

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
June 27, 2011, 8:30 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Leo Bowman
Commissioner James Beaver
Commissioner Shon Small
Deputy County Administrator Loretta Smith Kelty
Clerk of the Board Cami McKenzie

Absent: County Administrator David Sparks (jury duty)
arrived later in the meeting

Benton County Employees Present During All or a Portion of the Meeting: 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; Deputy Treasurer Erhiza Rivera; Bryan Perry, Safety Manager; Central Services Manager Randy Reid; Nick Kooiker, Treasurer's Office.

Workshop Agenda

Commissioner Small reported on his attendance at the Barker Ranch Tour and Law & Justice Council. Commissioner Beaver said he also attended the Barker Ranch Tour and attended the Hogs & Dogs event. Chairman Bowman also commented on the tour and Cool Desert Nights.

Chairman Bowman discussed a letter from Tri-City Chamber requesting the Board to send a letter to Senators Cantwell and Murray opposing President Obama's appointment of Rebecca Wodder to the next assistant Secretary for Fish, Wildlife and Parks. She apparently has lead the charge to remove the Lower Snake River Dam. The Board agreed and instructed Mr. Fyall to write the letter.

Chairman Bowman also provided a written report from WSAC on the legislative session for the Board's review and congratulated Commissioner Beaver on the new "Employee of the Month" program.

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

Approval of Minutes

The Minutes of June 20, 2011 were approved.

Consent Agenda

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

Auditor

- a. Letter to Washington State Auditor

Commissioners

- b. Contract, #E12-010, w/WA St. Military Department for E911
- c. Reappointments to the Workforce Development Council
- d. Establishing Competitive Bidding Procedures, Rescinding Resolution 09-811
- e. Establishing Uniform Process for Contract Awards, Rescinding Resolution 09-812
- f. Establishing Small Works Roster, Rescinding Resolution 09-813
- g. Approval of Personal & Professional Services Contracts, Rescinding Resolution 09-814
- h. Bid Award for Contract for Official County Newspaper

Coroner

- i. Adoption of Non-Exempt On-Call Policy
- j. Line Item Transfer, Fund No. 0000-101, Dept. 115

Facilities

- k. Purchase Authorization of Video Surveillance Equipment at the Jail
- l. Purchase Authorization of Recorder & Video Surveillance Equipment for Superior Court

Human Services

- m. Contract Amendment, #09/10-DD-PTC-03 w/Peopleworks Tri Cities, LLC
- n. Contract Amendment, #09/11-SA-SCC-02 w/Somerset Counseling Center
- o. County Agreement, #1183-25352, w/Dept of Social & Health Services
- p. Contract Amendment, #09/11-SA-FSCC-02, w/First Steps Community Counseling Services

Juvenile

- r. Contract Amendment w/Aramark Correctional Services

Parks

- s. Reappointments to the Benton County Park Board

Personnel

- t. Approval of Employee of the Month

Planning

- v. Reappointments to the Planning Commission

Prosecuting Attorney

- w. Collective Bargaining Agreement w/Teamsters Local Union for Corrections Officers

Public Works

- x. Authorization to Schedule and Advertise a Bid Date for Pavement Marking
- y. Approval of Beaujolais Estate Phase Two and Three

- z. Authorization for Public Hearing of Whitstran Heights Water Association
- aa. Franchise Approval to Cascade Natural Gas Corporation
- bb. Franchise Approval to Col Solare, LLP

Sheriff

- cc. Authorization to Purchase Three Dodge Chargers from State Contract
- dd. Personal Services Contract w/Secure Technologies
- ee. Agreement w/WA State Patrol for Marijuana Eradication
- gg. Bid Award for Replacement of Sidearms
- hh. Interagency Agreement with Assoc. of Sheriffs

Treasurer

- ii. Line Item Transfer, Fund No. 0000-101, Dept. 124

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

Bid Award of Clodfelter Road

Steve Becken, Malcolm Bowie, and Bryan Thorp presented a resolution to the Board for the award of Clodfelter Road. Mr. Bowie discussed the apparent low bidders, the proposed award of bid, and subsequent protest of award. He said the matter had been thoroughly reviewed by the Prosecuting Attorney and the State Dept. of Labor & Industries to make sure they apparent low bidder could lawfully do the work as a general contractor and comply with the electrical requirements. He said they met the requirements and it was their recommendation to award to the low bidder Tapani Underground, Inc.

MOTION: Commissioner Small moved to approve the resolution awarding the contract for Clodfelter Road to Tapani Underground, Inc. Commissioner Beaver seconded and upon vote, the motion carried unanimously.

Executive Session Potential Litigation

The Board went into executive session with DPA Reid Hay at 9:15 a.m. for approximately 10 minutes to discuss potential litigation. Also present were Loretta Smith Kelty, Cami McKenzie, Bryan Perry, Undersheriff Jerry Hatcher, and Melina Wenner. The Board came out at 9:22 a.m. No action was taken.

Washington Counties Risk Pool Presentation

Vyrle Hill and David Goldsmith gave a Powerpoint presentation on the Risk Pool and outlined the following:

- Liability in the Public Sector
- The Early Days; Mission Statement
- How the Pool is Structured; Risk Management
- Frequency vs. Severity
- Insuring Agreement
- Occurrence v. Claims Made

- Liability Program
- Organization
- Py2011 Finances
- Claims Administration
- Member Services
- Benton County - consistently runs in the top two or three as better than average.

The question was asked about the extent of coverage from the County to elected officials. It was stated the legislative authority (Board of Commissioners) could make policy changes that put constraints on limits of coverage with internal adjustments (i.e. business practices – budget is tied to certain practices) if the County put forward prior notice. It was stated there were other counties that set internal limits on coverage. The Board agreed it wanted to pursue that matter further.

Proposed Zoning Ordinances Amendments

Susan Walker, Mike Shuttleworth, and Valerie Smith reviewed the proposed changes to the following zoning ordinances: Light Industrial, Heaving Industrial, Parks District, and Unclassified. Additionally, Mr. Shuttleworth said they were reviewing a non-conforming use ordinance. The Board agreed with the proposed changes and the public hearing was scheduled for July 11.

Mental Health Update

Ed Thornbrugh reviewed the following issues:

RSN Funding Formula

Mr. Thornbrugh said that only elected officials could vote on changes to the funding formula and they would be trying to pass a policy based on population formula (same way as it is received). He said that Yakima indicated they might not be able to continue residential services and have proposed a modification and he was asking the Board to support them in this period of transition over the next two years since Benton County used those services.

Commissioner Beaver talked about having options if this option did not work. Mr. Thornbrugh said they want to use Yakima County the same as they have in the past, otherwise, would have to have a separate contract. He said he would try to get those numbers prior to the vote on the 29th.

PACT Team

Mr. Thornbrugh said there would be another change in the funding formula and the PACT Team would be affected. He recommended that funding for that program be established as a high priority service.

Direct Contracting

Mr. Thornbrugh recommended the RSN be allowed to contract directly with the outpatient providers provided the Counties retain the decision-making authority on providers and proportion funding.

County Claims

2011-19: Received on June 24, 2011 from Benton Rural Electric Association

Vouchers

Check Date: 06/24/2011
Warrant #: 36733-36952
Taxes #01010611, 05010611
Total all funds: \$1,138,908.98

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

Resolutions

11-392 Contract, #E12-010, w/WA St. Military Department for E911
11-393 Reappointment of Stephen Harrell to the Workforce Development Council
11-394 Reappointment of Gerry Ringwood to the Workforce Development Council
11-395 Reappointment of Mike Mitchell to the Workforce Development Council
11-396 Reappointment of Rick Peenstra to the Workforce Development Council
11-397 Reappointment of Karen Wieda to the Workforce Development Council
11-398 Reappointment of Debra Hovley to the Workforce Development Council
11-399 Reappointment of Michelle Mann to the Workforce Development Council
11-400 Reappointment of Lori Mattson to the Workforce Development Council
11-401 Reappointment of Rick Miller to the Workforce Development Council
11-402 Establishing Competitive Bidding Procedures, Rescinding Resolution 09-811
11-403 Establishing Uniform Process for Contract Awards, Rescinding Resolution 09-812
11-404 Establishing Small Works Roster, Rescinding Resolution 09-813
11-405 Approval of Personal & Professional Services Contracts, Rescinding Resolution 09-814
11-406 Bid Award for Contract for Official County Newspaper
11-407 Adoption of Non-Exempt On-Call Policy
11-408 Line Item Transfer, Fund No. 0000-101, Dept. 115
11-409 Purchase Authorization of Video Surveillance Equipment at the Jail
11-410 Purchase Authorization of Recorder & Video Surveillance Equipment for Superior Court
11-411 Contract Amendment, #09/10-DD-PTC-03 w/Peopleworks Tri Cities, LLC
11-412 Contract Amendment, #09/11-SA-SCC-02 w/Somerset Counseling Center
11-413 County Agreement, #1183-25352, w/Dept of Social & Health Services

- 11-414 Contract Amendment, #09/11-SA-FSCC-02, w/First Steps Community Counseling Services
- 11-415 Contract Amendment w/Aramark Correctional Services
- 11-416 Appointment of Richard Nordness to the Benton County Park Board
- 11-417 Appointment of Richard Michael Crowder to the Benton County Park Board
- 11-418 Appointment of Diana Powell to the Benton County Park Board
- 11-419 Appointment of Skip Gest to the Benton County Park Board
- 11-420 Appointment of Bert Lake to the Benton County Park Board
- 11-421 Appointment of Donna Raines to the Benton County Park Board
- 11-422 Appointment of Henry Sauer to the Benton County Park Board
- 11-423 Reappointment of James Willard to the Planning Commission
- 11-424 Reappointment of Rick Giberson to the Planning Commission
- 11-425 Collective Bargaining Agreement w/Teamsters Local Union for Corrections Officers
- 11-426 Authorization to Schedule and Advertise a Bid Date for Pavement Marking
- 11-427 Approval of Beaujolais Estate Phase Two and Three
- 11-428 Authorization for Public Hearing of Whitstran Heights Water Association
- 11-429 Franchise Approval to Cascade Natural Gas Corporation
- 11-430 Franchise Approval to Col Solare, LLP
- 11-431 Authorization to Purchase Three Dodge Chargers from State Contract
- 11-432 Personal Services Contract w/Secure Technologies
- 11-433 Agreement w/WA State Patrol – Marijuana Eradication
- 11-434 Bid Award for Replacement of Sidearms
- 11-435 Interagency Agreement with Assoc. of Sheriffs
- 11-436 Line Item Transfer, Fund No. 0000-101, Dept. 124
- 11-437 Award of Clodfelter/Locust Grove Road to Tapani Underground, Inc.

There being no further business before the Board, the meeting adjourned at approximately 11:00 a.m.

Clerk of the Board

Chairman