE THE BOARD OF COMMISSONERS OF BENTON COUNTY, WASHINGTON;

IN THE MATTER OF REAPPOINTMENT OF LISA BUNCH TO THE BENTON-FRANKLIN WORKFORCE DEVELOPMENT COUNCIL

WHEREAS, the term of office for Lisa Bunch on the Benton-Franklin Workforce Development Council, Position B-12 which represents Business, expires on June 30, 2010, and

WHEREAS, Lisa Bunch, Watts Bros., , has expressed her interest and willingness to be reappointed as a member on the Workforce Development Council, Position B-12 Business; **NOW, THEREFORE,**

BE IT RESOLVED that Lisa Bunch is hereby reappointed, as of July 1, 2010 to fill the Position B-12, which represents Business, said term expiring on June 30, 2013.

Dated _____

_____
Chairman of the Board

Attest:

_____
Member

_____
Clerk to the Board

_____
Member

Constituting the Board of Commissioners of
Benton County,
Washington

cc: WDC; Bunch; Benton Co.

BENTON COUNTY

RESOLUTION NO._____

BEFORE THE BOARD OF COMMISSONERS OF BENTON COUNTY, WASHINGTON;

IN THE MATTER OF REAPPOINTMENT OF CURT FREED TO THE BENTON-FRANKLIN WORKFORCE DEVELOPMENT COUNCIL

WHEREAS, the term of office for Curt Freed on the Benton-Franklin Workforce Development Council, Position B-27, which represents Post Secondary Education, expires on June 30, 2010, and

WHEREAS, Curt Freed, Columbia Basin College, has expressed his interest and willingness to be reappointed as a member on the Workforce Development Council, Position B-27 Post Secondary Education; **NOW, THEREFORE,**

BE IT RESOLVED that Curt Freed is hereby reappointed, as of July 1, 2010 to fill the Position B-27, which represents Post Secondary Education, said term expiring on June 30, 2013.

Dated _____

_____
Chairman of the Board

Attest:

_____
Member

_____
Clerk to the Board

_____
Member

Constituting the Board of Commissioners of
Benton County,
Washington

cc: WDC; Freed; Benton Co.

BENTON COUNTY

RESOLUTION NO._____

BEFORE THE BOARD OF COMMISSONERS OF BENTON COUNTY, WASHINGTON;

IN THE MATTER OF REAPPOINTMENT OF JOHN MERK TO THE BENTON-FRANKLIN WORKFORCE DEVELOPMENT COUNCIL

WHEREAS, the term of office for John Merk on the Benton-Franklin Workforce Development Council, Position F-20 which represents Labor, expires on June 30, 2010, and

WHEREAS, John Merk, , has expressed his interest and willingness to be reappointed as a member on the Workforce Development Council, Position F-20 Labor; **NOW, THEREFORE,**

BE IT RESOLVED that John Merk is hereby reappointed, as of July 1, 2010 to fill the Position F-20, which represents Labor, said term expiring on June 30, 2013.

Dated _____

_____
Chairman of the Board

Attest:

_____
Member

_____
Clerk to the Board

_____
Member

Constituting the Board of Commissioners of
Benton County,
Washington

cc: WDC; Merk; Benton Co.

BENTON COUNTY

RESOLUTION NO._____

BEFORE THE BOARD OF COMMISSONERS OF BENTON COUNTY, WASHINGTON;

IN THE MATTER OF REAPPOINTMENT OF TODD SAMUEL TO THE BENTON-FRANKLIN WORKFORCE DEVELOPMENT COUNCIL

WHEREAS, the term of office for Todd Samuel on the Benton-Franklin Workforce Development Council, Position B-25 which represents Post Secondary Education, expires on June 30, 2010, and

WHEREAS, Todd Samuel, City University,
has expressed his interest and willingness to be reappointed as a member on the Workforce Development Council, Position B-25 Post Secondary Education; **NOW, THEREFORE,**

BE IT RESOLVED that Todd Samuel is hereby reappointed, as of July 1, 2010 to fill the Position B-25, which represents Post Secondary Education, said term expiring on June 30, 2013.

Dated _____

_____
Chairman of the Board

Attest:

_____
Member

_____
Clerk to the Board

_____
Member

Constituting the Board of Commissioners of
Benton County,
Washington

cc: WDC; Samuel; Benton Co.

f

AGENDA ITEM	ACTION NEEDED	DISCUSSION TYPE
Meeting Date: 21 Jun 2010	Execute Contract	Consent Agenda X
Subject: exempt wells	Pass Resolution	Public Hearing
Memo Date: 17 Jun 2010	Pass Ordinance	1st Discussion
Prepared By: AJF	Pass Motion X	2nd Discussion
Reviewed By:	Other	Other

SUMMARY & BACKGROUND

The attached letter for Commissioner review essentially states of position of asking for a legislative fix to the "exempt wells" situation in Upper Kittitas County (and statewide), rather than open-ended moratoria declared by the Department of Ecology.

I worked with Commissioner Benitz on the letter, and drew largely from a letter and memo that Kittitas County has already prepared on the subject. Kittitas County is concerned that the moratorium in the Upper County, which has been sustained by the Governor, is essentially a test case and will be extended to the rest of Kittitas County and then onward throughout the Yakima Basin (at least).

FISCAL IMPACT

None.

# # #

21 June 2010

The Honorable Christine Gregoire
Governor of Washington
Post Office Box 40002
Olympia, Washington 98504-0002

Ted Sturdevant, Director
Washington Department of Ecology
Post Office Box 47600
Olympia, Washington 98504-7600

Re: Groundwater Use and "Exempt Wells" in Washington State

Dear Governor Gregoire and Director Sturdevant,

We write you today out of continued concern regarding water use issues in the Yakima Basin that remain un-addressed. These include water storage and supply generally, and specifically, the "exempt well" moratorium in Upper Kittitas County. We appreciate being able to have a dialogue with you on these important matters.

We are aware that earlier this spring, the Governor rejected a petition from Kittitas County that sought to rescind the indefinite moratorium on new exempt wells that was previously issued by the Department of Ecology via unilateral agency fiat, and so the ban on exempt wells in the upper county remains in effect.

Revised Code of Washington 90.44.050 clearly allows for the use of exempt wells and is the standing law of the State. We believe that the Governor's upholding of an open-ended emergency rule made by Ecology is an attempt to rewrite state water law while circumventing the Legislature – the elected officials charged with making laws in this state.

A recent article in the Yakima Herald-Republic newspaper noted that Mr. Sturdevant wanted to "allay fears" that Ecology plans to broaden the exempt well ban that has been developed in Kittitas County to other places throughout the state. The best way to allay those fears would be to address and resolve the issue head-on, now, and through the Legislature. The longer that the question lingers, the more grounded those "fears" become.

Our positions and values can be summarized as follows:

- The well exemption allowed under RCW 90.44.050 is an essential tool for rural development in Benton County, in the Yakima Basin, and throughout the state.

- The unilateral imposition of new restrictions – "emergency" or otherwise – by unelected officials must include peer-review of the best available science and not be based on citizen petitions, inferred threats of legal actions, or other assumptions lacking verifiable evidence.

- Ultimately, such new restrictions – which in this case amount to the heavy-handed rewriting of State water law – need to come through the independently-elected legislature and not through a strategy of county-by-county rulemaking. We believe that the "legislative fix" is the way to handle this situation.

- The "water banking" that is being established in Kittitas County and contemplated elsewhere is a good step in dealing with water supplies but it is a small step. The issue is comprehensive in nature and needs comprehensive, science-based solutions. We are hoping that the Yakima River Basin Watershed Enhancement Program renewal currently under negotiation will deliver those solutions. We also believe that upgrading of existing storage facilities and the development of new, properly-scaled storage options must be a part of that comprehensive strategy.

Again, we appreciate your attention to these matters. These are high priority issues for local governments and for citizens in Eastern Washington. We hope that you will recognize their importance and work collaboratively with us and with the Legislature toward their long-term resolution.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

_____

Jim Beaver, Chairman

_____

Leo Bowman

_____

Max E. Benitz, Jr.

cc: District 8 and District 16 Legislators
Washington Department of Ecology – Central Region Office
Franklin County Board of Commissioners
Grant County Board of Commissioners
Kittitas County Board of Commissioners
Klickitat County Board of Commissioners
Yakima County Board of Commissioners
Washington Association of Counties

BENTON AND FRANKLIN COUNTIES
ACTION SUMMARY COVER SHEET

COPY 9

AGENDA ITEM	TYPE OF ACTION NEEDED	
Amendment #PSA-10/11-ESD with the Educational Service District 123	☒ Execute Contract ☒ Pass Resolution ☐ Pass Ordinance ☐ Pass Motion	☒ Consent Agenda ☐ Public Hearing ☐ 1st Discussion ☐ 2nd discussion
Prepared By: Carol Carey	☐ Other	☐ Other

BACKGROUND INFORMATION

The Department of Human Services (DHS) would like to enter into a Professional Services Agreement with Educational Service District 123 to provide community education and increase awareness about suicide prevention for the 2010-11 year. Programs will include trainings on Applied Suicide Intervention (ASIST), Basic Suicide Prevention and Intervention Skills, Media Awareness, Production of Public Service Announcement and Distribution of brochures.

SUMMARY

Award: Consideration shall be $30,000
Period: July 1, 2010 to June 30, 2011
Funding Source: Mental Health Division, State Only dollars

RECOMMENDATION

☒ Sign the resolution to accept the proposed agreement.
☒ Approve the proposed agreement by signing all the copies where indicated.

FISCAL IMPACT

Funding for the services described in this Agreement is provided by the Mental Health Division, State Only dollars. **There is no impact on the current expense budget.** All revenues and expenditures are from the Fund 0108-101 Human Services Budget.

MOTION

To approve signing PSA-10/11-ESD with Educational Service District 123 and authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

BEFORE THE BOARDS OF THE COMMISSIONERS OF BENTON COUNTY, WASHINGTON AND FRANKLIN COUNTY, WASHINGTON;

IN THE MATTER OF EXECUTION OF PROFESSIONAL SERVICES AGREEMENT #PSA-2010/11-ESD BETWEEN THE EDUCATIONAL SERVICE DISTRICT 123 AND BENTON AND FRANKLIN COUNTIES DEPARTMENT OF HUMAN SERVICES,

WHEREAS, The Department of Human Services (DHS) would like to enter into a Professional Services Agreement with Educational Service District 123 to provide community education and increase awareness about suicide prevention for the 2010-11 year. Programs will include trainings on Applied Suicide Intervention (ASIST), Basic Suicide Prevention and Intervention Skills, Media Awareness, Production of Public Service Announcement and Distribution of brochures, and

WHEREAS, Programs will include trainings on Applied Suicide Intervention (ASIST), Basic Suicide Prevention and Intervention Skills, Media Awareness, Production of Public Service Announcement and Distribution of brochures, and

WHEREAS, compensation for this agreement will be paid for with Mental Health State Only dollars; **NOW THEREFORE,**

BE IT RESOLVED, that the Chairpersons are hereby authorized to sign the joint resolution on behalf of the Boards of Benton and Franklin County Commissioners.

Dated this ..... day of . . . . . ., 2010.

_____
Chair, Benton County Commissioners

_____
Member

_____
Member
Constituting the Board of County Commissioners,
Benton County, Washington

Attest:

_____
Clerk of the Board

Dated this ..... day of . . . . . ., 2010.

_____
Chair, Franklin County Commissioners

_____
Member

_____
Member
Constituting the Board of County Commissioners,
Franklin County, Washington

Attest:

_____
Clerk of the Board

Originals: Benton County
Franklin County
Human Services

Carey

BENTON AND FRANKLIN COUNTIES
ACTION SUMMARY COVER SHEET

COPY

AGENDA ITEM	TYPE OF ACTION NEEDED	
Professional Services Agreement with Kennewick Police Department	☒ Execute Contract ☒ Pass Resolution ☐ Pass Ordinance ☐ Pass Motion	☒ Consent Agenda ☐ Public Hearing ☐ 1st Discussion ☐ 2nd discussion
Prepared By: Carol Carey	☐ Other	☐ Other

BACKGROUND INFORMATION

The Department of Human Services would like enter into a Professional Services Agreement with the Kennewick Police Department to provide funding to send police officers to a Crisis Intervention Team (CIT) Training for law enforcement in San Antonio, Texas.

SUMMARY

Award: $5,000.00.
Period: May 1, 2010 through July 31, 2010 or completion of the project.
Funding Source: Mental Health Reserve Dollars

RECOMMENDATION

☒ Sign the resolution to accept the proposed amendment.
☒ Approve the proposed agreement by signing all the copies where indicated.

FISCAL IMPACT

Funding for the services described in this PSA is provided by the reserve mental health dollars. **There is no impact on the current expense budget.** All revenues and expenditures are from the Fund 0108-101 Human Services Budget.

MOTION

To approve signing the Professional Services Agreement with Kennewick Police Department and authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

Benton County Resolution No. _____

Franklin County Resolution No. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES, WASHINGTON:

IN THE MATTER OF EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT #PSA-2010-KPD-00 BETWEEN KENNEWICK POLICE DEPARTMENT AND BENTON AND FRANKLIN COUNTIES' DEPARTMENT OF HUMAN SERVICES, and

WHEREAS, this Professional Services Agreement with Kennewick Police Department is to provide funding for police officers to attend the International Crisis Intervention Team Training in San Antonio, Texas; and

WHEREAS, Consideration will be a maximum of $5,000, and

WHEREAS, the agreement is effective May 1, 2010 and remains effective until July 31, 2010, NOW THEREFORE,

BE IT RESOLVED that the Boards of Benton and Franklin County Commissioners hereby accept the proposed professional services agreement; and

BE IT FURTHER RESOLVED that the Chairs of Benton and Franklin County Commissioners are hereby authorized to sign Professional Services Agreement #PSA-2010-KPD-00 on behalf of the Board of Benton and Franklin County Commissioners.

Dated this . . . day of . . . . . , 2010

_____
Chair, Benton County Commissioners

_____
Chair, Pro Tem

_____
Member
Constituting the Board of County
Commissioners of Benton County, Washington

Attest: . . . . . .
Clerk of the Board

Dated this . . . day of . . . . . , 2010

_____
Chair, Franklin County Commissioners

_____
Chair, Pro Tem

_____
Member
Constituting the Board of County
Commissioners of Franklin County, Washington

Attest: . . . . . .
Clerk of the Board

Carey

BENTON COUNTY TRAVEL EXPENSE REIMBURSEMENT

VENDOR #:

FUND: HUMAN SERVICES #0108-101

IRS PUB 1542
Under www.IRS.GOV/Search for 1542

NAME: Ed Thornbrugh

MONTH: May

ADDRESS:

NOTE: A receipt for the following must be attached to your form: transportation fares, room charges, parking fees, registration fees, and meals by Commissioners and Department Managers.

RECEIVED
BENTON COUNTY
COMMISSIONERS

MEALS					RECEIPTS REQUIRED				PURPOSE & LOCATION REQUIRED		
DATE	BREAKFAST	LUNCH	DINNER	TOTALS	LODGING	TRANSPORT (AIR/TAXI)	CAR RENTAL/ PARKING	REGISTRATION FEES/OTHER	TRAVEL MILEAGE	PURPOSE	LOCATION
5/31/10	—	16	34	50						CIT Conference (travel to)	San Antonio TX
6/1/10	11	16	34	61						CIT Conference	
6/2/10	11	16	34	61						CIT Conference	
6/3/10	11	16	34	61						CIT Conference	
6/4/10	11	16	34	61						CIT Conference (travel from)	
				294							

Miles:

	Meals	Lodging	Transport	Rental	Other	@ .50/mile (effective 2/1/10)
SUBTOTALS:	$ 294	$ —	$ —	$ —	$ —	$ —

TOTAL REIMBURSEMENT REQUEST: $ 294 —

CERTIFICATION

I hereby certify that under penalty of perjury that this is a true and correct claim for necessary expenses incurred by me and that no payments have been received on account thereof.

Signature of Employee: Edward Thornbrugh

Job Title: Deputy Auditor

Approval: _____ Date: _____

BUDGET CODING

DEPT	BASE SUB	OBJECT	AMOUNT

J

RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF EXECUTING AN INTERLOCAL AGREEMENT WITH THE CITY OF RICHLAND

WHEREAS, the City of Richland, Washington, wishes to contract with Benton County to provide indigent defense services to defendants being prosecuted by the City of Richland, as required by Criminal Rules for Courts of Limited Jurisdiction (CrRLJ) 3.1;

WHEREAS, Benton County is amenable to providing such services to the City of Richland upon the terms and conditions contained in the interlocal agreement attached hereto;

NOW THEREFORE, BE IT RESOLVED THAT the annexed interlocal agreement between Benton County and the City of Richland, for District Court indigent defense services, be executed.

Dated this ..... day of ....., 20 ....

_____
Chairman of the Board

_____
Chairman Pro-Tem

_____
Member

Constituting the Board of County Commissioners,
Benton County, Washington

Attest: .....
Clerk of the Board

Original - Benton County, OPD, City of Richland
cc: – Auditor, Rosemary Ozuna

INTERLOCAL AGREEMENT FOR USE OF OFFICE OF PUBLIC DEFENSE SERVICES

THIS AGREEMENT is made and entered into by and between BENTON COUNTY, a political subdivision of the State of Washington (hereinafter "County") and the City of Richland, WASHINGTON, a municipal corporation (hereinafter "City").

For and in consideration of the conditions, covenants and agreements contained herein the parties agree as follows:

1. PURPOSE

The City prosecutes misdemeanor and gross misdemeanor violations of its Municipal Code in Benton County District Court ("District Court"). Pursuant to the Sixth Amendment of the United States Constitution, Section 22 of the Washington State Constitution, and Courts of Limited Jurisdiction Criminal Rule 3.1, the City has a legal obligation to provide defense counsel to all indigent criminal defendants it prosecutes. The City wishes to utilize the administrative services of County's existing Office of Public Defense (hereinafter "BCOPD") to provide indigent defense counsel in criminal misdemeanor cases the City prosecutes, so as to fulfill its legal obligations in that regard.

2. DEFINITIONS

(a) "BCOPD District Court Expenditures" shall mean gross payments to all contracted public defenders plus the salary and benefits paid to county-employed public defenders.

(b) "City Defendant" shall mean a person who stands accused, in a criminal proceeding in District Court, of a crime that constitutes the violation of a provision of City's Municipal Code.

(c) "Criminal case filing" shall mean a criminal case filed in District Court under a case number separate and unique from any other case in District Court and shall include traffic criminal cases, non-traffic criminal cases, and DUI criminal cases. Criminal case filing shall not, for purposes of this Agreement, include felony cases that are filed in Benton County Superior Court or felony cases filed in the Benton County District Court, or any civil or other non-criminal case filing (including, without limitation to, infractions).

3. SERVICES PROVIDED

(a) County shall, through and utilizing a combination of independent contractors and/or County employees as it deems appropriate, provide public indigent defense services to indigent defendants facing criminal charges prosecuted by City in District Court ("Defense Services"). The number of contractors

AGENDA ITEM	ACTION NEEDED	DISCUSSION TYPE
Meeting Date: 21 Jun 2010	Execute Contract	Consent Agenda X
Subject: RMSF lease	Pass Resolution X	Public Hearing
Memo Date: 16 Jun 2010	Pass Ordinance	1st Discussion
Prepared By: AJF	Pass Motion	2nd Discussion
Reviewed By:	Other	Other

K

SUMMARY & BACKGROUND

Benton County has a "land use agreement" in place with the Washington Department of Fish and Wildlife for land that the County administers and subleases for use as the Rattlesnake Mountain Shooting Facility.

There has been some confusion about the term and expiration of original agreement, which was drafted and signed in 1987. The agreement is attached hereto, and the confusion is in the reading of sections 5 and 6 on the second page. The situation is further confused by subsequent documents involving the US Bureau of Land Management.

Our Prosecutor's office wanted to end the confusion, and proposed an amendment to the agreement to the DFW. We worked the issue with the folks in Olympia and agreed to the "First Amendment to Land Use Agreement", which has been approved to form by the Prosecutor and is attached for Commissioner consideration.

This amendment clearly states that the land use agreement will expire on December 31, 2040. When we redo our sublease with the Tri-Cities Shooting Association, it will be written with the same expiration date.

FISCAL IMPACT

None.

# # #

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF THE RATTLESNAKE MOUNTAIN SHOOTING FACILITY – AMENDING THE BENTON COUNTY / WASHINGTON STATE LAND USE AGREEMENT

WHEREAS, Benton County has had a "land use agreement" – commonly referred to as a "lease" – with the State of Washington through its Department of Fish and Wildlife since 1987 for properties in Benton County that are used by the County as part of the Rattlesnake Mountain Shooting Facility; and,

WHEREAS, there has been questions of ambiguity regarding the term and expiration dates of the land use agreement, since parts of the agreement seem to conflict or are at least confusing; and,

WHEREAS, both the Department of Fish and Wildlife and Benton County wish to resolve these ambiguities and have drafted an amendment to the original land use agreement to accomplish that goal; **NOW THEREFORE**,

BE IT RESOLVED, that the Benton County Board of Commissioners authorizes the Chairman to sign the "First Amendment to Land Use Agreement" between Benton County and the Washington Department of Fish and Wildlife stating that the agreement shall expire on 31 December 2040.

Dated this _____ day of _____, 2010.

_____
Chairman of the Board

_____
Member

_____
Member

Constituting the Board of Commissioners
of Benton County, Washington.

Attest.....
Clerk of the Board

orig: BOCC file
cc: Auditor, Prosecutor (Ozuna), Parks, Park Board, Tri-Cities Shooting Association

Prepared by: A.J. Fyall

FIRST AMENDMENT TO LAND USE AGREEMENT

This Amendment, made and entered into this ___ day of _____, 2010, by and between the WASHINGTON STATE DEPARTMENT OF FISH AND WILDLIFE, hereinafter referred to as the "Department", and BENTON COUNTY, WASHINGTON, hereinafter referred to as the "County.

WHEREAS, the Department and the County entered into a Land Use Agreement on July 13, 1987, whereby the Department agreed to allow the County to use the lands described therein, directly or through a sub-lease to another entity, for a shooting range (the "Land Use Agreement"); and

WHEREAS, paragraph 5 of the Land Use Agreement contained inconsistent language regarding the term of the Land Use Agreement; and

WHEREAS, a Memorandum of Understanding executed by the Department, the County and the US Department of Interior regarding the administration of the land subject to the Land Use Agreement amended the Land Use Agreement to have it run concurrently with a lease of other property by the federal government to the County; and

WHEREAS, the above referenced MOU has expired and the federal lease has been further extended, adding further uncertainty regarding the term of the Land Use Agreement; and

WHEREAS, the Department and the County desire to enter into this First Amendment to Land Use Agreement to order to clarify their intentions as to the term of the Land Use Agreement and to state a specific term for it.

NOW, THEREFORE, in consideration of the terms, conditions, and covenants contained herein, the parties hereto agree that the Land Use Agreement shall be amended as follows:

1. Paragraph 5 of the Land Use Agreement shall be deleted and replaced with the following language:

> 5. The agreement shall expire on December 31, 2040, unless earlier terminated in accordance with paragraph 6 of this agreement.

2. All other provisions of the Land Use Agreement shall remain in effect.

IN WITNESS HEREOF, the parties hereto have caused the agreement to be executed as indicated below.

STATE OF WASHINGTON
DEPARTMENT OF FISH AND WILDLIFE

By: _____
Jennifer Quan, Lands Division Manager

Date:_____

State of Washington
County of _____

I certify that I know or have satisfactory evidence that Jennifer Quan is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the Lands Division Manager for the State of Washington, Department of Fish and Wildlife to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

_____
NOTARY PUBLIC
Appt. Exp. _____

BENTON COUNTY, WASHINGTON

By: _____
James Beaver, Chairman

Date: _____

State of Washington
County of Benton

I certify that I know or have satisfactory evidence that James Beaver is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Chairman of the Board of Benton County Commissioners to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

_____
NOTARY PUBLIC
Appt. Exp. _____

Approved as to form:

Ryan K Brown
RYAN K. BROWN, Deputy Prosecuting Attorney

AGENDA ITEM		TYPE OF ACTION NEEDED	
Meeting Date:	June 21, 2010	Execute Contract	Consent Agenda X
Subject:	Line Item Transfer	Pass Resolution X	Public Hearing
		Pass Ordinance	1st Discussion
		Pass Motion	2nd Discussion
Prepared by:	Melina Wenner	Other	Other

BACKGROUND INFORMATION

Please see attached Exhibit A.

SUMMARY

Same as above

RECOMMENDATION

Pass resolution.

FISCAL IMPACT

None

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN THE INSURANCE MANAGEMENT BUDGET IN THE AMOUNT OF $15,000.

BE IT RESOLVED by the Board of Benton County Commissioners, that $15,000.00 shall be transferred as more clearly defined in Exhibit A attached hereto.

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

EXHIBIT "A"

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Personnel Dept Nbr: 127

Fund Name: Insurance Management Fund Nbr: 0504101

TRANSFER FROM:

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
514.770	4917	Security	$15,000
TOTAL			$15,000

TRANSFER TO:

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
594.140	6401	Capital Outlay	$15,000
TOTAL			$15,000

Explanation:

For the purchase of a badging equipment for security badges which has been approved by Resolution 09 882 in the amount of $10,500 plus sales tax.

Prepared by: Melina Wenner Date: 21-Jun-2010

Approved ☐ Denied ☐ Date: _____

_____
Chairman

_____
Member

_____
Member

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY PROPERTY, RE: LEASING A PORTION OF THE PROSSER MAINTENANCE FACILITY

WHEREAS, Benton County Public Works provides maintenance service for Ben Franklin Transit buses located in Prosser; and

WHEREAS, Ben Franklin Transit has expressed a desire to locate its Prosser office and bus parking closer to the Prosser Maintenance Facility; and

WHEREAS, Benton County Public Works having an office available for use and space to park vehicles has offered to enter into a five year rental agreement with Ben Franklin Transit; and

WHEREAS, it is in the public interest that the public agencies cooperate to provide effective and cost efficient services; and

WHEREAS, the proposed lease has been reviewed by and has been approved as to form by the Prosecuting Attorney's Office and is recommended for approval by the Benton County Public Works Manager, NOW, THEREFORE,

BE IT RESOLVED that the Lease Agreement with Ben Franklin Transit be approved and signed by the Board of County Commissioners.

Dated this 21st day of June 2010.

_____
Chairman

_____
Chairman Pro-Tem

_____
Member

Attest:_____
Clerk of the Board

Constituting the Board of County Commissioners of Benton County, Washington

SWB

LEASE AGREEMENT

THIS AGREEMENT made and entered into this _____ day of _____, _____ by and between the COUNTY OF BENTON, hereinafter referred to as "County," and BEN FRANKLIN TRANSIT, hereinafter referred to as "BFT," regarding rental of office space and bus parking at the Benton County Public Works Maintenance and Operations Facility (Maintenance Facility) located at 14303 North Hinzerling Road North of Prosser, Washington.

WHEREAS, BFT provides transit service in Benton County; and

WHEREAS, the County provides maintenance for BFT vehicles, and

WHEREAS, BFT has a need to locate its Prosser office and bus parking closer to the Maintenance Facility; and

WHEREAS, the County owns available real property and has a vacant office available for use and has space to park transit buses; and

WHEREAS, the County is willing to lease a portion of the Maintenance Facility to be used by BFT in serving the citizens this area; NOW THEREFORE,

IN CONSIDERATION, of the mutual promises and undertakings set forth herein, the parties agree as follows:

1. Leasehold Interest. The County hereby leases to BFT and BFT hereby leases from the County for use and occupancy a portion of the Maintenance Facility, located on the real property described on Exhibit A hereto (the Maintenance Facility and the associated real property referred to as the "Property"). That portion of the Maintenance Facility leased to BFT under this Lease is Room 105 of the Maintenance Building and an area to be designated for bus parking .

2. Lease Term. Subject to the terms of this Lease, BFT's occupancy of Room 105 of the Maintenance Building is expected to commence on ~~July 1, 2010~~ August 1 and end ~~June 30, 2015~~ July 31 unless earlier terminated pursuant to the terms herein (the "Term").

3. Use of Building. Room 105 of the Maintenance Facility shall be used by BFT for the purpose of an employee office worksite. BFT may not use or occupy the Maintenance Facility in violation of any law, ordinance, regulation or the certificate of occupancy issued for the Maintenance Facility, and may not do, bring, or keep anything in or about the Property that will cause an increased premium for or the cancellation of any insurance covering the Maintenance Facility.

4. Assignment/Leasing. BFT shall not assign either this Lease Agreement or lease or sublease any portion of the Maintenance Facility, except with the written consent of the

9:05

Benton County

Geographic Information Systems Department

2009 Annual Report

Mission and Purpose

The Mission of the Benton County Geographic Information Systems (GIS) Department is to develop, acquire, and maintain spatial and tabular data in order to facilitate the management of the County's land base and infrastructure. The fundamental purpose of the GIS Department is to improve access to such data, both for other county departments and for the public. It is an important role of the GIS Department to establish and sustain a program that affords ready access to GIS products and services to all county departments, to other government entities, and to the general public.

Primary Accomplishments for 2009

1. Imagery Base Enhancement

Worked on expanding the county's digital imagery base.

Background

The GIS Department is working to build a comprehensive, chronological record of orthophotography, aerial photography, and satellite imagery. Such imagery serves an important role in planning, change detection, infrastructure management and historical records.

The following tasks were a part of this ongoing effort:

- Completed the 2008 Orthophoto project, which involved the review and color balancing of the processed imagery, as well as the distribution of the imagery to the project partners and county employees.
- Purchased a 1 Terabyte portable hard drive for image storage. Imagery requires vast amounts of storage; in order to avoid bogging down the county network it was essential to procure an alternate means of storage. Once the purchase was made, the department backed up all of its existing imagery to the hard drive.

- Collected additional imagery throughout the year by downloading historic imagery from state sources.
- Scanned the 1991 historic series of aerial photographs stored in the Planning Department.

2. Digital Data Access

Worked on facilitating access to the department's digital data, both for county employees and for the general public.

Background

Disseminating information is a vital part of the GIS Department's role since the primary purpose of creating such data is to enhance decision-making with regards to property and infrastructure management.

The following tasks were a part of this ongoing effort:

- Provided copies of our digital data via CD, email, or ftp to numerous customers, including: other government agencies; title companies; private developers; and engineering, surveying, and appraisal firms. These data are provided on either an as-requested basis or as part of a monthly update schedule, depending upon the customer's needs.
- Created a GIS Web Mapping site that includes the counties primary mapping features, such as parcel boundaries, governmental boundaries, taxing districts, road centerlines, reval areas, USDA crop data, topography, population density, and orthophotography. This site was nearly ready for county employee use by the end of 2009.
- Provided support to numerous county employees who utilize the GIS program. Support included installing/updating GIS software and data on numerous computers throughout the year, as well as individualized training. Frequent in-county users include employees from Planning, Building, Assessor's, Sheriff's, Public Works, Auditor's, Treasurer's and the Health District.

3. GIS Feature Enhancement

Worked on enhancing the county's digital spatial data.

Background

Digital spatial data provides the fundamental base for all GIS products and services. The GIS Department always strives to provide data that is both current and relevant. This is a crucial part of the department's role and a majority of staff time is devoted to this function.

The following tasks were a part of this ongoing effort:

- Maintained/updated/enhanced numerous GIS data features, such as parcels, road centerlines (added mileposting, speed limits, functional classification on county roads), election districts, comp plan, rights-of-way, short plat/plat/survey boundaries, city limits, building footprints, TAZ boundaries, and addressing.
- Recreated several new GIS data layers by digitizing the boundaries from legal description, including school districts, commissioner districts, hospital districts, irrigation districts, and the Red Mountain AVA.
- Created several new GIS data layers, including planning permits, Benton REA substation locations, a revitalization area, school director boundaries, various annexations, wind turbine locations, lease points, and port district commissioner boundaries.
- Obtained and converted a wide variety of data from various sources.

4. Contracted GIS Services

Provided GIS services to the City of West Richland.

Background

In 2008 the GIS Department entered into an inter-local agreement with the City of West Richland wherein the city agreed to pay for the creation of a GIS base map, including parcel boundaries, road centerlines, addressing, and utility infrastructure. After the completion of the initial project, the city and the GIS Department have entered into inter-local agreements on a yearly basis to cover the maintenance of the city's GIS base map.

The following tasks were a part of this ongoing effort:

- Maintained the city's base map and corrected data errors/inconsistencies as needed.
- Provided digital copies of updated data in three formats (GeoMedia, AutoCAD, ESRI shapefiles) to the city on a regular basis.
- Provided training in GeoMedia functionality to several city employees.

5. Mapping and Analysis Services

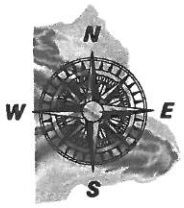
Provided mapping and analysis services to county departments and to the public.

Background

Many customers – private individuals, businesses, various government agencies, and other county departments – rely upon the GIS Department for accurate, current mapping and spatial analysis. These services comprise a major portion of the department's interaction with the public.

The following tasks were a part of this ongoing effort:

- Created numerous maps for the Prosecuting Attorney's Office, primarily for drug bust cases where the maps are used to determine if sentencing enhancements apply.
- Created a large quantity of standard pdf maps that are available for free download on the GIS Department's portion of the Benton County website. These maps are updated as needed and new versions are uploaded to the website.



Benton County

Geographic Information Systems Department

2010 Strategic Plan

Mission and Purpose

The Mission of the Benton County Geographic Information Systems (GIS) Department is to develop, acquire, and maintain spatial and tabular data in order to facilitate the management of the County's land base and infrastructure. The fundamental purpose of the GIS Department is to improve access to such data, both for other county departments and for the public. It is an important role of the GIS Department to establish and sustain a program that affords ready access to GIS products and services to all county departments, to other government entities, and to the general public.

In order to advance the GIS Department's Mission and Purpose, the following goals have been set forth for 2010.

Departmental Goals for 2010

1. Digital Data Access

The GIS Department will strive to improve access to the department's digital data, both for county employees and for the general public.

Background

The GIS Department is always seeking better methods to disseminate digital data, since the primary purpose of creating such data is to enhance decision-making with regards to property and infrastructure management. Past efforts have included: installing GeoMedia, GeoMedia Professional and the GeoMedia Viewer software on numerous county employees' desktops and providing training to such employees in the use of these software programs; loading GIS data and software on laptops for employees of the Assessor's and Sheriff's Offices for use in the field; creating program routines for automatically updating GIS data from the dedicated GIS Department's drives to the user network drives; providing copies of our digital data to customers via CD, email, or ftp; and providing copies of the GIS Department's base layers to the contractor that maintains the Assessor's property record search website.

Key tasks involved in accomplishing this goal include:

- Complete a pilot Web Mapping site for county use and begin preparing a modified version for public use (see Departmental Goal #2 for details).
- Look into the feasibility of making the primary GIS data layers available (in both shapefile and KML formats) to customers via free download from the GIS Department's portion of the county's website.
- Explore the possibility of providing data on a regular basis to Google Earth.

2. Web Mapping Deployment

The GIS Department will release a pilot Web Mapping site for county employee use and will begin preparing a modified version for public use.

Background

The GIS Department's pilot Web Mapping site was nearing completion by the end of 2009. This site will provide county employees access to all of the primary GIS features and imagery in one comprehensive, easy-to-use interface. A modified version (pared-down significantly to improve internet performance and to limit access to sensitive data) will be created and released for public use.

Key tasks involved in accomplishing this goal include:

- Complete the final touches to the Web Mapping site. Several modifications need to be made due to a recent software upgrade.
- Notify county employees of the Intranet address of the Web Mapping site and provide training options to facilitate adoption of this new user interface.
- Actively seek employee input on the appearance, content and functionality of the site.
- Make adjustments to the site as needed, based upon employee feedback.
- Start creating a pared-down version of the site for public consumption, incorporating employee feedback and taking Internet performance into account.
- Begin working with Central Services to make sure the infrastructure is in place for employing the Web mapping site on the Internet.
- Explore the feasibility of linking house photos and sketches to the parcel data on the Web Mapping site (for the Intranet and/or the Internet).

3. In-House GIS training

The GIS Department will explore options to more efficiently train county employees to productively utilize the GIS software and the internal Web Mapping site.

Background

The GIS Department typically provides training on the functionality of the GeoMedia GIS software to county employees (and sometimes to other government employees) on an individual or small-group basis. This approach allows for an interactive training approach, but it has several limitations, most notably due to time constraints. It has become increasingly difficult to schedule classes for employees that will work for the trainer and all, or even most, of the trainees. In order to provide the training needed and sought by the GIS Department's user base, it is necessary to look at other training options.

Key tasks involved in accomplishing this goal include:

- Look into the viability of producing webinars for instructing county employees in the use of the GIS software and the Web Mapping site.
- Look into the possibility of creating simple instructional videos using software like Adobe's Captivate or TechSmith's Camtasia Studio.
- Create a sample webinar or instructional video using free software trials in order to determine the most efficient route and get feedback before purchasing the necessary software.

4. Imagery Base Enhancement

The GIS Department will continue to expand the county's digital imagery base.

Background

The GIS Department is working to build a comprehensive, chronological record of orthophotography, aerial photography, and satellite imagery. Such imagery serves an important role in planning, change detection, infrastructure management and historical records. Past efforts to enhance the county's imagery base have included contracting for orthophoto imagery and obtaining free imagery, by either downloading the data from state data warehouses or by requesting imagery from other agencies.

Key tasks involved in accomplishing this goal include:

- Explore the possibility of selecting a new vendor for future orthophoto projects.
    - Meet with other vendors to get an estimation of their services and cost structure.
    - Select the most likely vendors and get cost estimates in order to budget for the next orthophoto project
    - Meet with other local agencies to determine an agreed upon schedule for upcoming orthophoto projects and to establish cost-sharing agreements (see Departmental Goal #5 for details).
- Scan historic aerial photographs and register the digital images using the GeoMedia GIS software.
- Continue to explore and utilize sources of free digital imagery.

5. Local GIS Group Participation

The employees of the GIS Department will continue to actively participate in local GIS group meetings/presentations.

Background

The Tri-Cities area has a very active GIS users community. In addition to having a local Washington Geographic Information Council (WAGIC) group that meets every other month, there is a regional Intergraph Users group that meets periodically, providing a forum for exchanging information about GeoMedia and other Intergraph software products. Currently, local GIS users, including employees of the GIS Department, are in the process of establishing a Columbia Basin GIS User Group, which will focus on local GIS issues and will meet during the months that WAGIC meetings are not held. Key players in this group include Benton County, Franklin County, Hanford, Benton County PUD, Franklin County PUD, and the cities of Kennewick, Richland and Pasco.

Key considerations to be explored by this local group include:

- Data sharing.
- Review of each agency's current GIS procedures in order to determine where cooperative measures may be employed in order to reduce duplication of efforts.
- Presentations by vendors who supply relevant software and services, such as orthophotography vendors.
- Leveraging coordinated scheduling and resources for specific projects, such as orthophotography and the enhancement of the current survey control network, in order to reduce costs to individual agencies.
- Presentations from local GIS users on specific processes and applications in order to share the knowledge of individual members with the rest of the group.

6. GIS Feature Enhancement

The GIS Department will work to further enhance the county's digital spatial data.

Background

Since digital spatial data is the backbone of the GIS Department, providing the fundamental base for all of the department's products and services, the GIS Department will continue to strive to provide data that is both current and relevant. Spatially referenced data is virtually unlimited and there are always more GIS features that can be produced from such data, as staff time allows. In addition to creating new GIS features, the GIS Department will continue to work to enhance existing GIS features by updating them to reflect ongoing changes and by editing them to improve their accuracy based upon new or improved information.

Key tasks involved in accomplishing this goal include:

- Explore the feasibility of creating and maintaining a new GIS Feature for mobile homes.
- Perform automated analyses on existing GIS Features to highlight inconsistencies or errors.
- Explore the possibility of having individual county departments begin to maintain all or specific attribution of some of the existing GIS Features in order to free more GIS Department staff time for such tasks as creating new GIS Features and analyzing and enhancing existing GIS Features.

9.25

AGENDA ITEM	ACTION NEEDED	DISCUSSION TYPE
Meeting Date: 21 Jun 2010	Execute Contract	Consent Agenda
Subject: FTZ 203	Pass Resolution	Public Hearing
Memo Date: 15 Jun 2010	Pass Ordinance	1st Discussion X
Prepared By: AJF	Pass Motion X	2nd Discussion
Reviewed By: LSK	Other	Other

SUMMARY

Benton County has the opportunity to be included in the to-be expanded "Foreign Trade Zone #203". The attached "letter of concurrence" states the County's desire for such.

BACKGROUND

In short, the Port of Moses Lake has had a Foreign [free] Trade Zone (FTZ) for about the past 15 years. Congress has passed legislation allowing for FTZs to be expanded to a 120-mile radius (see attached map). This expansion includes all of Benton County within the Zone.

The Port pays about $150,000 per year for support of the Zone, which mostly goes toward the costs of a customs agent, which is required. These costs are passed on to the companies that locate with the Zone and apply for its privileges.

Being within an FTZ is a possible recruitment tool, and the Port has several companies utilizing their FTZ right now. An example is BMW, who imports raw material from Japan, does some value-added assembly in Moses Lake, then ships the final product onto Europe. As long as the products are not sold in the US, this value-added processing can be done duty-free. The BMW facility will employ upwards of 100 people by next year.

The attached letter for Commissioner consideration is a revised template provided by the Port. Benton County's "concurrence" simply makes us, or any jurisdiction within the County – such as our cities and ports – eligible to offer companies FTZ benefits.

Below in blue, is a more technical run-down of the FTZ. This was provided to me by the Port of Moses Lake.

The Port of Moses Lake is the recipient of a Grant of Authority ("Grantee") from the U.S. Foreign-Trade Zones Board ("FTZB") to establish and maintain a Foreign Trade Zone (FTZ) in Grant County, Washington, which has been designated FTZ No. 203. We have maintained FTZ No. 203 for more than fifteen (15) years and have had a number of companies express interest in and use the FTZ. ***We believe the FTZ program is a tremendous economic development tool that can be used by Eastern and Central Washington to help attract businesses involved in global trade.*** *The FTZB has developed a new program called the Alternative Site Framework ("ASF"), which provides Grantees flexibility to use a simplified process to bring FTZ designation to companies with an immediate need. A Grantee can participate in the ASF by applying to the FTZB to "reorganize" its FTZ under the ASF.*

According to the FTZB the primary goal for ASF is to improve the Grantee's ability to bring the competitiveness benefits of FTZs to a broad range of companies throughout the Service Area served by the Grantee. Under the ASF, the Grantee reframes its FTZ so as to serve a specific area ("Service Area") rather than specific industrial parks. The Service Area is the geographic area where the Grantee intends to propose general-purpose FTZ sites. Most commonly the Service Area will include specific counties and each County in the proposed Service Area must provide a letter of concurrence. The Service Area must meet the 60 miles or 90 minutes driving time from the Customs Port of Entry (in our case, the Port of Moses Lake). Since your County is within this radius we would welcome your participation and have enclosed a Letter of Concurrence for your use.

Under the ASF, a company's Distribution Facility located anywhere within the Service Area can become a so-called "Usage-Driven" site ***if the company is ready to pursue conducting FTZ activity.*** *All the Grantee would need to do under the ASF is file a simplified boundary modification request with the FTZB.* ***It is anticipated that the simplified boundary modification request will be approved by the FTZB within thirty (30) days.*** *Usage Driven designation is tied to the specific company and is limited to the space needed by the company. Under the ASF, a Usage-Driven site is still considered General Purpose so long as adjacent space has potential for future FTZ use.*

It is to be noted that under the ASF, the FTZB has imposed a cap on the amount of acreage that can be activated by Customs at a specific Zone Project at 2,000-acres (this has actually been a standard FTZ Board practice for many years). The 2,000 acre cap poses very little problem for most Grantees since not one Zone Project in the United States has ever reached the 2,000 acre activation limit. In Moses Lake, we presently have only 316 acres eligible to be activated so that we will have 1,684 acres of FTZ eligible acreage to provide to companies desiring FTZ designation within our Service Area. ***There will be no cost to the County to become part of our Service Area – all costs will be ultimately borne by the company seeking the Usage Driven site designation*** *since the company is the party that benefits from the FTZ. We have a published Fee Schedule which assesses uniform fees to all companies that use the FTZ. These fees help us subsidize the cost of the Customs Officer that mans the Port of Moses Lake User Fee Airport and FTZ No. 203.*

We believe that the ASF for FTZ No. 203 is a win-win situation for all of Eastern and Central Washington. It will provide our surrounding communities and distribution companies already located or looking to locate in the Service Area the opportunity to obtain FTZ designation in a very short timeframe which, in many cases, is a critical factor. It will provide FTZ No. 203 with a larger potential pool of FTZ Users.

We plan to file our ASF application with the FTZB by June 1, 2010 and should your County desire to be included within our Service Area we would need your letter of concurrence to include as part of the application. We request that you let us know by May 1, 2010 whether you would like to be included in our Service Area. Please use the attached letter as written – it was drafted by the FTZB and is in the format that is required. If you have any questions concerning the ASF program, please do not hesitate to contact us.

SUPPORT

Both the Port of Benton (via Scott Keller) and the City of Richland (via Gary Ballew) have expressed interest in this opportunity and are supportive of the County's inclusion in FTZ 203.

FISCAL IMPACT

None.

# # #

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

3 May 2010

Craig Baldwin, Secretary
Port of Moses Lake
7810 Andrews Street Northeast – Suite 200
Moses Lake, Washington 98837-3204

Dear Mr. Baldwin:

The Board of Commissioners wishes to state its support for inclusion of Benton County within the to-be expanded Service Area of Foreign Trade Zone 203. We understand that this means that the Grantee, the Port of Moses Lake Public Corporation, will be able to apply to the Foreign Trade Zones Board for authority to serve sites located within Benton County based on businesses' trade-related needs. We also note that the Zone will be made available on a uniform basis to companies within Benton County, in a manner consistent with the legal requirement that each Foreign Trade Zone be operated as a public utility.

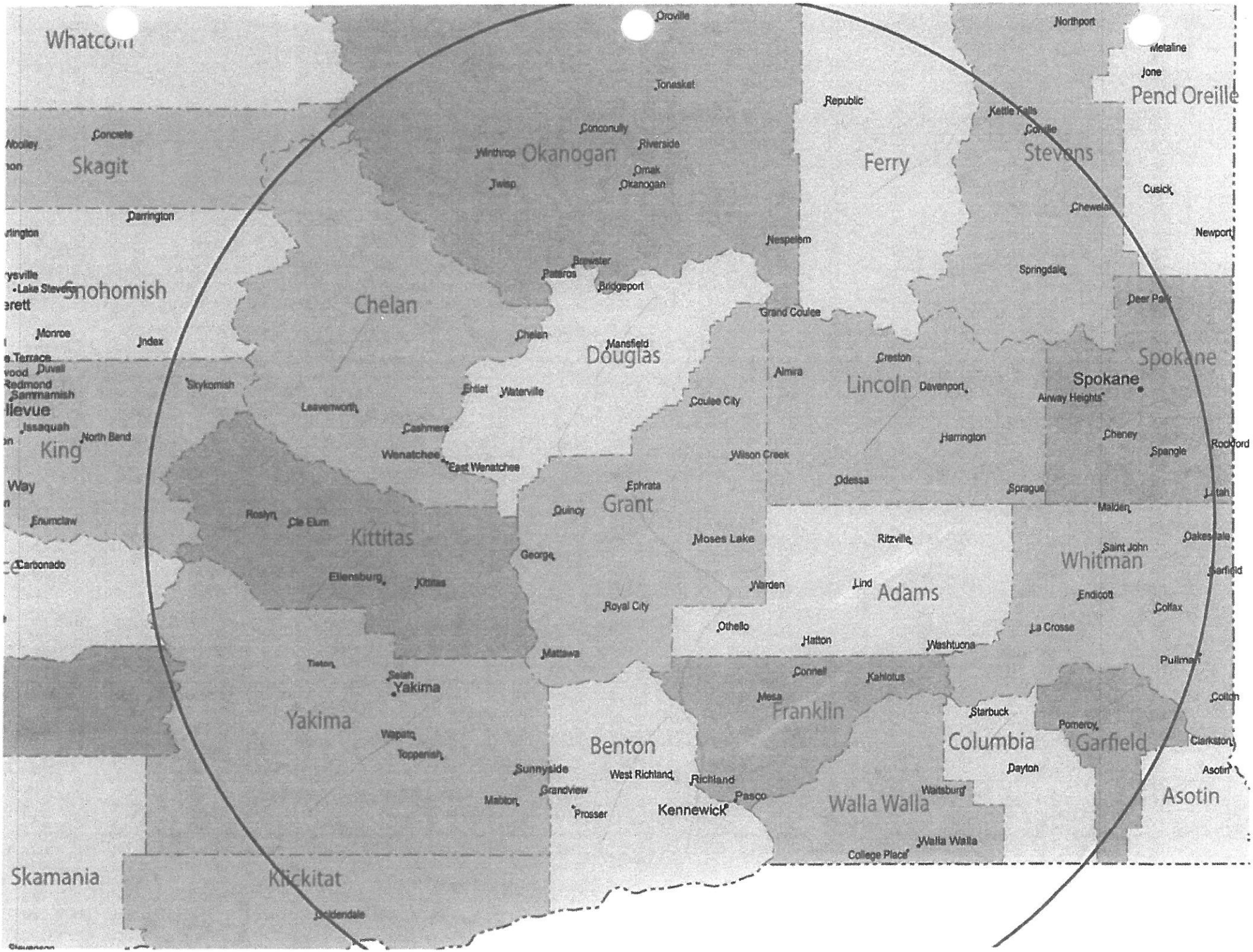
Sincerely,

BOARD OF COUNTY COMMISSIONERS

_____
Jim Beaver, Chairman

cc: Port of Benton
Port of Kennewick
City of Benton City
City of Kennewick
City of Prosser
City of Richland
City of West Richland
Benton County Planning Department (M Shuttleworth)
Benton County Sustainable Development (AJ Fyall)

P.O. Box 190, Prosser, WA 99350-0190; Phone (509) 786-5600 or (509) 736-3080, Fax (509) 786-5625
commissioners@co.benton.wa.us


Whatcom
Skagit
Snohomish
King
Chelan
Okanogan
Douglas
Grant
Kittitas
Yakima
Benton
Franklin
Walla Walla
Klickitat
Skamania
Ferry
Stevens
Pend Oreille
Lincoln
Spokane
Adams
Whitman
Columbia
Garfield
Asotin
Oroville
Tonasket
Republic
Northport
Metaline
Ione
Kettle Falls
Colville
Concrete
Conconully
Winthrop
Riverside
Omak
Twisp
Okanogan
Darrington
Chewelah
Cusick
Newport
Nespelem
Brewster
Pateros
Bridgeport
Springdale
Deer Park
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Issaquah
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Skykomish
Leavenworth
Entiat
Waterville
Coulee City
Cashmere
Wenatchee
East Wenatchee
Harrington
Cheney
Spangle
Rockford
Wilson Creek
Ephrata
Odessa
Sprague
Roslyn
Cle Elum
Quincy
Moses Lake
Ritzville
Malden
Saint John
Oakesdale
Enumclaw
Carbonado
George
Ellensburg
Kittitas
Warden
Lind
Endicott
Colfax
Garfield
Royal City
Othello
Hatton
Washtucna
La Crosse
Mattawa
Tieton
Selah
Yakima
Connell
Kahlotus
Pullman
Mesa
Starbuck
Colton
Pomeroy
Clarkston
Vapato
Toppenish
Sunnyside
West Richland
Richland
Dayton
Asotin
Grandview
Waitsburg
Mabton
Pasco
Prosser
Kennewick
Walla Walla
College Place
Goldendale

9:30 am

Executive Session - Union Negotiations

S Perry & D Sparks