

June 27,  
2011

THE BOARD OF  
BENTON COUNTY  
COMMISSIONERS  
AGENDA PACKET

**Draft**

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting

June 20, 2011, 8:30 a.m.

Commissioners' Conference Room

Benton County Courthouse, Prosser, WA

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

**Benton County Employees Present During All or a Portion of the Meeting:** Deputy Administrator Loretta Smith Kely; Adam Fyall, Community Development Coordinator; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; Human Services Manager Ed Thornbrugh; Deputy Treasurer Erhiza Rivera; County Engineer Malcolm Bowie; DPA Ryan Brown; Central Services Manager Randy Reid; Dave Pettey, Van Pettey, and Pat Powell, Auditor's Office; Treasurer Duane Davidson; Nick Kooiker, Treasurer's Office.

Workshop Agenda

Consent agenda item "b" was pulled.

Commissioner Small discussed some complaints from residents about speed limits on county roads. He said he responded and traveled the roads and believed the Road Department was doing a good job.

Commissioner Small also discussed the idea of having regular board meetings on Tuesdays or Wednesdays or maybe evening meetings. Chairman Bowman said other counties had tried the evening meetings and found that regardless of what time the meeting was, only the people who had an issue on the agenda showed up. Additionally, he said he liked having meetings on Mondays because it freed up the rest of the week.

Commissioner Beaver said he wouldn't mind moving it but wanted to hear from staff if it would make their job easier. He said he personally was personally not inconvenienced, but wanted to know how it affected the county employees.

Chairman Bowman discussed the Legislators tour of the area and expressed appreciation for Commissioner Small showing up at the Shadow Mountain Grill (as provided by Benton City). He also discussed the article in the paper about the shooting range and said he had erroneously

said there might be changes to the zone in September. However, that was incorrect and he informed the shooting range individual of that mistake.

### **Board Meeting Cancellation**

The Board agreed to cancel the July 5, 2011 regular meeting.

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

### **Approval of Minutes**

The Minutes of June 13, 2011 were approved.

### **Consent Agenda**

**MOTION:** Commissioner Beaver moved to approve the consent agenda items “a” through “o”, pulling “b”(Veteran’s Assistance Waiver). Commissioner Small seconded and upon vote, the Board approved the following:

#### **Auditor**

- a. Surplus of Personal Property

#### **Facilities**

- c. Line Item Transfer, Fund No. 0000-101, Dept. 110

#### **Juvenile**

- d. Indigent Defense Contract Amendment w/M Poland
- e. Indigent Defense Contract Amendment w/D Campbell
- f. Personal Service Contract w/J Elmenhurst, DBA Elmenhurst Counseling, LLC
- g. Interlocal Agreement w/Kennewick School District #17
- h. Personal Services Contract w/M Henry, MS, ABS

#### **Prosecuting Attorney**

- i. Lease Agreement w/Ted and Amy Wong and Sexual Assault Response Center

#### **Public Works**

- j. Establishing Speed Limit on Sagebrush Road
- k. Granting Franchise to Antonio Hermosillo
- l. Contract Extension w/Wondrack Distributing, Inc.

#### **Superior Court**

- m. Line Item Transfer, Fund No. 0000101, Dept. 123
- n. Authorization for Purchases From Trial Court Improvement Fund
- o. Line Item Transfer, Fund No. 0156101, Dept. 000

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

### **Finance Team Presentation**

Keith Mercer, Dave Pettey, Van Pettey, and Nick Kooiker gave a Powerpoint presentation of the Benton County Financial Analysis. The presentation included the following information:

- Current Expense, Comparative Year-to-Date Revenues, Expenditures, & Fund Balances; Change in Fund Balance
- Estimated Year End Fund Balance
- Indicator Summary
  - Permit Revenue; Home Sales; Taxes; VIT Fund; Inter-Governmental Revenue
- Jail Local Usage; Contract Usage – Total Contract Revenue
- 2011 Bed Day Rate
- Charges for Goods & Services; Fines & Forfeitures; Miscellaneous Revenue
- Operating Transfers-In; Overall Revenue
- 2011-Forecasted Revenue vs. 2011-2012 Budget
- 2011-Forecasted Expenditures v. 2011-2012 Budget

Commissioner Beaver said he wanted to look at the entire debt structure of the county over the next 6 months. Also, said he was looking forward to the new computer system upgrade and how that would work out. He indicated the money Benton County spent was on people, but the future would be looking at spending with less people.

Chairman Bowman talked about unfunded mandates, what the County could do about projected shortfalls, and were there things the Board could do to enhance the economy of Benton County by economic development.

Mr. Sparks said that Benton County was 90% labor and inflation was affecting its outcome. He said the Board would have to consider that factor with union negotiations (COLA and benefits were open for 2012 and every contract would be open for 2013).

### **Unscheduled Visitors**

#### **Veteran's Assistance Waiver**

Pat Powell presented a waiver for Robert Burns requesting a \$300 increase for his allowance.

**MOTION:** Commissioner Beaver moved to approve the waiver request for Robert Burns. Commissioner Small seconded and upon vote, the motion carried unanimously.

### **Vouchers**

Check Date: 06/15/2011  
 Warrant #: 232513-232535  
 Direct Deposit #: 64982-65181  
 Total all funds: \$113,168.06

Check Date: 06/15/2011  
 Taxes #: 10111064  
 Payroll Draw Deduction  
 Total all funds: \$31,776.39

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

**Resolutions**

- 11-378 Surplus of Personal Property
- 11-379 Line Item Transfer, Fund No. 0000-101, Dept. 110
- 11-380 Indigent Defense Contract Amendment w/M Poland
- 11-381 Indigent Defense Contract Amendment w/D Campbell
- 11-382 Personal Service Contract w/J Elmenhurst, DBA Elmenhurst Counseling, LLC
- 11-383 Interlocal Agreement w/Kennewick School District #17
- 11-384 Personal Services Contract w/M Henry, MS, ABS
- 11-385 Lease Amendment w/Ted and Amy Wong and Sexual Assault Response Center
- 11-386 Establishing Speed Limit on Sagebrush Road
- 11-387 Granting Franchise to Antonio Hermosillo
- 11-388 Contract Extension w/Wondrack Distributing, Inc.
- 11-389 Line Item Transfer, Fund No. 0000101, Dept. 123
- 11-390 Authorization for Purchases From Trial Court Improvement Fund
- 11-391 Line Item Transfer, Fund No. 0156101, Dept. 000

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

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Clerk of the Board

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Chairman

Leo Bowman  
District 1  
Shon Small  
District 2  
James Beaver  
District 3

# Board of County Commissioners BENTON COUNTY

David Sparks  
County Administrator



Loretta Smith Kelty  
Deputy County Administrator



June 27, 2011

Ms. Lisa Noland, Assistant Audit Manager  
Washington State Auditor's Office  
100 N. Morain, Suite 216  
Kennewick, WA 99336

Dear Ms. Roundy:

We are providing this letter in connection with your audit of the financial statements of Benton County for the period January 1, 2010 through December 31, 2010.

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve a weakness in internal control, omission or misstatement of information that, in the light of surrounding circumstances, make it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the weakness in internal control, omission or misstatement.

We confirm, to the best of our knowledge and belief, having made appropriate inquiries to be able to provide our representations, the following representations made to you during your audit.

1. We confirm that we are responsible for fair presentation of the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information in conformity with accounting principles generally accepted in the United States of America.
2. We acknowledge and understand our responsibility for compliance with requirements related to confidentiality of certain information, such as HIPAA requirements. Further, we have notified you that records or data containing information subject to confidentiality requirements have been made available to you.
3. We acknowledge and understand our responsibility for complying with applicable state and local laws, regulation, and provisions of contracts and grant agreements.
4. We have identified and disclosed all laws, regulations, and provisions of contracts and grant agreements that could have a direct and material effect on the determination of financial statement amounts, including legal and contractual provisions for reporting specific activities in separate funds.

5. We have made available to you all:
  - a. Financial records and related data.
  - b. Minutes of the meetings of the Board of Commissioners or summaries of actions of recent meetings for which minutes have not yet been prepared.
6. There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices that could have a material effect on the financial statements.
7. There are no material transactions that have not been properly recorded in the accounting records underlying the financial statements.
8. We believe there are no uncorrected misstatements that would be material individually and in the aggregate to the financial statements taken as a whole.
9. We acknowledge and understand our responsibility for the design and implementation of programs and controls to safeguard public resources and ensure compliance with applicable laws and regulations, including controls to prevent and detect fraud.
10. Except as disclosed to the auditors in accordance with RCW 43.09.185, we have no knowledge of any fraud or suspected fraud affecting the entity involving management, employees, or others.
11. Except as disclosed to the auditors in accordance with RCW 43.09.185, we have no knowledge of any allegations of fraud or suspected fraud affecting the entity received in communications from employees, former employees, analysts, regulators, or others.
12. The following have been properly recorded or disclosed in the financial statements:
  - a. Arrangements involving restrictions on cash balances.
  - b. Related-party transactions, including sales, purchases, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties.
  - c. Guarantees, whether written or oral, under which Benton County is contingently liable.
13. There are no violations or possible violations of laws, regulations and provisions of contracts and grant agreements with effects that should be considered for disclosure in the financial statements or as a basis for recording a loss contingency, except as disclosed by the attached.
14. The County of Benton has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets, nor has any asset been pledged.

15. We have complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance. The attached letters describe any allegations to the contrary made by third parties of which we are aware.
16. We are not aware of any impending or threatened litigation, claims or assessments, or unasserted claims or assessments that are required to be accrued or disclosed in the financial statements in accordance with FAS-5, because FAS-5 need not be applied to immaterial items and we do not believe that there is a reasonable possibility that an adverse outcome with respect to such will have a material effect on the County's financial statements.
17. We have no plans or intentions that may materially affect the carrying value or classification of assets and liabilities.
18. We have received no communication from the Internal Revenue Service (IRS) adversely affecting the tax exempt status of our outstanding debt or noncompliance with arbitrage rules.
19. No events have occurred subsequent to the fiscal year end through the date of this letter that would require adjustment to, or disclosure in, the financial statements.
20. The financial statements include all joint ventures with an equity interest, and properly disclose all other joint ventures and other related organizations.
21. The financial statements properly classify all funds and activities.
22. All funds that meet the quantitative criteria in GASB Statements No. 34 and No. 37, Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments: Omnibus, for presentation as major are identified and presented as such and all other funds that are presented as major are particularly important to financial statement users.
23. Risk disclosures associated with deposit and investment securities are presented in accordance with GASB requirements and investments are properly valued.
24. Capital assets, including infrastructure assets, are properly capitalized, reported, and, if applicable, depreciated.
25. Benton County meets the GASB-established requirements for using the modified approach for accounting for eligible infrastructure assets.
26. Revenues are appropriately classified in the statement of activities within program revenues and general revenues.
27. Expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
28. Interfund and internal activity and balances have been appropriately classified and reported.

29. Net asset components (invested in capital assets, net of related debt; restricted; and unrestricted) and fund balance reserves and designations are properly classified and, if applicable, approved.
30. Required supplementary information (RSI) is measured and presented within prescribed guidelines.
31. We acknowledge and understand our responsibility for establishing and maintaining effective internal control over financial reporting.
32. We have followed applicable laws in adopting, approving, and amending budgets.

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Leo M. Bowman  
Chairperson,  
Board of County Commissioners

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Brenda Chilton  
Benton County Auditor

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Duane A. Davidson  
Benton County Treasurer

cc: Board of County Commissioners  
Brenda Chilton, Benton County Auditor  
Duane A. Davidson, Benton County Treasurer

**Attachments:**

1. Letter dated June 27, 2011, to the Board of County Commissioners from Ryan Brown, Chief Civil Deputy: RE: Letter of Representation and Pending Litigation.
2. Letter dated June 27, 2011, to the Board of County Commissioners from Melina Wenner, Risk Manager: RE: Letter of Representation and Claims Update.

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: 06/27/11	Execute Contract _____	Consent Agenda XXX
Subject: E911 Contract	Pass Resolution XXX	Public Hearing
Prepared by: Marilu Flores	Pass Ordinance _____	1st Discussion
Reviewed by: L Smith Kelty	Pass Motion _____	2nd Discussion
	Other _____	Other

b

**BACKGROUND INFORMATION**

Benton County has entered into an Enhanced 911 contract with Benton County Emergency Services, Washington State Military Department in the past. It is the desire to continue the current contract with a contract date of July 1, 2011 through September 1, 2013.

**SUMMARY**

This contract (as other previous similar contracts) is the mechanism in which the County is reimbursed for certain approved incurred eligible Coordinator Professional Development expenses as described in WAC 118-66-050 and E911 policies. The contract amount is \$117,000, for the County to prepare and submit the following financial reports to the Military Department: Monthly Expense Reports completed no later than 30 days following the end of each month, Local travel Policy/Procedures completed by July 31 of each year, Mid Biennium Budget Review completed by July 21, 2012, Time Audit Report completed by February 28 of each year, and Final Reimbursement Request completed by July 31, 2013.

**RECOMMENDATION**

Approve and sign the contract.

**FISCAL IMPACT**

None as the funding source is RCW 38.52.510,.540,.545/Chapter 118-66 WAC, and PI# 73281 Wireline/73282 Wireless

**MOTION**

That the Commissioners approve the E911 Contract with Emergency Management – WA State Military Department effective July 1, 2011 through September 15, 2013.

# RESOLUTION

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:**

**IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE CONTRACT, #E12-010, FOR E911 WITH THE WASHINGTON STATE MILITARY DEPARTMENT**

**BE IT HEREBY RESOLVED** that Leo M. Bowman, Chairman of the Board of Benton County Commissioners, is hereby authorized to sign the E911 Contract.

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

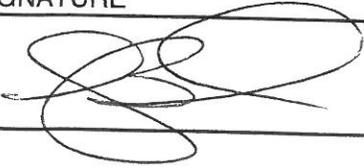
**SIGNATURE AUTHORIZATION FORM**  
**WASHINGTON STATE MILITARY DEPARTMENT**  
**CAMP MURRAY, WASHINGTON 98430-5122**

NEW FORM WILL REPLACE PREVIOUS FORMS

NAME OF ORGANIZATION  Benton County	DATE SUBMITTED
PROJECT DESCRIPTION  FY2012-13 E911 County Contract	CONTRACT NUMBER  E12 - __010__

1. AUTHORIZING AUTHORITY		
SIGNATURE	PRINT OR TYPE NAME	TITLE/TERM OF OFFICE
	Leo Bowman	County Commissioner Chairman of the Board -- County Commissioners

2. AUTHORIZED TO SIGN CONTRACTS/CONTRACT AMENDMENTS		
SIGNATURE	PRINT OR TYPE NAME	TITLE/TERM OF OFFICE
	Leo Bowman	County Commissioner Chairman of the Board -- County Commissioners

3. AUTHORIZED TO SIGN REQUESTS FOR REIMBURSEMENT (A-19)		
SIGNATURE	PRINT OR TYPE NAME	TITLE/TERM OF OFFICE
	James Barber	SECOMM Manager E911 Coordinator

Please complete form with any new contract or any time personnel changes.  
 Submit one original to State E911 Office

**Washington State Military Department  
CONTRACT FACE SHEET**

1. Contractor Name and Address: <b>Benton County Post Office Box 190 Prosser, Washington 99350-0190</b>	2. Contract Amount: <b>\$117,000</b>	3. Contract Number <b>E12-010</b>
4. Contractor's Contact Person, phone number: <b>Jim Barber / 509.628.8595 j.barber@bces.wa.gov</b>	5. Contract Start Date <b>July 1, 2011</b>	6. Contract End Date <b>September 15, 2013</b>
7. MD Program Manager/phone number: <b>Lorri Gifford/253.512.7013 l.gifford@emd.wa.gov</b>	8. Data Universal Numbering System (DUNS #): <b>945671287</b>	9. UBI # (state revenue): <b>035-000-971</b>

10. Funding Authority: **Washington State Military Department and State Enhanced 911 Funds**

11. Funding Source Agreement #: <b>RCW 38.52.510, .540, .545 Chapter 118-66 WAC</b>	12. Program Index# & Obj/SubObj: <b>73281 and 73282 NZ</b>	13. CFDA # & Title: <b>NA</b>	14. TIN or SSN: <b>91-6015119</b>
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15. Service Districts: (BY LEGISLATIVE DIST): <b>8</b> (BY CONGRESSIONAL DIST): <b>4</b>	16. Service Area by County(ies): <b>Benton County</b>	17. Women/Minority-Owned, State Certified?: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> NO <input type="checkbox"/> YES, OMWBE #
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18. Contract Classification: <input type="checkbox"/> Personal Services <input type="checkbox"/> Client Services <input checked="" type="checkbox"/> Public/Local Gov't <input type="checkbox"/> Collaborative Research <input type="checkbox"/> A/E <input type="checkbox"/> Other	19. Contract Type (check all that apply): <input checked="" type="checkbox"/> Contract <input type="checkbox"/> Grant <input type="checkbox"/> Agreement <input type="checkbox"/> Intergovernmental (RCW 39.34) <input type="checkbox"/> Interagency
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20. Contractor Selection Process: <input checked="" type="checkbox"/> "To all who apply & qualify" <input type="checkbox"/> Competitive Bidding <input type="checkbox"/> Sole Source <input type="checkbox"/> A/E RCW <input type="checkbox"/> N/A <input type="checkbox"/> Advertised? <input type="checkbox"/> YES <input type="checkbox"/> NO	21. Contractor Type (check all that apply): <input type="checkbox"/> Private Organization/Individual <input type="checkbox"/> For-Profit <input checked="" type="checkbox"/> Public Organization/Jurisdiction <input checked="" type="checkbox"/> Non-Profit <input type="checkbox"/> VENDOR <input type="checkbox"/> SUBRECIPIENT <input checked="" type="checkbox"/> OTHER
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22. BRIEF DESCRIPTION:  
**To provide reimbursement to the Contractor (County) for certain approved incurred eligible Coordinator Professional Development and Operational expenses as described in WAC 118-66-050 and E911 policies incorporated herein by reference in the amounts described in the Budget attached as Exhibit C.**

IN WITNESS WHEREOF, the Department and Contractor acknowledge and accept the terms of this contract and attachments hereto and have executed this contract as of the date and year written below. This Contract Face Sheet, Special Terms and Conditions, General Terms and Conditions (Exhibit A), Statement of Work (Exhibit B) and Budget (Exhibit C) govern the rights and obligations of both parties to this contract.

In the event of an inconsistency in this contract, unless otherwise provided herein, the inconsistency shall be resolved by giving precedence in the following order:

- (a) **Applicable Federal and State Statutes and Regulations**
- (b) **Statement of Work**
- (c) **Special Terms and Conditions**
- (d) **General Terms and Conditions, if attached, and**
- (e) **any other provisions of the contract incorporated by reference.**

This contract contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this contract shall be deemed to exist or to bind any of the parties hereto.

WHEREAS, the parties hereto have executed this contract on the day and year last specified below.

FOR THE DEPARTMENT:	FOR THE CONTRACTOR:
Signature _____ Date _____ James M. Mullen, Director Emergency Management Division Washington State Military Department	Signature _____ Date _____ Leo Bowman, Chairman Board of County Commissioners for Benton County
APPROVED AS TO FORM: had C. Standifer (signature on file) 11/22/10 Assistant Attorney General	

BENTON COUNTY

COPY C

RESOLUTION NO. \_\_\_\_\_

BEFORE THE BOARD OF COMMISSONERS OF BENTON COUNTY,  
WASHINGTON;

IN THE MATTER OF REAPPOINTMENT OF STEPHEN HARRELL TO THE  
BENTON-FRANKLIN WORKFORCE DEVELOPMENT COUNCIL

WHEREAS, the term of office for Stephen Harrell on the Benton-Franklin Workforce  
Development Council, Position B-21 which represents Community Based Organizations expires  
on June 30, 2011, and

WHEREAS, Stephen Harrell, WA 99301, has expressed his  
interest and willingness to be reappointed as a member on the Workforce Development Council,  
Position B-21 Community Based Organization; **NOW, THEREFORE,**

**BE IT RESOLVED** that Stephen Harrell is hereby reappointed, as of July 1, 2011 to fill the B-  
21 position for Community Based Organization representation, said term expiring on June 30,  
2014.

Dated \_\_\_\_\_

\_\_\_\_\_  
Chairman of the Board

Attest:

\_\_\_\_\_  
Member

\_\_\_\_\_  
Clerk to the Board

\_\_\_\_\_  
Member

Constituting the Board of Commissioners of  
Benton County,  
Washington

BENTON COUNTY

COPY

RESOLUTION NO. \_\_\_\_\_

BEFORE THE BOARD OF COMMISSONERS OF BENTON COUNTY,  
WASHINGTON;

IN THE MATTER OF REAPPOINTMENT OF GERRY RINGWOOD TO THE  
BENTON-FRANKLIN WORKFORCE DEVELOPMENT COUNCIL

WHEREAS, the term of office for Gerry Ringwood on the Benton Franklin Workforce  
Development Council, Position B-26 which represents Education K-12, expires on June 30,  
2011, and

WHEREAS, Gerry Ringwood, \_\_\_\_\_ Washington 99336, has  
expressed his interest and willingness to be reappointed as a member on the Workforce  
Development Council, Position B-26 Education K-12; **NOW, THEREFORE,**

**BE IT RESOLVED** that Gerry Ringwood is hereby reappointed, as of July 1, 2011, to fill the  
Position B-26, which represents Education K-12, said term expiring on June 30, 2014.

Dated \_\_\_\_\_

\_\_\_\_\_  
Chairman of the Board

Attest:

\_\_\_\_\_  
Member

\_\_\_\_\_  
Clerk to the Board

\_\_\_\_\_  
Member

Constituting the Board of Commissioners of  
Benton County,  
Washington

**BENTON COUNTY**

**COPY**

**RESOLUTION NO. \_\_\_\_\_**

**BEFORE THE BOARD OF COMMISSONERS OF BENTON COUNTY,  
WASHINGTON;**

**IN THE MATTER OF REAPPOINTMENT OF MIKE MITCHELL TO THE BENTON-  
FRANKLIN WORKFORCE DEVELOPMENT COUNCIL**

**WHEREAS**, the term of office for Mike Mitchell on the Benton-Franklin Workforce  
Development Council, Position F-18 which represents Labor, expires on June 30, 2011, and

**WHEREAS**, Mike Mitchell, \_\_\_\_\_ WA 99301, has expressed his interest and  
willingness to be reappointed as a member on the Workforce Development Council, Position F-  
18 Labor; **NOW, THEREFORE**,

**BE IT RESOLVED** that Mike Mitchell is hereby reappointed, as of July 1, 2011 to fill the F-18  
position for Labor representation, said term expiring on June 30, 2014.

Dated \_\_\_\_\_

\_\_\_\_\_  
Chairman of the Board

Attest:

\_\_\_\_\_  
Member

\_\_\_\_\_  
Clerk to the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Constituting the Board of Commissioners of  
Benton County,  
Washington

**BENTON COUNTY**

**COPY**

**RESOLUTION NO. \_\_\_\_\_**

**BEFORE THE BOARD OF COMMISSONERS OF BENTON COUNTY,  
WASHINGTON;**

**IN THE MATTER OF REAPPOINTMENT OF RICK PEENSTRA TO THE BENTON-  
FRANKLIN WORKFORCE DEVELOPMENT COUNCIL**

**WHEREAS**, the term of office for Rick Peenstra on the Benton-Franklin Workforce Development Council, Position B-5 which represents Private Sector Business, expires on June 30, 2011, and

**WHEREAS**, Rick Peenstra, WA 99336, has expressed his interest and willingness to be reappointed as a member on the Workforce Development Council, Position B-5 Private Sector Business; **NOW, THEREFORE**,

**BE IT RESOLVED** that Rick Peenstra is hereby reappointed, as of July 1, 2011 to fill the B-5 position for Private Sector Business representation, said term expiring on June 30, 2014.

Dated \_\_\_\_\_

\_\_\_\_\_

Chairman of the Board

Attest:

\_\_\_\_\_

Member

\_\_\_\_\_  
Clerk to the Board

\_\_\_\_\_

Member

Constituting the Board of Commissioners of  
Benton County,  
Washington

**BENTON COUNTY**

**COPY**

**RESOLUTION NO. \_\_\_\_\_**

**BEFORE THE BOARD OF COMMISSONERS OF BENTON COUNTY,  
WASHINGTON;**

**IN THE MATTER OF REAPPOINTMENT OF KAREN WIEDA TO THE BENTON-  
FRANKLIN WORKFORCE DEVELOPMENT COUNCIL**

**WHEREAS**, the term of office for Karen Wieda on the Benton-Franklin Workforce Development Council, Position B-3 which represents Private Sector Business, expires on June 30, 2011, and

**WHEREAS**, Karen Wieda, \_\_\_\_\_, has expressed her interest and willingness to be reappointed as a member on the Workforce Development Council, Position B-3 Private Sector Business; **NOW, THEREFORE**,

**BE IT RESOLVED** that Karen Wieda is hereby reappointed, as of July 1, 2011, to fill Position B-3 which represents Private Sector Business, said term expiring on June 30, 2014.

Dated \_\_\_\_\_

\_\_\_\_\_  
Chairman of the Board

Attest:

\_\_\_\_\_  
Member

\_\_\_\_\_  
Clerk to the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Constituting the Board of Commissioners of  
Benton County,  
Washington

COPY

BENTON COUNTY

RESOLUTION NO. \_\_\_\_\_

BEFORE THE BOARD OF COMMISSONERS OF BENTON COUNTY,  
WASHINGTON;

IN THE MATTER OF REAPPOINTMENT OF DEBRA HOVLEY TO THE BENTON-  
FRANKLIN WORKFORCE DEVELOPMENT COUNCIL

WHEREAS, the term of office for Debra Hovley on the Benton-Franklin Workforce  
Development Council, Position F-17 which represents Private Sector Business, expires on June  
30, 2011, and

WHEREAS, Debra Hovley, \_\_\_\_\_ has expressed  
her interest and willingness to be reappointed as a member on the Workforce Development  
Council, Position F-17 Private Sector Business; **NOW, THEREFORE,**

**BE IT RESOLVED** that Debra Hovley is hereby reappointed, as of July 1, 2011 to fill the F-17  
position for Private Sector Business representation, said term expiring on June 30, 2014.

Dated \_\_\_\_\_

\_\_\_\_\_  
Chairman of the Board

Attest:

\_\_\_\_\_  
Member

\_\_\_\_\_  
Clerk to the Board

\_\_\_\_\_  
Member

Constituting the Board of Commissioners of  
Benton County,  
Washington

BENTON COUNTY

COPY

RESOLUTION NO. \_\_\_\_\_

BEFORE THE BOARD OF COMMISSONERS OF BENTON COUNTY,  
WASHINGTON;

IN THE MATTER OF APPOINTMENT OF MICHELLE MANN TO THE BENTON-  
FRANKLIN WORKFORCE DEVELOPMENT COUNCIL

WHEREAS, Position B-1 which represents Employment Services on the Benton-Franklin  
Workforce Development Council is vacant with the resignation of Todd Dixon and

WHEREAS, Michelle Mann, \_\_\_\_\_ has  
expressed her interest and willingness to be appointed as a member on the Workforce  
Development Council, Position B-1 Employment Services, and has submitted an application with  
endorsement from State of Washington Employment Security Department; NOW,  
THEREFORE,

BE IT RESOLVED that Michelle Mann is hereby appointed, as of June 20, 2011 to fill the B-1  
position for Employment Services representation, said term expiring on June 30, 2014.

Dated \_\_\_\_\_

\_\_\_\_\_  
Chairman of the Board

Attest:

\_\_\_\_\_  
Member

\_\_\_\_\_  
Clerk to the Board

\_\_\_\_\_  
Member

Constituting the Board of Commissioners of  
Benton County,  
Washington

**BENTON COUNTY**



**RESOLUTION NO. \_\_\_\_\_**

**BEFORE THE BOARD OF COMMISSONERS OF BENTON COUNTY,  
WASHINGTON;**

**IN THE MATTER OF APPOINTMENT OF LORI MATTSON TO THE BENTON-  
FRANKLIN WORKFORCE DEVELOPMENT COUNCIL**

**WHEREAS**, Position B-9 which represents Private Sector Business on the Benton-Franklin Workforce Development Council is vacant with the resignation of Deanna Baalman and,

**WHEREAS**, Lori Mattson, \_\_\_\_\_, has expressed her interest and willingness to be appointed as a member on the Workforce Development Council, Position B-9 Private Sector Business, and has submitted an application;  
**NOW, THEREFORE**,

**BE IT RESOLVED** that Lori Mattson is hereby appointed, as of June 20, 2011, to fill the B-9 position for Private Sector Business representation, said term expiring on June 30, 2014.

Dated \_\_\_\_\_

\_\_\_\_\_  
Chairman of the Board

Attest:

\_\_\_\_\_  
Member

\_\_\_\_\_  
Clerk to the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Constituting the Board of Commissioners of  
Benton County,  
Washington

**BENTON COUNTY**

**RESOLUTION NO. \_\_\_\_\_**

**BEFORE THE BOARD OF COMMISSONERS OF BENTON COUNTY,  
WASHINGTON;**

**IN THE MATTER OF REAPPOINTMENT OF RICK MILLER TO THE BENTON-  
FRANKLIN WORKFORCE DEVELOPMENT COUNCIL**

**WHEREAS**, the term of office for Rick Miller on the Benton Franklin Workforce Development Council, Position B-29 representing Economic Development, expires on June 30, 2011, and

**WHEREAS**, Rick Miller, \_\_\_\_\_, has expressed his interest and willingness to be reappointed as a member on the Workforce Development Council, Position B-29 Economic Development; **NOW, THEREFORE**,

**BE IT RESOLVED** that Rick Miller is hereby reappointed, as of July 1, 2011, to fill the Position B-29, which represents Economic Development, said term expiring on June 30, 2014.

Dated \_\_\_\_\_

\_\_\_\_\_  
Chairman of the Board

Attest:

\_\_\_\_\_  
Member

\_\_\_\_\_  
Clerk to the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Constituting the Board of Commissioners of  
Benton County,  
Washington

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	<u>COMMISSIONERS</u>
Meeting Date: <u>6/27/2011</u>	Execute Contract _____	Consent Agenda <u>X</u>
Subject: Competitive Bidding Resolution	Pass Resolution _____	Public Hearing _____
Prepared by: <u>L. Small</u>	Pass Ordinance _____	1st Discussion _____
Reviewed by: <u>LSk</u>	Pass Motion _____	2nd Discussion _____
	Other _____	Other _____

**BACKGROUND INFORMATION**

“Public Works” contracts mean all work, construction, alteration, repair or improvement *other than ordinary maintenance (performed by an employee)*. Public Works, including ordinary maintenance when performed by a contract shall comply with the public works requirements (prevailing wage, bonding requirements, & competitive bidding process).

As per Resolution 09-812 the Board of County Commissioners authorized the letting of contracts for public works involving less than twenty-five thousand (\$25,000), advertisement and competitive bidding may be dispensed with, and such contracts may be entered into after direct negotiation and authorization by the Board of Commissioners, with such authorization being in the form of a resolution containing the bid quotations obtained and being available for public inspection.

As per RCW 36.32.250 advertisement and competitive bidding can be dispensed with in the letting of public works contracts involving less than forty thousand dollars (\$40,000). Therefore, by increasing the limit to \$40,000 and being consistent with the RCW’s, this would allow the county to be more efficient and have the ability to solicit quotes from both those companies listed on the small works roster and/or anyone else who has not yet requested to be added to the Small Works Roster.

This resolution also authorizes in letting of any non-public works contract for the purchase of lease of materials, equipment or supplies in an amount ranging from \$5,000 – \$25,000, the advertisement and formal sealed bidding requirements set forth in RCW 36.32.245 may be dispensed with if a uniform process set forth in RCW 39.04.190 and Benton County’s Resolution for Materials, Equipment and Supplies.

**RECOMMENDATION**

Approve the attached resolution increasing the dollar amount from \$25,000 to \$40,000 in order to be more efficient and have the opportunity to make sure we can get services performed at the lowest rate possible.

**MOTION**

Move to approve the attached Competitive Bidding Resolution; Rescinding Resolution 09-811.

# RESOLUTION

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:**

**IN THE MATTER OF DISPENSING WITH ADVERTISING AND COMPETITIVE BID PROCEDURES WITH RESPECT TO CERTAIN CONTRACTS FOR PUBLIC WORKS PROJECTS AND THE PURCHASE OR LEASE OF MATERIALS, EQUIPMENT OR SUPPLIES; RESCINDING RESOLUTION 09-811**

**WHEREAS**, public bidding requirements under state law allow alternative procedures in lieu of formal competitive bidding; and

**WHEREAS**, different alternative procedures are required for public works contracts and for the purchase or lease of general materials, equipment and supplies for county use; and

**WHEREAS**, the Board of County Commissioners determined that it is in the public's best interest to take advantage of the state law allowing for more timely and cost effective procedures for entering into smaller contracts, and

**WHEREAS**, per Resolution 09-811 the Board of Benton County Commissioners authorized the letting of any contract for public works services or materials involving less than twenty-five thousand dollars (\$25,000), advertisement and competitive bidding may be dispensed with, and such contracts may be entered into after direct negotiation, and contracts up to two hundred thousand dollars (\$200,000) to be awarded pursuant to a small works roster process; and

**WHEREAS**, RCW 36.32.250 authorizes advertisement and competitive bidding to be dispensed with in the letting of public works contracts involving less than forty thousand dollars (\$40,000); and

**WHEREAS**, the Board of Benton County Commissioners has determined it would be in the best interest of the county and the citizens thereof to allow such contracts for public works services or materials to be awarded without advertisement and competitive bidding formalities; **NOW, THEREFORE**

**BE IT RESOLVED**, that in letting of any contract for public works involving less than forty thousand dollars (\$40,000), advertisement and competitive bidding may be dispensed with, and such contracts may be entered into after direct negotiation and authorization by the Board of Commissioners, with such authorization being in the form of a resolution containing the bid quotations obtained and being available for public inspection. As an alternative to the procedure outlined in this paragraph, the letting of contracts for public works involving less than thirty five thousand dollars (\$35,000) may also be accomplished pursuant to the small works roster or limited public works processes set forth in RCW 39.04.155; and

**BE IT FURTHER RESOLVED** that for public works contracts with an estimated value of forty thousand dollars (\$40,000) up to three hundred thousand dollars (\$300,000), the county shall follow either the advertisement and competitive bidding procedures set forth in RCW 36.32.250 or shall follow the small works roster process authorized by RCW 39.04.155 and set forth in Resolution \_\_\_\_\_; and

**BE IT FURTHER RESOLVED** as authorized by RCW 36.32.245, in letting of any non-public works contract for the purchase or lease of materials, equipment or supplies in an amount of less than five thousand dollars (\$5,000), advertisement and competitive bidding may be dispensed with, and such purchases or leases may be completed based on direct negotiation; and

**BE IT FURTHER RESOLVED** that in letting of any non-public works contract for the purchase or lease of materials, equipment or supplies in an amount ranging from five thousand dollars (\$5,000) to twenty five thousand dollars (\$25,000), the advertisement and formal sealed bidding requirements set forth in RCW 36.32.245 may be dispensed with only if the uniform process set forth in RCW 39.04.190 and Benton County Resolution \_\_\_\_\_ is followed; and

**BE IT FURTHER RESOLVED**, that this resolution does not mandate procedures for i) intergovernmental property transfers; ii) purchases at an auction; iii) performance based contracts for the purchase of energy equipment negotiated under RCW 39.35A; or iv) contracts and purchases for the printing of election ballots, voting machine labels, or all other election material containing the names of candidates and ballot titles.

**BE IT RESOLVED**, resolution 09-811 is hereby rescinded.

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

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	<u>COMMISSIONERS</u>
Meeting Date: <u>6/27/2011</u>	Execute Contract _____	Consent Agenda _____ X
Subject: <u>Purchase Resolution</u>	Pass Resolution _____	Public Hearing _____
Prepared by: <u>L. Small</u>	Pass Ordinance _____	1st Discussion _____
Reviewed by: <u>LSk</u>	Pass Motion _____	2nd Discussion _____
	Other _____	Other _____



**BACKGROUND INFORMATION**

As per Resolution 09-812 the Board of Commissioners approved the letting of any non-public works contract for the purchase of lease of materials, equipment or supplies in an amount ranging from \$5,000 – \$25,000, the advertisement and formal sealed bidding requirements set forth in RCW 36.32.245 may be dispensed with if a uniform process set forth in RCW 39.04.190 and Benton County’s Resolution for Materials, Equipment and Supplies and soliciting three quotes from the Benton County Vendors List.

There have not been any changes on the attached Resolution from the one that was approved and referenced as Resolution 09-812, other than the Resolution number that is referenced from the Competitive Bidding Resolution will be need to be revised and referenced.

**RECOMMENDATION**

Approve the attached resolution allowing the county to used the Benton County Vendor’s List for purchases of materials, equipment and supplies between \$5,000 - \$25,000.

**FISCAL IMPACT**

**MOTION**

Move to approve the attached Materials, Equipment & Supplies Resolution; Rescinding Resolution 09-812.

# RESOLUTION

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:**

**IN THE MATTER OF ESTABLISHING A UNIFORM PROCESS FOR AWARDING CONTRACTS FOR MATERIALS, EQUIPMENT AND SUPPLIES IN AMOUNTS OF MORE THAN \$5,000 AND LESS THAN \$25,000; RESCINDING RESOLUTION 09-812**

**WHEREAS**, Benton County Resolution \_\_\_\_\_ and RCW 36.32.245 authorizes contracts for the purchase of materials, equipment and supplies valued between five thousand (\$5,000) and twenty-five thousand (\$25,000) without advertisement and formal sealed bidding if the county follows the uniform process for contract awards described in RCW 39.04.190; and

**WHEREAS**, the Board of Commissioners has determined it to be in the public's best interest to establish such uniform process; **NOW, THEREFORE**

**BE IT RESOLVED** the Benton County Administrator shall be responsible for ensuring that the county publish a notice of the existence of a Benton County vendors list for small purchases of materials, supplies and equipment and soliciting the names of vendors for such list and shall take such other reasonable steps to establish and maintain such a list, including but not limited to publishing such notice no later than the first Sunday in November and the first Sunday in May of each year; and

**BE IT FURTHER RESOLVED** that if any county department other than Public Works desires to purchase or lease from a vendor on Benton County's vendor list and not advertise and solicit formal sealed bids, it shall secure written quotes from at least three (3) different vendors on the vendor list, unless the product is such that it is not reasonable to obtain three price quotes, to assure that a competitive price is established and to award the contract to the lowest responsible bidder as determined under RCW 39.30.040 and RCW 43.19.1911; and

**BE IT FURTHER RESOLVED**, the award of any such purchase contract or lease with a vendor on the vendor list for the acquisition of materials, supplies or equipment valued between five thousand (\$5,000) and twenty-five thousand (\$25,000) shall be made by resolution signed by a majority of the Board of Commissioners. Attached to said resolution shall be a copy of the written quotations received; and

**BE IT FURTHER RESOLVED**, copies of resolutions awarding said contracts shall be maintained in a separate file by the Board of Commissioners and be open to public inspection and available by telephone inquiry; and

**BE IT FURTHER RESOLVED**, resolution 09-812 is hereby rescinded.

**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**

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	<u>COMMISSIONERS</u>
Meeting Date: <u>6/27/2011</u>	Execute Contract _____	Consent Agenda <u>X</u>
Subject: <u>SWR Resolution</u>	Pass Resolution _____	Public Hearing _____
Prepared by: <u>L. Small</u>	Pass Ordinance _____	1st Discussion _____
Reviewed by: <u>LSk</u>	Pass Motion _____	2nd Discussion _____
	Other _____	Other _____

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**BACKGROUND INFORMATION**

As per Resolution 09-813 the Board of Commissioners established a procedure for the use of the Benton County Small Works Roster for projects less than \$200,000.

The attached Resolution referenced the competitive bidding resolution, increasing the size of public works contracts that can be awarded through the use of a small works roster and limited public works process from no more than \$200,000 to no more than \$300,000 per RCW 39.04.155.

**RECOMMENDATION**

Approve the attached resolution increasing the size of public works contracts that can be awarded through the use of a small works roster and limited public works process from no more than \$200,000 to no more than \$300,000 per RCW 39.04.155.

**FISCAL IMPACT**

Saving on the expense of advertisement and competitive bidding process for projects less than \$300,000.

**MOTION**

Move to approve the attached Small Works Roster Resolution; Rescinding Resolution 09-813.

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

## IN THE MATTER OF ESTABLISHING A SMALL WORKS ROSTER PROCESS TO AWARD PUBLIC WORKS CONTRACTS IN AMOUNTS LESS THAN \$300,000; RESCINDING RESOLUTION 09-813

**WHEREAS**, pursuant to Benton County Resolution \_\_\_\_\_ the Benton County Board of Commissioners has increased the size of public works contracts that can be awarded through the use of a small works roster and limited public works process pursuant to RCW 39.04.155 from no more than two hundred thousand dollars (\$200,000) to no more than three hundred thousand dollars (\$300,000); and

**WHEREAS**, the Board of Benton County Commissioners believes it is in the best interests of the County to amend its small works roster process to reflect that increase to three hundred thousand dollars (\$300,000); and

**WHEREAS**, in order to be able to implement a small works roster process, Benton County is required by law to adopt a resolution establishing specific procedures; **NOW, THEREFORE**

**BE IT HEREBY RESOLVED** that the following small works roster procedures are established for use by Benton County for public works projects pursuant to RCW 36.32.250, RCW 36.77.075 and RCW 39.04.155:

1. **Cost.** Benton County and its officials and officers need not comply with formal sealed bidding procedures for public works contracts for the construction, building, renovation, remodeling, alteration, repair, maintenance or improvement of county owned assets where the estimated cost is less than three hundred thousand dollars (\$300,000), inclusive of the costs of labor, material, equipment and sales and/or use taxes as applicable. For such projects, the small works roster procedures as set forth herein may be used. The breaking of any project into units or accomplishing any projects by phases is prohibited if it is done for the purpose of avoiding the maximum dollar amount of a contract that may be let using the small works roster process.
2. **Number of Rosters.** The Benton County Facilities Department, in cooperation with other county departments, may create a single general small works roster, or several small works rosters for different specialties or categories of anticipated work. Said small works roster(s) may make distinctions between contractors based upon different geographic areas served by the contractor.
3. **Contractors on Small Works Roster(s).** The small works roster(s) shall consist of all responsible contractors. In order to be placed on the small works roster or any of the small works rosters if there are more than one, interested contractors must prove that they are responsible and must, therefore, submit the following material:
  - a. Proof of licensing or registration where required by law (ie contractor's license)
  - b. The contractor's Uniform Business Identification Number

reflected in the resolution adopted to award the contract. After an award is made, a copy of the resolution awarding the contract shall be placed in a separate file for small works roster contracts by the Board of Commissioners and shall be open to public inspection, and available by telephone inquiry.

- e) Bids submitted pursuant to the small works roster process must include all items required of bidders in competitive bid situations, including but not limited to performance and payment bonds, bid bonds, specifications and retainage.
- f) The Benton County Board of Commissioners shall maintain a list of contractors contacted and contracts awarded during the previous twenty-four months pursuant to this resolution, including the name of the contractors, the contractors' registration numbers, the amounts of the contracts, a brief description of the type of work performed, and the date the contracts were awarded. Said list may be in the form of a compilation of all awarding resolutions if such resolutions include the requisite information.

6. **Limited Public Works Process.** If a work, construction, alteration, repair, or improvement meeting the definition of a "public work" as defined by RCW 39.04.010 is estimated to cost less than thirty-five thousand dollars (\$35,000), and the County does not elect to award such contract pursuant to direct negotiation as authorized by Resolution \_\_\_\_\_, Benton County may award such contract using the limited public works process provided under RCW 39.04.155(3). For limited public works projects (those estimated to cost less than \$35,000) awarded under this alternative process, written invitations for bids will be solicited from a minimum of three contractors from the appropriate small works roster. All bids must be submitted in writing, and Benton County may award the contract to the lowest responsible bidder as defined under RCW 43.19.1911(9). Such bids, the contractors names and their registration numbers shall be reflected in the resolution adopted to award the contract. After an award is made, the written bids shall be open to public inspection and available by electronic request.

7. **Determining Lowest Responsible Bidder.** Since all bidders on the small works roster are presumed to be responsible, the public works project must be awarded to the lowest bidder unless facts or circumstances arise which causes Benton County to believe the lowest bidder is not responsible. If facts or circumstances arise which causes Benton County to believe that any responding bidder is not responsible, then the County representative must notify the bidder in writing of the fact that they are considered not responsible and include the specific reasons for that determination. After that notification, the bidder will then have a reasonable opportunity to submit supplementary material to rebut that determination. The County representative must reconsider the not responsible determination in light of the new information and must notify the bidder in question, in writing, of the final determination. If the final determination is that the bidder in question is actually responsible, then the project must be awarded to the lowest bidder, including that bidder. If the final determination is that the bidder in question is in fact not responsible, then, after waiting two business days after the day when the non responsible bidder has received the final determination, the project must be awarded to the lowest bidder excluding the bidder in question.

8. **Award.** All written bids received pursuant to the small works roster process set forth herein shall be submitted to the Benton County Board of Commissioners along with a recommendation for award of the contract to the lowest responsible bidder. The Benton County Board of Commissioners shall then make a decision to award the contract to the lowest responsible bidder pursuant to a resolution in the form required hereby or to reject all bids as authorized herein.

**BE IT FURTHER RESOLVED**, resolution 09-813 is hereby rescinded.

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

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	<u>COMMISSIONERS</u>
Meeting Date: <u>6/27/2011</u>	Execute Contract _____	Consent Agenda <u>X</u>
Subject: <u>Pers. &amp; Pro. Res.</u>	Pass Resolution _____	Public Hearing _____
Prepared by: <u>L. Small</u>	Pass Ordinance _____	1st Discussion _____
Reviewed by: <u>LSk</u>	Pass Motion _____	2nd Discussion _____
	Other _____	Other _____

**BACKGROUND INFORMATION**

As per Resolution 09-814 the Board of Commissioners approved the Resolution for Personal and Professional services for non-public works contracts, the county need not advertise or follow a formal competitive bidding procedure, but instead evaluate and utilize the procedures it deems best under the individual circumstances in order to obtain services of the highest quality at the lowest cost.

The attached Resolution will not have any changes made on it from the previously approved resolution other than the reference of the new Resolution numbers.

**RECOMMENDATION**

Approve the attached Resolution for Personal and Professional Services.

**FISCAL IMPACT**

**MOTION**

Move to approve the attached Personal and Professional Service Resolution; Rescinding Resolution 09-814.

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

**IN THE MATTER OF SOLICITING PERSONAL AND PROFESSIONAL SERVICE CONTRACTS; RESCINDING RESOLUTION 09-814**

**WHEREAS**, Personal and Professional contracts are performed by the person (contractor) as an independent contractor. Qualifications and performance are the primary considerations in selection of the contractor with price being secondary or subject to negotiation; and

**WHEREAS**, contracts for personal or professional services do not need to follow any particular bid procedures, although the Request for Qualifications process may be helpful; and

**WHEREAS**, as per Resolution 04-534, the Board determined that applying bid procedures to the acquisition of all personal and professional contracts does not necessarily advance the county's interest in obtaining the highest quality services at the lowest cost; **NOW, THEREFORE**

**BE IT RESOLVED**, that the acquisition of architectural and engineering services shall be done in accordance with the provisions of RCW 39.80 as now in effect or hereafter amended; and

**BE IT FURTHER RESOLVED**, contracts for all public works projects, including those involving a service component for the maintenance of public facilities, shall be solicited in accordance with the competitive bid requirements of RCW 36.32.250 or such alternative procedures as allowed by Benton County Resolutions \_\_\_\_\_ and \_\_\_\_\_; and

**BE IT FURTHER RESOLVED**, except as set forth above, for all contracts for non-public works services, the county need not advertise or follow a formal competitive bidding procedure but may instead evaluate and utilize the procedures it deems best under the individual circumstances in order to obtain services of the highest quality at the lowest cost; and

**BE IT FURTHER RESOLVED**, all personal and professional service contracts must be awarded by the Board of Benton County Commissioners; and

**BE IT FURTHER RESOLVED**, Benton County Resolution 09-814 is hereby rescinded.

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

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# RESOLUTION

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:**

**IN THE MATTER OF AWARDING BID FOR CONTRACT FOR OFFICIAL COUNTY NEWSPAPER FOR THE YEAR JULY 1, 2011 THROUGH JUNE 30, 2012**

**WHEREAS**, on May 23, 2011 bids were received and opened by the Board of Benton County Commissioners for the contract for official county newspaper commencing July 1, 2011 and ending June 30, 2012; and

**WHEREAS**, the following bid was received:

Tri City Herald, Kennewick, WA

Column-inch rate, first insertion:

including online: \$17.21 (Mon – Fri), \$17.66 (Sat. & Sun)

Column-inch rate, subsequent

insertions: \$15.47 (Mon. – Fri), \$15.81 (Sat. & Sun)

**WHEREAS**, RCW 36.72.075 states that the "county legislative authority shall let the contract to the best and lowest responsible bidder, giving consideration to the question of circulation in awarding the contract, with a view to giving publication of notices the widest publicity"; and

**WHEREAS**, after consideration, the Board has determined the Tri-City Herald's circulation offers the widest publicity and publishes seven days a week, allowing more flexibility when legal notices are published;

**NOW, THEREFORE, BE IT RESOLVED** the Board of Benton County Commissioners hereby awards the contract for official county newspaper for July 1, 2011 through June 30, 2012, to the Tri-City Herald, Kennewick, WA, in accordance with the provisions of RCW 36.72, for the bid amount identified above and authorizes the Chairman to sign the attached contract with McClatchy Newspapers, Inc., a Delaware corporation that publishes the Tri-City Herald newspaper in Kennewick, Washington.

Dated this . . . . . day of . . . . ., 2011.

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Chairman Pro Tem

\_\_\_\_\_  
Member

Attest: . . . . .  
Clerk of the Board

Constituting the Board of County  
Commissioners of Benton County,  
Washington

**CONTRACT FOR  
OFFICIAL COUNTY NEWSPAPER**

This Agreement is made by and between Benton County, a political subdivision of the State of Washington (hereafter "County"), and McClatchy Newspapers, Inc., a Delaware corporation that publishes the Tri-City Herald newspaper in Kennewick, Washington (hereafter "Herald").

**WITNESSETH:**

WHEREAS, pursuant to the provisions of RCW 36.72.075, the County advertised for bid proposals from interested qualified legal newspapers to serve as the official county newspaper for the term of one year; and

WHEREAS, the Herald is a legal newspaper published in Kennewick, Benton County, Washington, by McClatchy Newspapers, Inc. which submitted a bid proposal; and

NOW, THEREFORE, in consideration of the terms and conditions set forth below, the parties agree as follows:

1. The Herald shall serve as the official newspaper of Benton County for the term of one year, beginning on July 1, 2011, and ending on June 30, 2012.

2. All county officers shall cause all legal notices and delinquent tax lists to be advertised in the Herald.

3. The Herald shall set all legal notices submitted in single column 6-point solid type unless otherwise indicated.

4. The County shall pay the Herald \$17.21 per column inch for the first insertion and \$15.47 per column inch for subsequent insertions for the days Monday through Friday and shall pay \$17.66 per column inch for the first insertion and \$15.81 per column inch for subsequent insertions for the days Saturday and Sunday. Herald legal number and date notations on the bottom two lines shall not be included in column-inch measurements.

5. The Herald shall furnish, without further cost, the required number of Affidavits of Publication, not to exceed six, to all county officers submitting legal notices and delinquent tax lists for publication. The affidavits shall be furnished to the officer before the date of hearing set within the legal notice.

6. The Herald shall furnish a bond payable to the county in the sum of Five Hundred Dollars (\$500.00), and conditioned that the Herald shall correctly and faithfully perform the covenants of this agreement.

7. The Herald warrants that it meets the qualifications of a legal newspaper as set forth under Chapter 65.16, RCW, and agrees to immediately notify the County if at anytime it ceases to meet such qualifications. In such case, the County may immediately terminate this agreement by mailing written notice.

Date: \_\_\_\_\_

Date \_\_\_\_\_

Benton County, Washington

McClatchy Newspapers, Inc.

\_\_\_\_\_  
Chairman

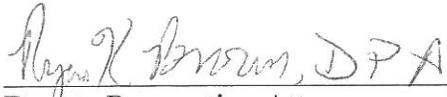
By: \_\_\_\_\_

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

Attest: \_\_\_\_\_  
Clerk of the Board

Approved as to form:

  
\_\_\_\_\_  
Deputy Prosecuting Attorney

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	<u>6-27-11</u>	Execute Contract	_____	Consent Agenda	<u>x</u> _____
Subject:	<u>On-Call Policy</u>	Pass Resolution	<u>x</u> _____	Public Hearing	_____
Prepared by:	<u>K. Mercer</u>	Pass Ordinance	_____	1st Discussion	_____
Reviewed by:	<u>Loretta</u>	Pass Motion	_____	2nd Discussion	_____
		Other	_____	Other	_____

**BACKGROUND / SUMMARY INFORMATION**

The Coroner's Office has two full time employees (the Coroner and the Chief Deputy Coroner) and two part time Deputy Coroners that are responsible for running the office during the week as well as responding to calls 24/7. The two full time employees share on-call duties due to lack of available funds for the part time Deputy Coroners and the fact that there isn't a non-exempt on-call policy.

The Coroner wishes to utilize the part-time Deputy Coroners for the purpose of covering off-duty hours and weekends to allow suitable time off for the two full time employees. The Coroner has worked with the Personnel Manager to develop a non-exempt on-call policy for the Coroner's Office, which establishes the rate of pay and guidelines for non-exempt employees who are on-call.

**RECOMMENDATION**

Approve the non-exempt on-call policy

**FISCAL IMPACT**

Approximately \$13,500 per year (depends on how many times the Coroner uses the part time Deputy Coroners for on-call)

**MOTION**

# RESOLUTION

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY:**

**IN THE MATTER OF COUNTY POLICY: ADOPTING THE NON-EXEMPT ON-CALL POLICY FOR THE BENTON COUNTY CORONER'S OFFICE**

**WHEREAS**, the Benton County Coroner's Office wishes to utilize part-time non-exempt employees for the purpose of covering off-duty hours and weekends; and

**WHEREAS**, the Benton County Coroner's Office does not have an on-call policy for non-exempt employees; and

**WHEREAS**, the Benton County Coroner worked with the Personnel Manager to develop a non-exempt on-call policy for the Benton County Coroner's Office, which establishes the rate of pay and guidelines for non-exempt employees who are on-call; and

**WHEREAS**, the Benton County Coroner recommends adopting the non-exempt on-call policy for the Benton County Coroner's Office; **NOW THEREFORE**,

**BE IT RESOLVED** the Board of County Commissioners, Benton County, Washington hereby concurs with the Benton County Coroner's recommendation and adopts the attached non-exempt on-call policy for the Benton County Coroner's Office.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2011

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of Commissioners  
of Benton County, Washington

Attest: \_\_\_\_\_  
Clerk of the Board

# Benton County Coroner's Office

## Non-Exempt On-Call Policy

### Carrying Emergency Cell Phone and Responding to Calls – Non-Exempt Coroner Employees:

- A. All Coroner's Office employees classified as Non-Exempt Deputy Coroners have the responsibility for carrying an emergency cell phone, on a rotating basis. The employee assigned to carry the cell phone will be paid a flat rate of seventy-two dollars (\$72.00) per sixteen (16) hours of on-call duty. This payment will be included in the employee's paycheck and subject to all standard payroll deductions.
- B. The assigned employee is not required to remain at home while carrying the cell phone, but is required to remain in the general Tri-Cities area. When a call comes in on the cell phone, the assigned employee is responsible for assessing the situation and determining the appropriate course of action.
- C. If possible, the assigned employee will respond to the call over the telephone. If the employee needs to report to a County facility and/or scene of a death to respond to the call, in addition to the payment provided by paragraph A, the employee will be paid for the time spent responding to the call, excluding travel time, for a minimum of one hour of pay at the straight-time rate.

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>	
Meeting Date:	<u>6-27-11</u>	Execute Contract	_____
Subject:	<u>Line item transfer</u>	Pass Resolution	<u>  x  </u>
Prepared by:	<u>K. Mercer</u>	Pass Ordinance	_____
Reviewed by:	<u>Loretta</u>	Pass Motion	_____
		Other	_____
		Consent Agenda	<u>  x  </u>
		Public Hearing	_____
		1st Discussion	_____
		2nd Discussion	_____
		Other	_____

**BACKGROUND / SUMMARY INFORMATION**

The Coroner's Office implemented a new non-exempt on-call policy on June 27, 2011. The policy states that an employee assigned to carry the on-call cell phone will be paid a flat rate of seventy-two dollars (\$72.00) per sixteen (16) hours of on-call duty. The line item transfer is necessary in order for the Coroner's Office to be able to utilize the new non-exempt on-call policy. The transfer is for one year only.

**RECOMMENDATION**

Approve the line item transfer.

**FISCAL IMPACT**

**MOTION**

# 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 115 TO DEPARTMENT 109.

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

### BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Non-Departmental Dept Nbr: 115  
 Fund Name: Current Expense Fund Nbr: 0000-101

TRANSFER FROM: Dept 115 TRANSFER TO: Dept 109

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
519.900	4931	Fenced Item Contingency	\$13,500	563.200	1934	On-Call Pay	\$13,500
<b>TOTAL</b>			<b>\$13,500</b>	<b>TOTAL</b>			<b>\$13,500</b>

**Explanation:**

Transfer is needed in order to pay for the Coroner's new on-call policy (see attached) that was approved on June 27, 2011. Amount is for 2011 only and 2012 will be addressed during the mid-biennium review.

Prepared by: Keith Mercer Date: 21-Jun-2011  
 Approved  Denied  Date: \_\_\_\_\_

\_\_\_\_\_  
 Chairman  
 \_\_\_\_\_  
 Member  
 \_\_\_\_\_  
 Member

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>		
Meeting Date:	June 27, 2011	Execute Contract	_____	Consent Agenda
Subject:	Jail Camera Purchase	Pass Resolution	X_____	Public Hearing
Prepared by:	D. Pettey	Pass Ordinance	_____	1st Discussion
Reviewed by:	Keith Mercer & Ryan Brown	Pass Motion	_____	2nd Discussion
		Other	_____	Other

X  
K

**BACKGROUND INFORMATION**

The CCTW cameras at the jail are currently falling behind the technology curve. The new cameras will increase the quality and effectiveness of the video feeds. Approximately \$10,000 was included in the 2011 – 2016 Capital Improvement Plan for the use of Jail Depreciation fund dollars for the replacement of the jail CCTV cameras.

**SUMMARY**

The facilities department will be replacing 12 CCTV cameras and their associated hardware at the Benton County Jail. The cameras and equipment will be purchased through URS Electronics Inc, off Washington State Contract No. 03709.

**RECOMMENDATION**

The Facilities Manager recommends purchasing 12 camera systems with their associated hardware, cabling, power supplies, and network switches from URS Electronics Inc. off Washington State Contract No. 03709.

**FISCAL IMPACT**

The total amount will not exceed \$7,900 including WSST.

**MOTION**

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE PURCHASE OF VIDEO SURVEILLANCE EQUIPMENT AND ASSOCIATED HARDWARE FROM URS ELECTRONICS INC. OFF WASHINGTON STATE CONTRACT NO. 03709

**WHEREAS**, per Resolution 09-858 dated December 14, 2009 Benton County and the State of Washington, Department of General Administration, Office of State Procurement entered into an Intergovernmental Agreement with the State Purchasing Cooperative for the purpose of governmental purchasing activity; and

**WHEREAS**, Washington State Contract No. 03709 allows URS Electronics Inc. to sell a wide variety of parts and equipment for replacement and system standardization for traffic signal control equipment/systems; and

**WHEREAS**, video surveillance equipment and associated hardware is also offered under Washington State Contract No. 03709; and

**WHEREAS**, the Benton County Jail is updating its cameras, recording equipment, and viewing equipment; and

**WHEREAS**, the Facilities Supervisor and the Electronics Technician recommend purchasing 12 camera systems with their associated hardware, cabling, power supplies, and network switches from URS Electronics Inc. off Washington State Contract No. 03709; **NOW, THEREFORE**,

**BE IT RESOLVED**, by the Board of Benton County Commissioners, Benton County, Washington, hereby approves the purchase of 12 cameras systems with their associated hardware, cabling, power supplies, and network switches from URS Electronics Inc. off Washington State Contract No. 03709 in the amount of \$7,686.06 with a total amount not to exceed \$7,900.00 including WSST; and

**BE IT FURTHER RESOLVED**, the Board authorizes the Chairman to sign the attached Purchase Order Agreement.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of Commissioners  
of Benton County, Washington.

Attest.....  
Clerk of the Board

Orig: Facilities  
cc: Auditor, Sheriff's Office

Prepared by: D. Pettey

# PURCHASE AGREEMENT

## Benton County, Washington

Benton County is a political subdivision, with its principal offices located at 620 Market Street, Prosser, WA 99350

Resolution No. \_\_\_\_\_

Resolution number must appear on all invoices, packing slips, packages, correspondence, etc.

Vendor: URS Electronics Inc.

Vendor Code: 931360

Vendor Contact: Mark Twietmeyer

Vendor Contact Phone: 1-800-955-4877

Vendor Principal Place of Business: Portland, OR 97232

Ship To:  
Benton County Facilities  
7122 W. Okanogan Place

Attn: Dan Waggoner

Kennewick, WA 99336

Bill To:  
Benton County Facilities  
7122 W. Okanogan Place

Attn: Cami McKenzie

Kennewick, WA 99336

**AGREEMENT:**

In exchange for the consideration identified herein, the Vendor agrees to provide the following supplies to Benton County under the terms described.

P.O. Date: \_\_\_\_\_

Delivery Date: \_\_\_\_\_

Line/Model	Description	Est Qty	Unit Price	Total Price
DH5AJ-1V2A	DomePak Clear Color 2.5-6mm Lens	12	565.00	6,780.00
SD5-P	2ft x 2ft Spectra Dome Ceiling Tile Mount, Pelc	2	36.00	72.00
MCS16-20SB	24VAC 20A 16 CAMERA UL POWER SUPPLY	1	245.00	245.00
				-

	See attached quote for additional description details			-
				-
				-
				-
				-
				-
				-

The term of this Agreement shall be \_\_\_\_\_ months:

Beg: / / through: / / exp. time:

HANDLING =	-
SUB TOTAL =	7,097.00
SALES TAX =	589.05
TOTAL ORDER =	7,686.05

This purchase agreement incorporates by reference all terms and conditions of the State of Washington Contract No. 03709 (copy attached hereto as Exhibit A).

Vendor signature on this purchase agreement certifies acceptance of this agreement and all terms and conditions, and supersedes any conflicting terms.

- In case of conflict, the order of precedence is:
1. The State of Washington Contract No. 03709
  2. This Purchase Agreement

Questions and Clarifications should be Addressed to Buyer Contact:

Dept. Director:  
Dan Waggoner

Title:  
Senior Electronic Technician

Address:  
Same as above

Phone: 509-222-3704

Fax: 509-736-2708

Approved as to Form (Civil Deputy Prosecutor): Ray Brown, DPA

Vendor Name (Print): \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Vendor Signature: \_\_\_\_\_

Chairman of Benton County: \_\_\_\_\_ Date: \_\_\_\_\_

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>		
Meeting Date:	6/27/11	Execute Contract	_____	Consent Agenda
Subject:	<u>URS purchases</u> <u>from state</u> <u>contract #</u> <u>03709</u>	Pass Resolution	<u>  x  </u>	Public Hearing
Prepared by:	<u>Keith Mercer</u>	Pass Ordinance	_____	1st Discussion
Reviewed by:	<u>Loretta</u>	Pass Motion	_____	2nd Discussion
		Other	_____	Other

## BACKGROUND / SUMMARY INFORMATION

The Superior Court Courtrooms will be updating their surveillance and security equipment over the next three years. The plan calls for the following purchases to be done in the following years:

- 2011** Purchase 22 camera systems with their associated hardware, cabling, power supplies, and networks switches in the first year.
- 2012** Purchase an EnduraXpress recorder and third party camera support.
- 2013** Purchase 22 decoders, viewing station, and an additional 10 camera systems with their associated hardware, cabling, power supplies, and networks switches.

On April 25, 2011, the Board approved the purchase of 22 camera systems with their associated hardware, cabling, power supplies, and network switches from URS Electronics Inc. off Washington State Contract No. 03709 in the amount of \$18,146.69. However, after the Board approved the purchase agreement, the manufacturer informed the Electronics Technician of additional savings (beyond the normal State Contract count) due to a sales event involving the EnduraXpress Recorder and associated cameras. The additional savings is \$6,462.91 if Benton County were to purchase the EnduraXpress Recorder and all 32 camera systems with their associated hardware, cabling, power supplies, and network switches. The Electronics Technician held off on placing the order that was approved on April 25, 2011, in order to see if the County would like to order the additional equipment and realize the additional savings.

## RECOMMENDATION

The County Administrator recommends purchasing the EnduraXpress recorder and 32 camera systems with their associated hardware, cabling, power supplies, and network switches from URS Electronics Inc. off Washington State Contract No. 03709

## FISCAL IMPACT

\$37,242.10 with a total amount not to exceed \$37,500.00 to be paid out of the following:

Trial Court Improvement	\$15,000.00
Insurance Management Fund	<u>\$22,242.10</u>
Total	\$37,242.10

## MOTION

# RESOLUTION

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON**

**IN THE MATTER OF AUTHORIZING THE PURCHASE OF AN ENDURAXPRESS RECORDER AND VIDEO SURVEILLANCE EQUIPMENT AND ASSOCIATED HARDWARE FROM URS ELECTRONICS INC. OFF WASHINGTON STATE CONTRACT NO. 03709 AND RESCINDING RESOLUTION 11-267**

**WHEREAS**, per Resolution 09-858 dated December 14, 2009 Benton County and the State of Washington, Department of General Administration, Office of State Procurement entered into an Intergovernmental Agreement with the State Purchasing Cooperative for the purpose of governmental purchasing activity; and

**WHEREAS**, Washington State Contract No. 03709 allows URS Electronics Inc. to sell a wide variety of parts and equipment for replacement and system standardization for traffic signal control equipment/systems; and

**WHEREAS**, recorders, video surveillance equipment, and associated hardware is also offered under Washington State Contract No. 03709; and

**WHEREAS**, the Superior Court Courtrooms will be updating their surveillance and security equipment over the next three years; and

**WHEREAS**, the plan calls for the purchase of 22 camera systems with their associated hardware, cabling, power supplies, and networks switches in the first year, the purchase of an EnduraXpress recorder and third party camera support the second year, and the purchase of decoders, viewing station, and an additional 10 camera systems with their associated hardware, cabling, power supplies, and networks switches the third year; and

**WHEREAS**, on April 25, 2011, the Board approved the first year purchase of 22 camera systems with their associated hardware, cabling, power supplies, and network switches from URS Electronics Inc. off Washington State Contract No. 03709 in the amount of \$18,146.69; and

**WHEREAS**, after the Board approved the purchase agreement, the manufacturer informed the Electronics Technician of additional savings (beyond the normal State Contract discount) due to a sales event involving the EnduraXpress Recorder and associated cameras; and

**WHEREAS**, the additional savings is \$6,462.91 if Benton County were to purchase the EnduraXpress Recorder and all 32 camera systems with their associated hardware, cabling, power supplies, and network switches; and

**WHEREAS**, the Electronics Technician held off on placing the order that was approved on April 25, 2011, in order to see if the County would like to order the additional equipment and realize the additional savings; and

**WHEREAS**, the County Administrator recommends purchasing the EnduraXpress recorder and 32 camera systems with their associated hardware, cabling, power supplies, and network switches from URS Electronics Inc. off Washington State Contract No. 03709; **NOW THEREFORE**

**BE IT RESOLVED**, by the Board of Benton County Commissioners, Benton County, Washington, the Board hereby approves the purchase of the EnduraXpress recorder and 32 cameras systems

with their associated hardware, cabling, power supplies, and network switches from URS Electronics Inc. off Washington State Contract No. 03709 in the amount of \$37,242.10 including WSST with a total amount not to exceed \$37,500 including WSST; and

**BE IT FURTHER RESOLVED**, Resolution 11-267 is hereby rescinded.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of Commissioners  
of Benton County, Washington.

Attest.....  
Clerk of the Board

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
<b>Meeting Date:</b>  <b>Subject:</b> Amendment #09/10-DD-PTC-03 <b>Prepared by:</b> Maria Loera, Sr. Secretary-DHS <b>Reviewed by:</b> Ed Thornbrugh, Administrator-DHS	<b>Execute Contract</b> <u>  X  </u> <b>Pass Resolution</b> <u>  X  </u> <b>Pass Ordinance</b> _____ <b>Pass Motion</b> _____ <b>Other</b> _____	<b>Consent Agenda</b> <u>  X  </u> <b>Public Hearing</b> _____ <b>1st Discussion</b> _____ <b>2nd Discussion</b> _____ <b>Other</b> _____

**BACKGROUND INFORMATION**

In the matter of execution of Amendment #09/10-PTC-03 to provide developmental disabilities services between Benton and Franklin Counties Department of Human Services and Peopleworks Tri-Cities, LLC. This Amendment serves to extend the end date of Agreement #09/11-DD-PTC-00, Amendments #09/10-DD-PTC-01 and #09/10-DD-PTC-02 to September 30, 2011, and to amend Section 4 Statement of Work.

**SUMMARY**

**Award:** Consideration shall be Fee-For-Service  
**Period:** July 1, 2009 through September 30, 2011  
**Funding Source:** Division of Developmental Disabilities

**RECOMMENDATION**

- Sign the Resolution to accept the proposed Amendment
- Approve the proposed Amendment by signing all the copies where indicated

**FISCAL IMPACT**

Funding for the services described in this Agreement is provided by the Division of Developmental. **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 Amendment #09/10-DD-PTC-03 with Peopleworks Tri-Cities, LLC, and to authorize the Chair to sign of behalf of the Board.

  
 \_\_\_\_\_  
 Signature

# JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. \_\_\_\_\_

FRANKLIN COUNTY RESOLUTION NO. \_\_\_\_\_

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

**RE: IN THE MATTER OF EXECUTION OF AMENDMENT #09/10-DD-PTC-03 TO PROVIDE DEVELOPMENTAL DISABILITIES SERVICES BETWEEN BENTON AND FRANKLIN COUNTIES DEPARTMENT OF HUMAN SERVICES AND PEOPLEWORKS TRI-CITIES, LLC**

**WHEREAS**, this Amendment serves to extend the end date of Agreement #09/10-DD-PTC-00, Amendments #09/10-DD-PTC-01, and #09/10-DD-PTC-02 to September 30, 2011; and

**WHEREAS**, this Amendment also serves to replace Section 4, Statement of Work; and

**WHEREAS**, the consideration of the funding remains at Fee-For-Service, NOW THEREFORE,

**BE IT RESOLVED**, that the Boards of Benton and Franklin County Commissioners hereby accept the proposed Amendment; and

**BE IT FURTHER RESOLVED** that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be, and they hereby are, authorized to sign, on behalf of their respective county, Amendment #09/10-DD-PTC-03.

Dated this . . . .day of . . . . ., 2011

Dated this . . . .day of . . . . ., 2011

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member  
Constituting the Board of County Commissioners  
of Benton County, Washington

\_\_\_\_\_  
Member  
Constituting the Board of County Commissioners  
of Franklin County, Washington

Attest: \_\_\_\_\_  
Clerk of the Board

Attest: \_\_\_\_\_  
Clerk of the Board

**Benton and Franklin Counties  
DEPARTMENT OF HUMAN SERVICES  
Amendment #09/10-DD-PTC-03**

This Amendment is made and entered into by and between Benton County, a political subdivision, with its principal offices at 620 Market Street, Prosser, WA 99350, and Franklin County, a political subdivision, with its principal offices at 1016 North 4<sup>th</sup> Avenue, Pasco, WA 99301, by and for the **Benton and Franklin Counties' Department of Human Services**, a bi-county department, with its principal offices at 7102 West Okanogan Place, Suite 201, Kennewick, WA 99336 (hereinafter collectively referred to as "Counties") and **Peopleworks Tri-Cities, LLC**, a Washington State Limited Liability Corporation, with its principal offices at 1100 North Fork Road, Yakima, WA 98903 (hereinafter "Contractor").

**Counties Contact Information:**

Ed Thornbrugh, Administrator  
Department of Human Services  
7102 W. Okanogan Pl., Ste. 201  
Kennewick, WA 99336  
Phone: 509.783.5284 / Fax 509.783.5981  
E-Mail: [edt@gov.wa.co.benton-franklin.us](mailto:edt@gov.wa.co.benton-franklin.us)

**Contractor Contact Information:**

Samuel J. Ankney  
Peopleworks Tri-Cities, LLC  
PO Box 8251  
Yakima, WA 98908  
Phone: 509.965.5855 / Fax: 509.965.6513  
E-Mail: [Peopleworks@nwinfo.net](mailto:Peopleworks@nwinfo.net)

Is the Contractor a subrecipient for purposes of this Agreement..... No  
CFDA Number (Federal Block Grant Funding) ..... N/A

Agreement Start Date..... July 1, 2009

Agreement End Date (unless terminated sooner pursuant to the terms of the Agreement) .. **September 30, 2011**

The Contractor shall complete all work by the time(s) specified herein, or if no such time is otherwise specified, no later than the end date.

Consideration ..... Fee-For-Service

**Attachments incorporated into this Amendment**

- Exhibit A
- Exhibit C

By their signatures below, the parties agree to the terms and conditions of this Amendment and all documents attached or incorporated by reference. No other understandings or representations, oral or otherwise, regarding the subject matter of this Amendment shall be deemed to exist or bind the parties. The parties signing below certify that they are authorized to sign this Amendment.

**For the Contractor:**

  
\_\_\_\_\_

Title: MANAGER Date 6/19/11

**For Benton County:**

\_\_\_\_\_  
Benton County Commissioners Date

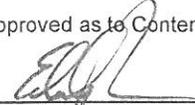
\_\_\_\_\_  
Attest: Clerk of the Board

**For Franklin County:**

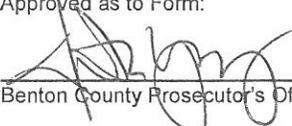
\_\_\_\_\_  
Franklin County Commissioners Date

\_\_\_\_\_  
Attest: Clerk of the Board

**Approved as to Content:**

  
\_\_\_\_\_  
Department of Human Services

**Approved as to Form:**

  
\_\_\_\_\_  
Benton County Prosecutor's Office

**Approved as to Form:**

  
\_\_\_\_\_  
Franklin County Prosecutor's Office

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>		
<b>Meeting Date:</b>	Execute Contract	<u>  X  </u>	Consent Agenda <u>  X  </u>
<b>Subject:</b> Amendment #09/11-SA-SCC-02	Pass Resolution	<u>  X  </u>	Public Hearing _____
<b>Prepared by:</b> Maria Loera, Sr. Secretary-DHS	Pass Ordinance	_____	1st Discussion _____
<b>Reviewed by:</b> Ed Thornbrugh, Administrator-DHS	Pass Motion	_____	2nd Discussion _____
	Other	_____	Other _____

### BACKGROUND INFORMATION

In the matter of execution of Amendment #09/11-SA-SCC-02 to provide substance abuse treatment services between Benton and Franklin Counties Department of Human Services and Somerset Counseling Center. This Amendment serves to extend the end date of Agreement #09/11-SA-SCC-00 to October 31, 2011.

### SUMMARY

**Award:** Consideration shall be Fee for Services Provided  
**Period:** July 1, 2009 through October 31, 2011  
**Funding Source:** Division of Behavioral Health and Recovery

### RECOMMENDATION

- Sign the Resolution to accept the proposed Amendment
- Approve the proposed Amendment by signing all the copies where indicated

### FISCAL IMPACT

Funding for the services described in this Agreement is provided by the Division of Behavioral Health and Recovery and the Department of Social and Health Services. **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 Amendment #09/11-SA-SCC-02 with Somerset Counseling Center and to authorize the Chair to sign of behalf of the Board.

  
 \_\_\_\_\_  
 Signature

# JOINT RESOLUTION

Benton County Resolution No. \_\_\_\_\_

Franklin County Resolution No. \_\_\_\_\_

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON AND FRANKLIN COUNTY, WASHINGTON;**

**RE: IN THE MATTER OF EXECUTION OF AMENDMENT #09/11-SA-SCC-02 TO PROVIDE SUBSTANCE ABUSE TREATMENT SERVICES BETWEEN BENTON AND FRANKLIN COUNTIES DEPARTMENT OF HUMAN SERVICES AND SOMERSET COUNSELING CENTER**

**WHEREAS**, this Amendment serves to extend the end date of Agreement #09/11-SA-SCC-00 to October 31, 2011; and

**WHEREAS**, the consideration for this Amendment remains at Fee for Services Provided, NOW THEREFORE,

**BE IT RESOLVED** that the Boards of Benton and Franklin County Commissioners hereby accept the proposed Amendment; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be, and they hereby are, authorized to sign, on behalf of their respective county, Amendment #09/11-SA-SCC-02.

Dated this . . . day of . . . . ., 2011

Dated this . . . day of . . . . ., 2011

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member  
Constituting the Board of County Commissioners  
of Benton County, Washington

\_\_\_\_\_  
Member  
Constituting the Board of County Commissioners  
of Franklin County, Washington

Attest: \_\_\_\_\_  
Clerk of the Board

Attest: \_\_\_\_\_  
Clerk of the Board



## PURPOSE

This Amendment serves to extend the current underlying Agreement four months. The revised **Agreement End Date shall be October 31, 2011**, unless terminated sooner as set forth in the terms and provisions of the underlying Agreement. All other provisions set out in the underlying Agreement remain in full force and effect.

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>		
<b>Meeting Date:</b>  <b>Subject:</b> Department of Social and Health Services and County General Terms and Conditions Agreement #1183-25352 <b>Prepared by:</b> Maria Loera, Sr. Secretary-DHS <b>Reviewed by:</b> Ed Thornbrugh, Administrator-DHS	Execute Contract <u>  X  </u> Pass Resolution <u>  X  </u> Pass Ordinance        _____ Pass Motion            _____ Other                    _____		Consent Agenda <u>  X  </u> Public Hearing            _____ 1st Discussion          _____ 2nd Discussion         _____ Other                      _____

**BACKGROUND INFORMATION**

The Department of Social and Health Services sets forth General Terms and Conditions that govern work to be performed under any Program Agreement between the parties.

**SUMMARY**

**Award:** N/A  
**Period:** July 1, 2011 through June 30, 2017  
**Funding Source:** N/A

**RECOMMENDATION**

- Sign the Resolution to accept the proposed Agreement
- Approve the proposed Agreement by signing all the copies where indicated

**FISCAL IMPACT**

This Agreement does not have any fiscal responsibilities. **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 Agreement #1183-25352 with the Department of Social and Health Services, and to authorize the Chair to sign on behalf of the Board.

  
 \_\_\_\_\_  
 Signature

# RESOLUTION

BENTON COUNTY RESOLUTION NO. \_\_\_\_\_

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON;

**RE: IN THE MATTER OF EXECUTION OF DEPARTMENT OF SOCIAL AND HEALTH SERVICES (DSHS) AND COUNTY AGREEMENT ON GENERAL TERMS AND CONDITIONS, CONTRACT #1183-25352, EFFECTIVE JULY 1, 2011 THROUGH JUNE 30, 2017**

**WHEREAS**, pursuant to RCW 36.01.010 and RCW 36.32.120, the legislative authority of each county is authorized to enter into contracts on behalf of the County and have the care of county property and management of county funds and business; and

**WHEREAS**, the Board of County Commissioners constitutes the legislative authority of Benton County and desires to enter into the attached agreement as being in the best interest of Benton County; and

**NOW, THEREFORE, BE IT RESOLVED**, the Benton County Board of Commissioners hereby approved the DSHS and County Agreement on General Terms and Conditions, Contract #1183-25352, effective July 1, 2011 through June 30, 2017.

**BE IT FURTHER RESOLVED**, the Benton County Board of Commissioners hereby authorizes the Chairman to sign said agreement on behalf of the Board.

BOARD OF COUNTY COMMISSIONERS  
BENTON COUNTY, WASHINGTON

Dated this.....day of ....., 2011

\_\_\_\_\_  
Leo Bowman, Chair

\_\_\_\_\_  
Shon Small, Chair Pro Tem

\_\_\_\_\_  
James Beaver, Member

Attest: \_\_\_\_\_  
Clerk of the Board

Originals: Benton County Commissioners  
Human Services

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>		
<b>Meeting Date:</b>  <b>Subject:</b> Amendment #09/11-SA-FSCC-02 <b>Prepared by:</b> Maria Loera, Sr. Secretary-DHS <b>Reviewed by:</b> Ed Thornbrugh, Administrator-DHS	Execute Contract <u>  X  </u> Pass Resolution <u>  X  </u> Pass Ordinance        _____ Pass Motion            _____ Other                    _____		Consent Agenda <u>  X  </u> Public Hearing        _____ 1st Discussion        _____ 2nd Discussion        _____ Other                    _____

P

**BACKGROUND INFORMATION**

In the matter of execution of Amendment #09/11-SA-FSCC-02 to provide substance abuse treatment services between Benton and Franklin Counties Department of Human Services and First Steps Community Counseling Services. This Amendment serves to extend the current underlying Agreement four (4) months. The revised Agreement End Date shall be October 31, 2011.

**SUMMARY**

**Award:** Consideration shall be Fee for Services Provided  
**Period:** July 1, 2009 through October 31, 2011  
**Funding Source:** Division of Behavioral Health and Recovery

**RECOMMENDATION**

- Sign the Resolution to accept the proposed Amendment
- Approve the proposed Amendment by signing all the copies where indicated

**FISCAL IMPACT**

Funding for the services described in this Agreement is provided by the Division of Behavioral Health and Recovery and the Department of Social and Health Services. **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 Amendment #09/11-SA-FSCC-02 with First Steps Community Counseling Services and to authorize the Chair to sign of behalf of the Board.

  
 \_\_\_\_\_  
 Signature

# JOINT RESOLUTION

Benton County Resolution No. \_\_\_\_\_

Franklin County Resolution No. \_\_\_\_\_

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY WASHINGTON AND FRANKLIN COUNTY WASHINGTON;**

**RE: IN THE MATTER OF EXECUTION OF AMENDMENT #09/11-SA-FSCC-02 TO PROVIDE SUBSTANCE ABUSE TREATMENT SERVICES BETWEEN BENTON AND FRANKLIN COUNTIES DEPARTMENT OF HUMAN SERVICES AND FIRST STEPS COMMUNITY COUNSELING SERVICES**

**WHEREAS**, this Amendment serves to extend the end date of the current underlying Agreement to October 31, 2011

**WHEREAS**, the consideration for this Amendment remains at Fee for Services Provided, NOW THEREFORE,

**BE IT RESOLVED** that the Boards of Benton and Franklin County Commissioners hereby accept the proposed Amendment; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be, and they hereby are, authorized to sign, on behalf of their respective county, Amendment #09/11-SA-FSCC-02.

Dated this . . . .day of . . . . ., 2011

Dated this . . . .day of . . . . ., 2011

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member  
Constituting the Board of County Commissioners  
of Benton County, Washington

\_\_\_\_\_  
Member  
Constituting the Board of County Commissioners  
of Franklin County, Washington

Attest: \_\_\_\_\_  
Clerk of the Board

Attest: \_\_\_\_\_  
Clerk of the Board



## PURPOSE

This Amendment serves to extend the current underlying Agreement four months. The revised **Agreement End Date shall be October 31, 2011**, unless terminated sooner as set forth in the terms and provisions of the underlying Agreement. All other provisions set out in the underlying Agreement remain in full force and effect.

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>		
<b>Meeting Date:</b>  <b>Subject:</b> Amendment #10/11-PREV-SHCN-01 <b>Prepared by:</b> Maria Loera, Sr. Secretary-DHS <b>Reviewed by:</b> Ed Thornbrugh, Administrator-DHS	<b>Execute Contract</b> <input checked="" type="checkbox"/> <b>Pass Resolution</b> <input checked="" type="checkbox"/> <b>Pass Ordinance</b> _____ <b>Pass Motion</b> _____ <b>Other</b> _____		<b>Consent Agenda</b> <input checked="" type="checkbox"/> <b>Public Hearing</b> _____ <b>1st Discussion</b> _____ <b>2nd Discussion</b> _____ <b>Other</b> _____

9.

**BACKGROUND INFORMATION**

In the matter of execution of Amendment #10/11-PREV-SHCN-01 to provide prevention services between Benton and Franklin Counties Department of Human Services and Safe Harbor Crisis Nursery. This Amendment serves to extend the end date of Agreement #10/11-PREV-SHCN-00 to October 31, 2011, and increase the consideration amount from \$36,000.00 to \$70,000.00.

**SUMMARY**

**Award:** Consideration for this Agreement Amendment is \$70,000.00  
**Period:** July 1, 2009 through October 31, 2011  
**Funding Source:** Division of Behavioral Health and Recovery

**RECOMMENDATION**

- Sign the Resolution to accept the proposed Amendment
- Approve the proposed Amendment by signing all the copies where indicated

**FISCAL IMPACT**

Funding for the services described in this Agreement is provided by the Division of Behavioral Health and Recovery and the Department of Social and Health Services. **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 Amendment #10/11-PREV-SHCN-01 with Safe Harbor Crisis Nursery and to authorize the Chair to sign of behalf of the Board.



Signature \_\_\_\_\_

# JOINT RESOLUTION

Benton County Resolution No. \_\_\_\_\_

Franklin County Resolution No. \_\_\_\_\_

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON AND FRANKLIN COUNTY, WASHINGTON;**

**RE: IN THE MATTER OF EXECUTION OF AMENDMENT #10/11-PREV-SHCN-01 TO PROVIDE PREVENTION SERVICES BETWEEN BENTON AND FRANKLIN COUNTIES DEPARTMENT OF HUMAN SERVICES AND SAFE HARBOR CRISIS NURSERY**

**WHEREAS**, this Amendment serves to extend the end date of Agreement #10/11-PREV-SHCN-00 to October 31, 2011; and

**WHEREAS**, it also serves to increase the original consideration amount from \$36,000.00 to \$70,000.00; and

**WHEREAS**, all other provisions set out in the underlying Agreement remain in full force and effect; and

**BE IT RESOLVED** that the Boards of Benton and Franklin County Commissioners hereby accept the proposed Amendment; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be, and they hereby are, authorized to sign, on behalf of their respective county, Amendment #10/11-PREV-SHCN-01.

Dated this . . . .day of . . . . ., 2011

Dated this . . . .day of . . . . ., 2011

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member  
Constituting the Board of County Commissioners  
of Benton County, Washington

\_\_\_\_\_  
Member  
Constituting the Board of County Commissioners  
of Franklin County, Washington

Attest: \_\_\_\_\_  
Clerk of the Board

Attest: \_\_\_\_\_  
Clerk of the Board



## PURPOSE

This Amendment to Agreement #10/11- PREV-SHCN-00 serves to:

1. Increase the original Consideration amount from \$36,000 to \$70,000.
2. Extend the current Agreement four months.

The revised **Agreement End Date shall be October 31, 2011**, unless terminated sooner as set forth in the terms and provisions of the underlying Agreement. All other provisions set out in the underlying Agreement remain in full force and effect.

r

AGENDA ITEM: Consent	<b>TYPE OF ACTION NEEDED</b> Executive Contract <u>xx</u> Pass Resolution <u>xx</u> Pass Ordinance Pass Motion Other	CONSENT AGENDA <u>xx</u>
MEETING DATE: B/C 06-27-11 F/C 07-06-11		PUBLIC HEARING
SUBJECT: Signature on Contract Amendment with ARAMARK Correctional Services		1ST DISCUSSION
Prepared By: Donna A. Lee		2ND DISCUSSION
Reviewed By: Sharon Paradis		OTHER

**BACKGROUND INFORMATION**

ARAMARK Correctional Services currently provides detention food services for the Benton-Franklin Counties Juvenile Justice Center. This contract amendment will adjust the duration of the contract for the term of July 1, 2011 through June 30, 2012. This amendment also revises the price per meal rate as shown in Attachment A.

**SUMMARY**

ARAMARK continues to provide for food services to the Benton-Franklin Counties Juvenile Justice Center, Detention Unit and agrees to this amendment.

**RECOMMENDATION**

We recommend that the Boards of County Commissioners approve the Food Services Contract Amendment between the Benton-Franklin Counties Juvenile Justice Center and ARAMARK Correctional Services, as written.

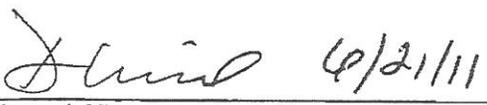
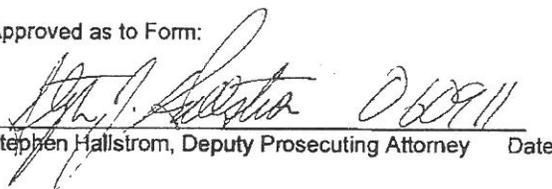
**FISCAL IMPACT**

The food service rates are included in Juvenile's 2011 approved budget.

**MOTION**

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be hereby are authorized to sign, on behalf of their respective county, the Food Services Contract Amendment between ARAMARK Correctional Services and the Benton-Franklin Counties Juvenile Justice Center.

This Amendment shall be effective upon execution by the parties.

<b>ARAMARK Correctional Services, LLC.</b> <b>ARAMARK Tower</b> 1101 Market Street Philadelphia, PA 19107	<b>Benton Franklin Counties</b> <b>Juvenile Justice Center</b> 5606 W Canal PL STE 106 Kennewick WA 99336-1388
	
<b>David Kimmel, Vice President, Finance</b> <b>Date</b>	<b>Sharon A. Paradis</b> <b>Date</b>
<p style="text-align: center;"><b>BENTON COUNTY APPROVAL</b></p> <p>Approved as to Form:</p>  <p>Stephen Hallstrom, Deputy Prosecuting Attorney      Date</p> <p>By: _____          Name: <u>Leo Bowman</u>          Title: <u>Chairman, Board of Commissioners</u></p> <p>Date: _____</p> <p>Attest: _____</p> <p>Clerk of the Board: _____</p>	<p style="text-align: center;"><b>FRANKLIN COUNTY APPROVAL</b></p> <p>Approved as to Form:</p> <p><u>Agreed Review Performed by Benton County</u>          Ryan Verhulp, Civil Deputy Prosecuting Attorney      Date</p> <p>By: _____          Name: <u>Robert Koch</u>          Title: <u>Chairman, Board of Commissioners</u></p> <p>Date: _____</p> <p>Attest: _____</p> <p>Clerk of the Board: _____</p>

ATTACHMENT A

Benton-Franklin Counties Juvenile Justice Center

July 1, 2011 – July 31, 2012

<u>Average Population</u>	<u>Meal Price without Sales Tax</u>	<u>Meal Price with Sales Tax</u> <i>(Tax Rate is 8.3%)</i>
1 – 39	\$ 4.614	\$ 4.997
40 – 49	\$ 3.714	\$ 4.022
50 – 59	\$ 3.585	\$ 3.882
60 – 70	\$ 3.526	\$ 3.637



<u>AGENDA ITEM</u>	<u>ACTION NEEDED</u>	<u>DISCUSSION TYPE</u>
Meeting Date: 27 Jun 2011 Subject: PB appointments Memo Date: 21 Jun 2011 Prepared By: AJF Reviewed By:	Execute Contract Pass Resolutions X Pass Ordinance Pass Motion Other	Consent Agenda X Public Hearing 1st Discussion 2nd Discussion Other

**SUMMARY & BACKGROUND**

Attached are seven resolutions for Board consideration, all regarding appointments to the Benton County Park Board.

- 2 of the appointments are for new members to fill the positions vacated in January.
- 2 of the appointments are re-appointments for current members whose terms had lapsed.
- 2 of the appointments are re-appointments for current members whose terms are set to expire.
- 1 of the appointments is for a new member to fill a vacancy created just this month by a resignation.

All of these appointments will allow for the full Park Board to get back onto its "normal" schedule of six-year terms that begin on July 1st and end on June 30th of the given year of their particular cycle. This is the general standard for county park boards in Washington state. The seven terms are staggered.

There were two open slots created by two resignations received earlier in 2011. The Park Board collected eight applications and interviewed four citizens for those two open positions. After the interviews, one of the sitting members felt so strongly about adding three of the four candidates instead of just two, that she announced her resignation from the Board on the spot, and made that official in writing the next night.

If confirmed, the result of the appointments would be the following:

<u>Name</u>	<u>Expires</u>
Richard Nordness	06/30/12
Michael Crowder	06/30/13
Diana Powell	06/30/13
Skip Gest	06/30/15
Bert Lake	06/30/15
Donna Raines	06/30/17
Hank Sauer	06/30/17

Each of these terms would be a six-year term thereafter.

**FISCAL IMPACT**

None.

# # #

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: 6/27/11	Execute Contract _____	Consent Agenda _____ x
Subject:	Pass Resolution _____	Public Hearing _____
Prepared by: T. Dufault	Pass Ordinance _____	1st Discussion _____
Reviewed by: M. Wenner	Pass Motion _____	2nd Discussion _____
	Other _____	Other _____

**BACKGROUND INFORMATION**

Approval of Employee of the Month for July 2011.

**SUMMARY**

**RECOMMENDATION**

Request signature from Board approving Employee of the Month for July 2011.

**FISCAL IMPACT**

**MOTION**

**BENTON COUNTY  
EMPLOYEE OF THE MONTH**

**JULY 2011**

Dear Julia Eisentrout:

Let us be the first to congratulate you on your achievement of winning the Employee of the Month Award for the month of July 2011. Your performance throughout the last month demonstrates your hard work, sincerity, and dedication in making Benton County stand out in a positive way to all other employees and to members of the public visiting or interfacing with Benton County and its services.

Benton County has taken note of and appreciates you going above and beyond in ensuring the District Court Division in the Prosecutor's Office ran smoothly during a recent period of change. You went even further than your normal duties by showing leadership and patience while training two new Rule 9 attorneys and making sure all dockets were covered during another deputy prosecutor's absence. You consistently did all of these things with a positive attitude and a smile.

This award entitles you full access to the Employee of the Month parking spot for the month of July 2011.

Please accept our sincere congratulations on your achievement.

Yours truly,

---

Elected Official

---

Commissioner Leo Bowman, Chairman

---

Commissioner Jim Beaver

---

Commissioner Shon Small

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	<u>6/27/2011</u>	Execute Contract	_____	Consent Agenda	___x___
Subject:	<u>Zee Medical</u>	Pass Resolution	___x___	Public Hearing	_____
	<u>Contract</u>	Pass Ordinance	_____	1st Discussion	_____
Prepared by:	<u>B.Perry</u>	Pass Motion	_____	2nd Discussion	_____
Reviewed by:	<u>M.Wenner</u>	Other	_____	Other	_____

**BACKGROUND INFORMATION**

Zee Medical has provided a contract for Benton County to continue providing first aid supply services. All of our buildings, and some of our vehicles are required by health and safety regulations to be supplied with necessary first aid supplies.

**SUMMARY**

N/A

**RECOMMENDATION**

N/A

**FISCAL IMPACT**

\$7000 per year for two year contract.

**MOTION**

**RESOLUTION**

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:**

**IN THE MATTER OF AUTHORIZING THE SERVICES CONTRACT BETWEEN ZEE MEDICAL, INC. AND BENTON COUNTY TO PROVIDE FIRST AID KITS AND SUPPLIES TO BENTON COUNTY FACILITIES AND VEHICLES.**

**WHEREAS**, the effective date of this agreement is June 27, 2011 through June 27, 2013; and

**WHEREAS**, the Chairman of the Board signs the service contract; and

**BE IT RESOLVED** that the Chairman of the Board of Benton County Commissioners is hereby authorized to sign the addendum to the services contract between Benton County and Zee Medical, Inc.

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

\_\_\_\_\_  
**Chairman of the Board**

\_\_\_\_\_  
**Chairman Pro-Tem**

\_\_\_\_\_  
**Member**

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

## AGREEMENT

This Agreement is effective June 22, 2011 ("Effective Date") by and between **Zee Medical, Inc.** ("ZEE") and **Benton County**, A political subdivision of the State of Washington with its principal offices located at 620 Market St., Prosser, WA 99350, (CUSTOMER"), and additional offices located at (Insert).

The parties have agreed as follows:

### **1. DESCRIPTION OF WORK:**

ZEE agrees to perform the following work for and upon the premises of CUSTOMER at the address given above, which work is described as follows:

ZEE shall provide all equipment, supervision, and supplies needed to maintain and restock all the first aid kits at the address given above once each month, in accordance with the terms of this Agreement.

### **2. WORK SCHEDULE**

Time is of the essence of this contract and ZEE agrees to perform the work with diligence, to furnish a sufficient number of skilled workmen and all necessary materials, supplies and equipment and, except for any extensions of time granted by CUSTOMER'S representative, to perform the work in compliance with the following work schedule:

ZEE will come on a set monthly schedule to be agreed upon by ZEE and CUSTOMER'S representative listed below to restock all first aid kits. If first aid kits need to be restocked more than once a month, CUSTOMER's Representative will make arrangements with ZEE to restock more frequently than once per month.

CUSTOMER's Representative(s): Bryan Perry

The term of this contract is from the effective date given above to April 30, 2013. The parties may agree to extend the term of this contract by mutual consent. Either party may terminate this contract at any time by giving the other party at least thirty (30) days' advance written notice. CUSTOMER's obligation to pay ZEE for all products delivered shall survive the expiration or termination of the contract for any reason by either party.

### **3. ZEE'S DUTY TO REPLACE**

ZEE agrees to correct or replace, free of charge or expense to CUSTOMER, any defective labor, workmanship or materials performed or furnished under this contract.

### **4. PAYMENT**

CUSTOMER agrees to pay ZEE for all products delivered by ZEE in connection with the restocking of the first aid kits (including all Federal, State and local taxes applicable to such products) as follows:



<b>AGENDA ITEM</b> <b>MTG. DATE: June 27, 2011</b> <b>SUBJECT: Reappointment to Planning Commission</b> <b>Memo Date: June 20, 2011</b> <b>Prepared By: Donna Hutchinson</b> <b>Reviewed By: Mike Shuttleworth</b>	<b><u>TYPE OF ACTION NEEDED</u></b> <b>Execute Contract</b> <b>Pass Resolution           X</b> <b>Pass Ordinance</b> <b>Pass Motion</b> <b>Other</b>	<b>Consent Agenda   X</b> <b>Public Hearing</b> <b>1st Discussion</b> <b>2nd Discussion</b> <b>Other</b>
---	---	--

**BACKGROUND INFORMATION**

Mr. Willard, member of the Benton County Planning Commission from Commissioner District #2 and Mr. Giberson, member of the Benton County Planning Commission from Commission District #3 have indicated that they wish to continue serving on the Planning Commission. Attached please find resolutions reappointing each of them to another 4-year term on the Planning Commission.

**SUMMARY**

Mr. Willard and Mr. Giberson have both indicated that they wish to be reappointed to the Planning Commission for another 4-year term.

**RECOMMENDATION**

It is the Planning Department's recommendation that the Board of County Commissioners sign the resolutions reappointing Mr. Giberson and Mr. Willard to another 4-year term on the Planning Commission.

**FISCAL IMPACT**

None

**MOTION**

A motion will need to be made to have the Chairman of the Board reappoint Mr. Giberson and Mr. Willard to another 4-year term on the Planning Commission.

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF COUNTY PLANNING RE: REAPPOINTMENT OF RICK GIBERSON TO THE BENTON COUNTY PLANNING COMMISSION.

WHEREAS, Benton County Ordinance No. 86 (as amended by Ordinance No. 181), adopted pursuant to RCW 36.70, provides for a seven-member County Planning Commission; and,

WHEREAS, RCW 36.70.080 provides for appointment of Planning Commission members by the Chairman of the Board of County Commissioners, upon approval of a majority of the Board, from nominations by individual board members, said appointment to result in equal representation among the Commissioner Districts; and,

WHEREAS the term of Rick Giberson in the Third Commissioner District expires July 1, 2011, and

WHEREAS the Third District Commissioner has nominated James Willard for reappointment, Mr. Giberson has stated his desire to continue serving, and the other members of the Board concur with the nomination,

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Benton County Commissioners reappoints Rick Giberson, to the Benton County Planning Commission, with his term expiring July 1, 2015.

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

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF COUNTY PLANNING RE: REAPPOINTMENT OF JAMES WILLARD TO THE BENTON COUNTY PLANNING COMMISSION.

WHEREAS, Benton County Ordinance No. 86 (as amended by Ordinance No. 181), adopted pursuant to RCW 36.70, provides for a seven-member County Planning Commission; and,

WHEREAS, RCW 36.70.080 provides for appointment of Planning Commission members by the Chairman of the Board of County Commissioners, upon approval of a majority of the Board, from nominations by individual board members, said appointment to result in equal representation among the Commissioner Districts; and,

WHEREAS the term of James Willard in the Second Commissioner District expires July 1, 2011, and

WHEREAS the Second District Commissioner has nominated James Willard for reappointment, Mr. Willard has stated his desire to continue serving, and the other members of the Board concur with the nomination,

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Benton County Commissioners reappoints James Willard, to the Benton County Planning Commission, with his term expiring July 1, 2015.

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

W

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>	
Meeting Date:	June 27, 2011	Execute Contract	<u>  X  </u>
Subject:	Corrections 2011-12 CBA	Pass Resolution	<u>      </u>
Prepared by:	Sarah Perry	Pass Ordinance	<u>      </u>
Reviewed by:		Pass Motion	<u>      </u>
		Other	<u>      </u>
		Consent Agenda	<u>  X  </u>
		Public Hearing	<u>      </u>
		1st Discussion	<u>      </u>
		2nd Discussion	<u>      </u>
		Other	<u>      </u>

**BACKGROUND INFORMATION**

Before the Board for approval and signature is the 2011-2012 Sheriff's Office Corrections Officers Collective Bargaining Agreement, which has been previously discussed and the significant terms of which have been previously approved by the Board.

**RECOMMENDATION**

Approve and sign the 2011-2012 Sheriff's Office Corrections Officers CBA.

**MOTION**

Move to approve and sign the 2011-2012 Sheriff's Office Corrections Officers CBA.

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

**IN THE MATTER OF 2011-2012 COLLECTIVE BARGAINING AGREEMENT BETWEEN BENTON COUNTY AND TEAMSTERS LOCAL 839, REPRESENTING THE SHERIFF'S OFFICE CORRECTIONS OFFICERS**

WHEREAS, an Agreement has been reached between the Benton County bargaining team and Local 839 for the 2011-2012 Collective Bargaining Agreement;

WHEREAS, the Benton County Board of Commissioners has previously discussed and approved the significant terms of the Agreement, **NOW THEREFORE,**

**BE IT RESOLVED** that the Benton County Board of Commissioners approve the Agreement as negotiated and are authorized to sign the same.

Dated this . . . . . day of June , 2011

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of County  
Commissioners of Benton County,  
Washington.

Attest: .....  
Clerk of the Board

Original: Local 839, PA Office, Commissioners  
c: Sheriff's Office, David Sparks, Personnel, Payroll

**2011-2012 AGREEMENT**

**Between**

**BENTON COUNTY**

**and**

**TEAMSTERS LOCAL UNION NO. 839**

**Representing the  
SHERIFF'S OFFICE CORRECTIONS OFFICERS**

Original: Local 839  
Benton County Commissioners  
PA's Office

c: Sheriff's Office  
David Sparks  
Personnel  
Payroll



**RESOLUTION**

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:**

IN THE MATTER OF COUNTY ROADS, RE: PAVEMENT MARKING 2011 - CE 1949 SMP

WHEREAS, it is the intention of the Board of County Commissioners to upgrade various County roads by the application of pavement markings; NOW, THEREFORE,

BE IT RESOLVED that the County Engineer is authorized to schedule and advertise a bid date for Pavement Marking 2011 - CE 1949 SMP.

Dated this 27th day of June 2011.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Chairman Pro-Tem

\_\_\_\_\_  
Member

Attest: \_\_\_\_\_  
Clerk of the Board

Constituting the Board of County  
Commissioners of Benton County,  
Washington

MJB:NWC:slc

Y

# RESOLUTION

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY,  
WASHINGTON:**

IN THE MATTER OF COUNTY ROADS, RE: BEAUJOLAIS ESTATES PHASE TWO AND THREE, CE 1876 CRP,

WHEREAS, plans and specifications for the above referenced project, having been signed by the County Engineer, are hereby presented for approval to the Board of County Commissioners;  
NOW, THEREFORE

BE IT RESOLVED that the plans be and hereby are approved and that the Chairman is authorized to sign Sheet One of Five for Beaujolais Estates Phase Two and Three CE 1876 CRP.

Dated this 27<sup>th</sup> day June, 2011.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Chairman Pro-Tem

\_\_\_\_\_  
Member

Attest: \_\_\_\_\_  
Clerk of the Board

Constituting the Board of County  
Commissioners of Benton County,  
Washington

SWB:lss

RESOLUTION

Z

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY,  
WASHINGTON:

IN THE MATTER OF COUNTY FRANCHISES RE: APPLICATION OF  
WHITSTRAN HEIGHTS WATER ASSOCIATION FOR A FRANCHISE TO  
CONTINUE A WATERLINE SYSTEM AND ALL FACILITIES IN COUNTY ROAD  
RIGHT OF WAY,

WHEREAS, Whitstran Heights Water Association, has applied to continue a franchise for  
a waterline system and all facilities in county road right of way, NOW, THEREFORE,

BE IT RESOLVED that a Public Hearing on the application for franchise be held on  
Monday, August 1, 2011 at 9:20 a.m. Local Time, in the Board of County Commissioners  
Meeting Room, Benton County Courthouse, 620 Market Street, Prosser, Washington.

Dated this 27<sup>th</sup> day of July, 2011.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Chairman Pro-Tem

\_\_\_\_\_  
Member

Attest: \_\_\_\_\_  
Clerk of the Board

Constituting the Board of County  
Commissioners of Benton County,  
Washington

SWB:lss

aa

## RESOLUTION

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY,  
WASHINGTON:**

IN THE MATTER OF COUNTY FRANCHISES RE: GRANTING A FRANCHISE TO  
CASCADE NATURAL GAS CORPORATION FOR A FRANCHISE FOR A NATURAL GAS  
DISTRIBUTION SYSTEM AND FACILITIES, LOCATED IN BENTON COUNTY;

WHEREAS, a public hearing was held to consider the request of Cascade Natural Gas Corporation, who has applied to continue a nonexclusive franchise for a natural gas distribution system and facilities in unincorporated Benton County, and

WHEREAS, after hearing the testimony regarding the request for a franchise, the Board finds as follows:

1. The term of the franchise shall be a ten year (10) period, expiring June 30, 2021, with an associated cost of \$500.00;
2. The Grantee is to carry liability insurance with Benton County named as an insured with a minimum limit of \$500,000.00. A copy of the proof of insurance is to be provided to Benton County yearly;
3. Placement of facilities within the right of way shall meet all requirements of Benton County as to location and repair of roads and right of way, including noxious weed control;
4. Should Benton County require utility relocation work because of road construction or maintenance, said work shall be at the Grantee's expense;
5. The franchise is nonexclusive;
6. The Grantee is to sign the Order and Agreement for Nonexclusive Franchise;

WHEREAS, Cascade Natural Gas Corporation has agreed to the terms and has signed the Order and Agreement for Nonexclusive Franchise, said Order having been approved as to form by the Prosecuting Attorney's Office, NOW, THEREFORE

BE IT RESOLVED that the franchise be approved and that the Board indicates its approval by its signatures on the Order and Agreement for Nonexclusive Franchise.

Dated this 27<sup>th</sup> day of June, 2011

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Chairman

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Chairman Pro-Tem

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Member

Attest: \_\_\_\_\_  
Clerk of the Board

Constituting the Board of County  
Commissioners of Benton County,  
Washington

SWB:lss

bb

## RESOLUTION

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY,  
WASHINGTON:**

IN THE MATTER OF COUNTY FRANCHISES RE: GRANTING A FRANCHISE TO COL SOLARE, LLP FOR A FRANCHISE FOR AN IRRIGATION SYSTEM AND FACILITIES, LOCATED IN BENTON COUNTY;

WHEREAS, a public hearing was held to consider the request of Col Solare, LLP, who has applied to continue a nonexclusive franchise for an irrigation system and facilities in unincorporated Benton County, and

WHEREAS, after hearing the testimony regarding the request for a franchise, the Board finds as follows:

1. The term of the franchise shall be a ten year (10) period, expiring May 31, 2021, with an associated cost of \$500.00;
2. The Grantee is to carry liability insurance with Benton County named as an insured with a minimum limit of \$500,000.00. A copy of the proof of insurance is to be provided to Benton County yearly;
3. Placement of facilities within the right of way shall meet all requirements of Benton County as to location and repair of roads and right of way, including noxious weed control;
4. Should Benton County require utility relocation work because of road construction or maintenance, said work shall be at the Grantee's expense;
5. The franchise is nonexclusive;
6. The Grantee is to sign the Order and Agreement for Nonexclusive Franchise;

WHEREAS, Col Solare, LLP has agreed to the terms and has signed the Order and Agreement for Nonexclusive Franchise, said Order having been approved as to form by the Prosecuting Attorney's Office, NOW, THEREFORE

BE IT RESOLVED that the franchise be approved and that the Board indicates its approval by its signatures on the Order and Agreement for Nonexclusive Franchise.

Dated this 27<sup>th</sup> day of June, 2011

---

Chairman

---

Chairman Pro-Tem

---

Member

Attest: \_\_\_\_\_  
Clerk of the Board

Constituting the Board of County  
Commissioners of Benton County,  
Washington

SWB:lss

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>		
Meeting Date:	<u>6-27-11</u>	Execute Contract	_____	Consent Agenda
Subject:	<u>Vehicle</u>	Pass Resolution	<u>  X  </u>	Public Hearing
	<u>Purchases for</u>	Pass Ordinance	_____	1st Discussion
	<u>Sheriff's Office</u>	Pass Motion	_____	2nd Discussion
Prepared by:	David V. C.	Other	_____	Other
	Petty			
Reviewed by:	Keith Mercer			

**BACKGROUND INFORMATION**

On June 6, 2011, a supplement (#11359) was approved by the Board of Benton County Commissioners to fund the creation of a Gang Task Force for the Benton County Sheriff's Office.

**SUMMARY**

The Sheriff's Office purchased three (3) 2012 Dodge Chargers that will be used exclusively for the newly created Gang Task Force from state contract #05710.

**RECOMMENDATION**

Authorize the payment for three Dodge Chargers purchased off Washington State Contract # 05710.

**SCAL IMPACT**

The total cost of the three vehicles is \$83,562.36 including WSST with a total amount not to exceed \$84,000.00 including WSST.

**MOTION**

# RESOLUTION

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON**

**IN THE MATTER OF AUTHORIZING THE PURCHASE OF VEHICLES OFF WASHINGTON STATE CONTRACT NO. 05710 FOR THE BENTON COUNTY SHERIFF'S OFFICE, KENNEWICK, WA**

**WHEREAS**, per Resolution 09-858 dated December 14, 2009 Benton County and the State of Washington, Department of General Administration, Office of State Procurement entered into an Intergovernmental Agreement with the State Purchasing Cooperative for the purpose of governmental purchasing activity; and

**WHEREAS**, Washington State Contract No. 05710 allows for the purchase of vehicles; and

**WHEREAS**, the Sheriff's Office has purchased three (3) Dodge Chargers for use with the newly created Gang Task Force; and

**WHEREAS**, the purchase price inclusive of WSST was:

Three (3) 2012 Dodge Chargers per State Contract No. 05710 for a total of \$83,562.36

**WHEREAS**, the Sheriff's Office has purchased the vehicles off Washington State Contract No. 05710; **NOW, THEREFORE**

**BE IT RESOLVED**, by the Board of Benton County Commissioners, Benton County, Washington, hereby authorizes the payment for three (3) 2012 Dodge Charger purchased off Washington State Contract No. 05710 in an amount of \$83,562.36 inclusive of WSST with the total amount not to exceed \$84,000.00 inclusive of WSST; and

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2011

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Attest: \_\_\_\_\_  
Clerk of the Board

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>		
Meeting Date:	June 27, 2011	Execute Contract	X	Consent Agenda <input checked="" type="checkbox"/>
Subject:	Inmate Phone System	Pass Resolution	X__	Public Hearing <input type="checkbox"/>
Prepared by:	<u>D. Pettey</u>	Pass Ordinance	_____	1st Discussion <input type="checkbox"/>
Reviewed by:	<u>Keith Mercer &amp; Jonathan Young</u>	Pass Motion	_____	2nd Discussion <input type="checkbox"/>
		Other	_____	Other <input type="checkbox"/>

### BACKGROUND INFORMATION

The Sheriff's Office has been using Securus Technologies, Inc for inmate phone services since 2003. Per resolution 11-179 the Sheriff's Office entered into a contract with Telmate, LLC for inmate phone services from April 1, 2011 through December 31, 2012. Telmate was not able to begin their service until June 14, 2011 due to installation delays. Per an email received by Captain Al Thompson of the Benton County Jail (see attachment), Securus agreed to continue to provide service until Telmate completed their installation.

The contract was approved to form by Civil Deputy Prosecuting Attorney Jonathan Young but not signed. This is because the contract was being reviewed by the legal department of Securus and by the time the signed contract was in my possession, Jonathan Young had severed employment with the county. After discussing the contract with Chief Deputy Prosecuting Attorney Ryan Brown, he stated that he would not be able to sign the contract because the end date of June 14, 2011 has past.

### SUMMARY

### RECOMMENDATION

The Sheriff's Office recommends entering into another contract from April 1, 2011 through June 14, 2011 with Securus Technologies, Inc. in order to pay outstanding phone card invoices.

### FISCAL IMPACT

This contract will not exceed \$20,000 in expenses.

### MOTION

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AWARDING THE CONTRACT BETWEEN SECURUS TECHNOLOGIES, INC AND BENTON COUNTY FOR INMATE PHONE SERVICES

WHEREAS, per resolution 09-814, "...that contracts for non-public works services the county need not advertise or follow a formal competitive bidding procedure, but shall instead evaluate and utilize the procedures it deems best under the individual circumstances in order to obtain services of the highest quality at the lowest cost"; and

WHEREAS, Benton County had a contract with Securus Technologies, Inc. for inmate phone services from January 1, 2011 through March 31, 2011 via Resolution 11-028; and

WHEREAS, Benton County's new vendor, Telmate was not able to begin their service until June 14, 2011 due to installation delays; and

WHEREAS, the Sheriff's Office recommends entering into another contract from April 1, 2011 through June 14, 2011 with Securus Technologies, Inc.; **NOW, THEREFORE**

**BE IT RESOLVED**, by the Board of Benton County Commissioners, Benton County, Washington, the Board concurs with the Sheriff's Office recommendation and hereby awards the personal service contract to Securus Technologies, Inc. in an amount not to exceed \$20,000.00 including WSST; and

**BE IT FURTHER RESOLVED**, that the Chairman is authorized to sign the attached personal service contract; and

**BE IT FURTHER RESOLVED**, the term of the attached contract commences April 1, 2011 and expires on June 14, 2011.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of Commissioners  
of Benton County, Washington

Attest.....

Clerk of the Board

D. Petty

ee

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	June 27, 2011	Execute Contract	<u>X</u>	Consent Agenda	<u>  X  </u>
Subject:	<u>Authorizing</u> <u>2011 Marijuana</u> <u>Eradication</u> <u>Agreement</u>	Pass Resolution	<u>X</u>	Public Hearing	<u>      </u>
Prepared by:	<u>J. Thompson</u>	Pass Ordinance	<u>      </u>	1st Discussion	<u>      </u>
Reviewed by:	<u>Ryan Brown</u>	Pass Motion	<u>      </u>	2nd Discussion	<u>      </u>
		Other	<u>      </u>	Other	<u>      </u>

**BACKGROUND INFORMATION / SUMMARY**

The Benton County Sheriff's Office has participated in the Washington State Patrol Marijuana Eradication program for several years and recently received notification that they have been awarded \$5,000 to be used towards the eradication of marijuana for the period of January 1, 2011 through November 30, 2011.

**RECOMMENDATION**

Approve attached resolution authorizing the Chairman to sign attached agreement allowing Benton County participation in the FY 11 Marijuana Eradication program.

**FISCAL IMPACT**

Revenue/Funding of \$5,000

Supplement/Budget Adjustment will not be needed.

**MOTION**

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

**IN THE MATTER AUTHORIZING THE AGREEMENT BETWEEN WASHINGTON STATE PATROL AND BENTON COUNTY WHICH WILL ALLOW THE BENTON COUNTY SHERIFF'S OFFICE TO PARTICPATE IN THE FY 2011 MARIJUANA ERADICATION PROGRAM**

**WHEREAS**, the Benton County Sheriff's Office has participated in the Washington State Patrol Marijuana Eradication program for several years; and

**WHEREAS**, the Washington State Patrol has awarded \$5,000 to be used towards the eradication of marijuana for the period of January 1, 2011 through November 30, 2011;  
**NOW, THEREFORE**

**BE IT RESOLVED**, by the Board of Benton County Commissioners, Benton County Washington, hereby approves the attached agreement between the Washington State Patrol and Benton County; and

**BE IT FURTHER RESOLVED**, that the term of the attached agreement is effective from January 1, 2011 and expires on November 30, 2011; and

**BE IT FURTHER RESOLVED**, the Board authorizes the Chairman to sign the attached agreement.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member  
Constituting the Board of County Commissioners  
of Benton County, Washington

Attest: \_\_\_\_\_

<b>WASHINGTON STATE PATROL INTERAGENCY AGREEMENT Marijuana Eradication 2011</b>		WSP Contract No. <b>C110835FED</b>	
		Other Contract No.	
This Agreement is between the State of Washington, Washington State Patrol and the Public Agency identified below, and is issued pursuant to the Interlocal Cooperation Act, chapter 39.34 RCW.			
<b>PUBLIC AGENCY NAME</b> <b>Benton County Sheriff's Office</b>		Statewide Vendor Registration Number SWW00_____ - _____	
Public Agency Location Address 7122 West Okanogan Place Bldg A Kennewick WA 99336		Public Agency Mailing Address (if different from location address) 7122 West Okanogan Place Bldg B Kennewick WA 99336	
Public Agency Contact Name Captain Clay Vannoy		Public Agency Contact Telephone (509) 735-6555	
Public Agency Contact Fax (509) 736-3895		Public Agency Contact E-mail Address clay.vannoy@co.benton.wa.us	
<b>WSP Contact Information</b>			
WSP Project Manager Name and Title Lieutenant Rich Wiley Narcotics Section		WSP Project Manager Address WSP Investigative Assistance Division PO Box 42634, Olympia WA 98504-2634	
Telephone (360) 507-0453	Fax (360) 704-2973	E-mail Address richard.wiley@wsp.wa.gov	
WSP Administrative Contact Name and Title Ms. Cindy Haider, Contracts Specialist Budget and Fiscal Services		WSP Administrative Contact Address PO Box 42602 Olympia WA 98504-2602	
Telephone (360) 596-4071	Fax (360) 596-4077	E-mail Address cindy.haider@wsp.wa.gov	
<b>Federal Assistance Information</b>			
Is the Public Agency a subrecipient of federal assistance for the purposes of this agreement?    Yes                  No		CFDA Number(s) 16.000 (For State Reporting Only)	
Federal Grant Award Name Domestic Cannabis Eradication/Suppression		Federal Grant Award Number 2011-120	
Is this agreement funded by a federal award for research and development? Yes                  No		Federal Award Year 2011	
<b>Agreement Start Date</b> <b>January 1, 2011</b>	<b>Agreement End Date</b> <b>November 30, 2011</b>	<b>Maximum Agreement Amount</b> <b>\$5,000</b>	
This Agreement, including the attached Terms and Conditions and any other documents incorporated by reference, contains all of the terms and conditions agreed upon by the parties. No other understandings or representations, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind the parties. The parties signing below warrant that they have read and understand this Agreement and have the authority to enter into this Agreement.			
<b>FOR THE WASHINGTON STATE PATROL:</b>		<b>FOR THE PUBLIC AGENCY:</b>	
WSP Signature _____	Date _____	Public Agency Signature _____	Date _____
Printed Name and Title John R. Batiste, Chief		Printed Name and Title	

APPROVED AS TO FORM BY THE OFFICE OF THE ATTORNEY GENERAL 4/26/2011

*Approved 200 to form: Ryan Brown, DPA*

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	June 27, 2011	Execute Contract	_____	Consent Agenda	___X___
Subject:	BCSO Clothing Allowance for Appointed Personnel	Pass Resolution	<u>X</u> _____	Public Hearing	_____
		Pass Ordinance	_____	1st Discussion	_____
		Pass Motion	_____	2nd Discussion	_____
		Other	_____	Other	_____
Prepared by:	<u>J. Thompson</u>				
Reviewed by:	<u>Approved by Sheriff Keane</u>				

ff

**BACKGROUND INFORMATION**

Resolution No. 06-741 authorized an annual clothing allowance of \$500 for appointed personnel, excluding Administrative Assistant, within the Benton County Sheriff's Office to be used towards uniforms and/or attire at the discretion of the Sheriff.

With the increase in uniform cost, the newly elected official and addition of new personnel requiring full uniforms, the \$500 limit to the cost of uniforms and/or attire at the discretion of the Sheriff is no longer feasible.

To be consistent with other employees whom hold a position that allows for attire at the discretion of the Sheriff, the \$500 clothing allowance should not include the cost of the required uniforms. For further consistency, the \$500 clothing allowance should be extended to include all appointed personnel.

**SUMMARY**

The Sheriff's Office recommends the \$500 annual clothing allowance for all appointed personnel not to include the cost of uniforms based on the increased cost of the required uniforms, newly elected official and staff members needing to be completely outfitted with the required uniforms as well as consistency within the office.

**RECOMMENDATION**

Approve attached resolution authorizing a \$500 annual clothing allowance for all appointed personnel of the Sheriff's Office to be used towards attire at the discretion of the Sheriff effective January 1, 2011.

Rescind Resolution No. 06-741.

**FISCAL IMPACT**

\$1,000 will be absorbed in the 2011/2012 budget.

**MOTION**

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

## IN THE MATTER OF AUTHORIZING CLOTHING ALLOWANCES FOR APPOINTED PERSONNEL WITHIN THE BENTON COUNTY SHERIFF'S OFFICE

**WHEREAS**, Resolution No. 06-741 authorized a clothing allowance for the Sheriff, Undersheriff, Patrol Captain, Corrections Captain, Civil Lieutenant and Medical Director of the Benton County Sheriff's Office to include uniforms and/or other attire at the discretion of the Sheriff; and,

**WHEREAS**, the Benton County Sheriff's Office has determined that it is no longer feasible to include the cost of uniforms in the \$500 clothing allowance; and,

**WHEREAS**, the \$500 clothing allowance will be used towards other attire at the discretion of the Sheriff; **NOW, THEREFORE**,

**BE IT HEREBY RESOLVED**, effective January 1, 2011 the annual clothing allowance for the Sheriff, Undersheriff, Administrative Assistant, Patrol Captain, Corrections Captain, Civil Lieutenant and Medical Director of the Benton County Sheriffs Office is \$500 for other attire at the discretion of the Sheriff; and

**BE IT FURTHER RESOLVED**, Resolution No. 06-741 is hereby rescinded.

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

cc: Auditor; Sheriff

J. Thompson

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: <u>July 27, 2011</u>	Execute Contract	_____
Subject: <u>Award of Bid</u>	Pass Resolution	_____
<u>11-02</u>	Pass Ordinance	_____
Prepared by: <u>Captain Vannoy</u>	Pass Motion	_____
Reviewed by: <u>J.Thompson</u>	Other	_____
<i>J. Thompson</i>		
		Consent Agenda _____
		Public Hearing _____
		1st Discussion _____
		2nd Discussion _____
		Other _____

*gg*

**BACKGROUND INFORMATION**

On 06/14/2011 at 1600 hours, two sealed bids were opened for the purchase of handguns for the Benton County Sheriffs' Office. The sealed bids were from Kesselrings Sporting goods and Smith & Wesson. The bid was for 130 handguns with a trade-in of 123 existing handguns.

The bid from Kesselrings, with the trade-in was **\$21,225**. Smith & Wesson offered a "one for one" trade for our existing handguns and a price of \$315.00 for the extra seven handguns for a total price of **\$2,205** plus tax.

No vendors were present at the bid opening.

**SUMMARY**

Smith & Wesson's total bid for the 130 replacement handguns was \$2,205.00 plus tax. Clearly the lower bid while still meeting the handgun specifications outlined in the bid packet.

**RECOMMENDATION**

The Benton County Sheriff's Office would like to order the 130 replacement handguns from Smith & Wesson for the above agreed on price.

**FISCAL IMPACT**

\$2,205.00 plus tax which will be found within the current Sheriff's Office departmental budgets.

**MOTION**

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

**IN THE MATTER OF AWARDING BID #11-02 TO SMITH & WESSON FOR THE REPLACEMENT OF SIDEARMS FOR THE BENTON COUNTY SHERIFF'S OFFICE**

**WHEREAS**, the Benton County Sheriff's office solicited bids for the purchase of sidearms for the Benton County Sheriff's Office pursuant to the provisions of RCW 36.32.250; and

**WHEREAS**, resolution 11-337 authorized the Sheriff's office to start the bid process for bid #11-02; and

**WHEREAS**, Benton County Sheriff's Office received two proposals on June 14, 2011 as provided in the Request for Bid document; and

**WHEREAS**, the two proposals were from the following organizations:

*Smith & Wesson*, Springfield, MA (see attached bid);  
*Keith Kesselring*, Burlington, WA (see attached bid); and

**WHEREAS**, the Patrol Captain and Patrol Lieutenant reviewed the bid proposals to determine which company provided the products that best suits the needs of the Benton County Sheriff's Office at the lowest possible price; and

**WHEREAS**, the Patrol Captain and Patrol Lieutenant recommend awarding the bid to Smith & Wesson; **NOW, THEREFORE**,

**BE IT RESOLVED** by the Board of Benton County Commissioners, Benton County, Washington, the board concurs with the Benton County Sheriff's office and awards the bid to Smith & Wesson for purchasing sidearms; and

**BE IT FURTHER RESOLVED** the bid from Smith & Wesson shall not exceed \$2,500 not inclusive of WSST.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2011

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Attest: \_\_\_\_\_  
Clerk of the Board

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	June 27, 2011	Execute Contract	<u>X</u>	Consent Agenda	<u>X</u>
Subject:	<u>Authorizing</u> <u>WASPC RSO</u> <u>Grant</u> <u>Agreement</u>	Pass Resolution	<u>X</u>	Public Hearing	_____
Prepared by:	<u>J. Thompson</u>	Pass Ordinance	_____	1st Discussion	_____
Reviewed by:	<u>Ryan Brown</u>	Pass Motion	_____	2nd Discussion	_____
		Other	_____	Other	_____

hh

**BACKGROUND INFORMATION**

The Washington Association of Sheriffs & Police Chiefs requested Request for Qualifications to participate in the Registered Sex Offender Address and Residency Verification Program. The Benton County Sheriff's Office submitted a Request for Qualifications and was awarded for the FY 2009, FY 2010 and FY 2011. The Benton County Sheriff's Office was once again awarded for the FY 2012 in the amount of \$132,029.94.

**SUMMARY**

The Benton County Sheriff's Office was once again awarded in the amount of \$132,029.94 for FY 2012 to be used towards the funding of a detective and other costs associated with Registered Sex Offender Address and Residency Verification Program.

**RECOMMENDATION**

Approve attached resolution authorizing the Chairman to sign the attached agreement allowing Benton County participation in the FY 2012 Registered Sex Offender Address and Residency Verification Program.

**FISCAL IMPACT**

Revenue/Funding of \$132,029.94

Supplement/Budget Adjustment will be needed.

**MOTION**

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

**IN THE MATTER AUTHORIZING THE AGREEMENT BETWEEN WASHINGTON ASSOCIATION OF SHERIFFS & POLICE CHIEFS AND BENTON COUNTY WHICH WILL ALLOW THE BENTON COUNTY SHERIFF'S OFFICE TO PARTICPATE IN THE FY 2012 REGISTERED SEX OFFENDER ADDRESS AND RESIDENCY PROGRAM**

**WHEREAS**, the Washington Association of Sheriffs & Police Chiefs requested Request For Qualifications to participate in the Registered Sex Offender Address and Residency Verification Program; and

**WHEREAS**, the Benton County Sheriff's Office submitted a Request for Qualifications and was awarded for the FY 2009, FY 2010 and FY 2011; and

**WHEREAS**, the Benton County Sheriff's Office was awarded \$132,029.94 for the FY 2012, **NOW, THEREFORE**

**BE IT RESOLVED**, by the Board of Benton County Commissioners, Benton County Washington, hereby approves the attached agreement between the Washington Association of Sheriffs & Police Chiefs; and

**BE IT FURTHER RESOLVED**, that the term of the attached agreement is effective from July 1, 2011 and expires on June 30, 2012; and

**BE IT FURTHER RESOLVED**, the Board authorizes the Chairman to sign the attached agreement.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member  
Constituting the Board of County Commissioners  
of Benton County, Washington

Attest: \_\_\_\_\_

**WASHINGTON ASSOCIATION OF SHERIFFS AND POLICE CHIEFS  
INTERAGENCY AGREEMENT  
SPECIFIC TERMS AND CONDITIONS**

Registered Sex Offender Address and Residency Verification Program

This AGREEMENT is entered into by and between the WASHINGTON ASSOCIATION OF SHERIFFS AND POLICE CHIEFS (hereinafter referred to as WASPC) and the BENTON COUNTY SHERIFF'S OFFICE (hereinafter referred to as the RECIPIENT).

- |  |  |
|--|--|
| 1. Award Recipient Name and Address:<br><b>Benton County Sheriff's Office<br/>7122 W Okanogan Pl., Bldg. A<br/>Kennewick, WA 99336</b> | 2. Contact: <b>Steven Keane</b><br>Title: <b>Sheriff</b><br>Telephone: <b>509-735-6555</b> |
| 3. Project Title<br><b>Registered Sex Offender Verification</b>  | 4. Award Period:<br><b>07/01/11 - 06/30/12</b>   |
| 5. Grant No:<br><b>RSO 11-12 Benton</b>  | 6. Funding Authority:<br><b>WASHINGTON ASSOCIATION OF<br/>SHERIFFS AND POLICE CHIEFS</b>   |
| 7. Amt. Approved<br><b>\$ 132,029.94</b>   | 8. Service Area:<br><b>Benton County</b>   |

FUNDING SOURCE

Funding for this AGREEMENT is provided to WASPC from the State of Washington. Funding awarded the RECIPIENT shall not exceed the amount shown on the award letter.

SCOPE OF SERVICES

The RECIPIENT shall use the funds awarded to meet the requirements identified in the award letter. The required quarterly report will be submitted within ten days of the end of the quarter. Funds will be disbursed in equal amounts by the end of the reporting month. Delays in report submittal or project related activities may result in disbursement of funds delay.

IN WITNESS WHEREOF, WASPC and RECIPIENT acknowledge and accept the terms of this AGREEMENT and attachments hereto, and in witness whereof have executed this AGREEMENT as of the date and year written below. The rights and obligations of both parties to this AGREEMENT are governed by the information on this Award Sheet and Letter and other documents incorporated herein.

FOR WASPC:

FOR THE RECIPIENT:

  
\_\_\_\_\_  
Name: Donald G. Pierce  
Title: Executive Director  
Date: July 1, 2011

\_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	<u>6/27/11</u>	Execute Contract	_____	Consent Agenda	<u>X</u>
Subject:	_____	Pass Resolution	<u>X</u>	Public Hearing	_____
Prepared by:	<u>Nick Kooiker</u>	Pass Ordinance	_____	1st Discussion	_____
Reviewed by:	_____	Pass Motion	_____	2nd Discussion	_____
		Other	_____	Other	_____

**BACKGROUND INFORMATION**

The Benton County Treasurer's Office is requesting the transfer of funds from the temporary help line item to supply & service related items. Our office has been perpetually trying to find new ways of producing greater results through the use of technology instead of personnel labor intensive tasks. The request for this transfer reflects this desire and would provide us with further resources enabling us to move forward with this transition.

**SUMMARY**

This line item transfer is needed in order to move forward with our department's goal of migration to a paperless office.

**COMMENDATION**

It is recommended that the board pass the resolution and approve the line item transfer.

**FISCAL IMPACT**

None.

# 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 124.

WHEREAS, the Treasurer's office would benefit from having the ability to purchase and maintain greater office technologies; NOW, THEREFORE

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: Treasurer's Office; Auditor's Office

### BENTON COUNTY LINE ITEM TRANSFER

Dept Name:  Dept Nbr:   
 Fund Name:  Fund Nbr:

TRANSFER FROM: \_\_\_\_\_ TRANSFER TO: \_\_\_\_\_

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
514.220	1905	Temporary Help	\$15,000	514.220	3101	Office Supplies	\$5,000
				514.220	4103	Professional Services	\$4,000
				514.220	4201	Postage	\$5,000
				514.220	4802	Vehicle Maintenance	\$1,000
<b>TOTAL</b>			<b>\$15,000</b>	<b>TOTAL</b>			<b>\$15,000</b>

**Explanation:**

With greater efficiencies within our department, we request the above stated line item transfer. We would like to move a portion of our personnel funding to supplies & services where we can purchase and maintain our office technology systems. These funds are a necessity in our attempt to move forward with our departmental goal of migrating to a digital and paperless office, creating even greater operational efficiencies by making the transition to technologies that reduce and/or eliminate the level of personnel required to complete the same task.

Prepared by:  Date:

Approved  Denied  Date: \_\_\_\_\_

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

9:05

**RESOLUTION**

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY,  
WASHINGTON:

IN THE MATTER OF COUNTY ROADS RE: CLODFELTER ROAD - CE 1778 CRP  
and LOCUST GROVE ROAD – CE 1838 CRP

WHEREAS, by resolution dated May 2, 2011, the County Engineer was authorized to  
schedule a bid call for CLODFELTER ROAD - CE 1778 CRP and LOCUST GROVE  
ROAD – CE 1838 CRP; and

WHEREAS, bids were received and opened on May 26, 2011; and

WHEREAS, bids are as set forth on the attached tabulation; and

WHEREAS, the low bid was submitted by Tapani Underground, Inc., Battle Ground,  
Washington; and

WHEREAS, the County Engineer recommends award of the bid to Tapani Underground,  
Inc.; NOW, THEREFORE,

BE IT RESOLVED that the contract for CLODFELTER ROAD - CE 1778 CRP and  
LOCUST GROVE ROAD – CE 1838 CRP be awarded to Tapani Underground, Inc.,  
Battle Ground, Washington in the amount of \$3,484,532.00.

Dated this 27th day of June, 2011.

\_\_\_\_\_  
Chairman.

\_\_\_\_\_  
Chairman Pro-Tem.

\_\_\_\_\_  
Member.

Attest: \_\_\_\_\_  
Clerk of the Board

Constituting the Board of County  
Commissioners of Benton County, Washington.

SWB:MJB:LJM:slc

PROJECT: CE 1778 CRP - CLODFELTER ROAD &  
 CE 1838 CRP - LOCUST GROVE ROAD  
 LOCATION: BENTON COUNTY  
 LET BY: BOARD OF COUNTY COMMISSIONERS  
 DATE: May 26, 2011; 10:30 a.m., Local Time

TAPANI UNDERGROUND, INC.  
 P O Box 1900  
 Battle Ground, WA 98604

SELLAND CONSTRUCTION,  
 INC.  
 P O BOX 119  
 Wenatchee, WA 98807-0119

APOLLO, INC  
 1133 West Columbia Drive  
 Kennewick, WA 99336

M. A. DeATLEY  
 CONSTRUCTION, INC.  
 P O Box 480  
 Clarkston, WA 99403

ROTSCHY, INC.  
 9210 NE 62nd Avenue  
 Vancouver, WA 98665

ITEM NO	ITEM DESCRIPTION	QTY.	UNIT	TAPANI UNDERGROUND, INC.		SELLAND CONSTRUCTION, INC.		APOLLO, INC		M. A. DeATLEY CONSTRUCTION, INC.		ROTSCHY, INC.	
				UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT
1	MOBILIZATION	Lump Sum	L.S.		225,000.00	Lump Sum	50,000.00	Lump Sum	282,000.00	Lump Sum	155,271.46	Lump Sum	334,692.00
2	CLEARING AND GRUBBING	Lump Sum	L.S.		1,000.00	Lump Sum	20,000.00	Lump Sum	12,000.00	Lump Sum	500.00	Lump Sum	90,000.00
3	REMOVAL OF STRUCTURES AND OBSTRUCTIONS	Lump Sum	L.S.		1,000.00	Lump Sum	2,500.00	Lump Sum	8,700.00	Lump Sum	12,500.00	Lump Sum	40,000.00
4	REMOVING WIRE FENCE	775	L.S.	1.00	775.00		1,550.00		485.00		775.00		775.00
5	ROADWAY EXCAVATION INCLUDING HAUL	626,235	C.Y.	1.20	751,482.00		1,095,911.25		901,779.40		1,127,223.00		1,252,470.00
6	EMBANKMENT COMPACTION	414,160	C.Y.	0.50	207,080.00		207,080.00		260,920.80		248,496.00		414,160.00
7	DITCH EXCAVATION INCLUDING HAUL	9,187	C.Y.	3.00	27,561.00		22,967.50		11,483.75		45,935.00		18,374.00
8	QUARRY SPALLS	9,187	C.Y.	10.50	96,483.50		55,122.00		78,069.50		82,683.00		91,870.00
9	PLAIN STEEL CULVERT PIPE 0.064 INCH THICK 12 INCH DIAMETER	1,714	L.F.	20.00	34,280.00		51,420.00		23,139.00		42,850.00		42,850.00
10	PLAIN STEEL CULVERT PIPE 0.064 INCH THICK 18 INCH DIAMETER	600	L.F.	25.00	15,000.00		21,000.00		17,700.00		24,000.00		20,400.00
11	PLAIN STEEL CULVERT PIPE 0.064 INCH THICK 24 INCH DIAMETER	584	L.F.	28.00	14,664.00		22,560.00		18,920.00		25,380.00		23,888.00
12	PLAIN STEEL CULVERT PIPE 0.064 INCH THICK 36 INCH DIAMETER	1,060	L.F.	70.00	74,200.00		63,600.00		45,050.00		53,000.00		57,240.00
13	PLAIN STEEL CULVERT PIPE 0.138 INCH THICK 60 INCH DIAMETER	1,242	L.F.	105.00	130,410.00		155,250.00		142,830.00		155,250.00		167,870.00
14	COMMERCIAL CONCRETE FOR HEADWALL	26	C.Y.	1,000.00	26,000.00		22,100.00		14,430.00		19,500.00		9,048.00
15	CRUSHED SURFACING BASE COURSE	45,240	TON	7.25	327,990.00		368,706.00		278,226.00		282,750.00		303,108.00
16	CRUSHED SURFACING TOP COURSE (Shoulders and Approaches)	27,131	TON	8.25	223,830.75		221,117.65		166,855.65		176,351.50		217,048.00
17	HMA CLASS 1/2 INCH PG 70-28	16,724	TON	63.00	1,053,612.00		886,372.00		1,050,134.36		1,080,134.36		1,103,784.00
18	ASPHALT COST PRICE ADJUSTMENT	1	CALC.	Calculated	1.00		1.00	Calculated	1.00	Calculated	1.00	Calculated	1.00
19	ESC LEAD	38	DAY	25.00	950.00		76.00		38.00		2,850.00		5,700.00
20	SEEDING, FERTILIZING, AND MULCHING	28	ACRE	1,100.00	30,800.00		36,400.00		36,400.00		33,600.00		37,900.00
21	BEAM GUARDRAIL TYPE 1	8,312.5	L.F.	17.00	141,312.50		149,625.00		157,937.50		139,234.38		141,312.50
22	BEAM GUARDRAIL FLARED TERMINAL	26	EA.	1,675.00	43,550.00		42,900.00		48,100.00		43,030.00		44,200.00
23	PAINT LINE	65,625	L.F.	0.15	9,843.75		9,843.75		9,843.75		9,843.75		8,531.25
24	PROJECT TEMPORARY TRAFFIC CONTROL STRUCTURE EXCAVATION CLASS B INCLUDING HAUL	Lump Sum	L.S.		8,000.00		5,000.00		16,000.00		50,000.00		3,000.00
25	SHORING OR EXTRA EXCAVATION CLASS B INCLUDING HAUL	3,637	C.Y.	2.50	9,092.50		1,818.50		61,829.00		14,548.00		7,274.00
26	EXCAVATION CLASS B INCLUDING HAUL	6,166	S.F.	0.50	3,083.00		3,083.00		6,166.00		4,624.50		12,332.00

PROJECT: CE 1778 CRP - CLODFELTER ROAD & CE 1838 CRP - LOCUST GROVE ROAD			TAPANI UNDERGROUND, INC.		SELLAND CONSTRUCTION, INC.		APOLLO, INC 1133 West Columbia Drive		M. A. DeATLEY CONSTRUCTION, INC.		ROTSCHY, INC.		
ITEM NO.	ITEM DESCRIPTION	QTY	UNIT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT
27	GRAVEL BACKFILL FOR PIPE ZONE BEDDING	1,123	C.Y.	12.00	13,476.00	12.00	13,476.00	11.50	12,914.50	25.00	28,075.00	13.00	14,599.00
28	REMOVING AND RESETTING WIRE FENCE	575	L.F.	7.00	4,025.00	10.00	5,750.00	1.80	1,035.00	5.00	2,875.00	2.00	1,150.00
29	ROADSIDE CLEANUP		L.S.	Lump Sum	6,000.00	Lump Sum	2,500.00	Lump Sum	13,000.00	Lump Sum	7,500.00	Lump Sum	5,000.00
30	TRIMMING AND CLEANUP		L.S.	Lump Sum	250.00	Lump Sum	2,500.00	Lump Sum	7,000.00	Lump Sum	7,500.00	Lump Sum	5,000.00
31	MINOR CHANGE	1	CALC.	Calculated	2,500.00	Calculated	2,500.00	Calculated	2,500.00	Calculated	2,500.00	Calculated	2,500.00
32	SPCC PLAN		L.S.	Lump Sum	100.00	Lump Sum	50.00	Lump Sum	100.00	Lump Sum	500.00	Lump Sum	2,000.00
33	MAILBOX SUPPORT TYPE 2	3	EA.	400.00	1,200.00	550.00	1,650.00	300.00	900.00	500.00	1,500.00	250.00	750.00
TOTAL BID					\$3,484,532.00		\$3,544,429.65		\$3,694,487.21		\$3,860,780.95		\$4,478,326.75

PROJECT: CE 1778 CRP - CLODFELTER ROAD &  
 CE 1838 CRP - LOCUST GROVE ROAD  
 BENTON COUNTY  
 LOCATION: BOARD OF COUNTY COMMISSIONERS  
 LET BY: May 26, 2011, 10:30 a.m., Local Time

ITEM NO.	ITEM DESCRIPTION	QTY.	UNIT	NORTH CENTRAL CONSTRUCTION, INC. P O Box 850 Mosses Lake, WA 98837		FOWLER GENERAL CONSTRUCTION, INC. 2161 Henderson Loop Richland, WA 99354		WILLIAMS CHARLES WEST 5920 West Clearwater Ave Suite 201 Kennewick, WA 99336		ENGINEER'S ESTIMATE	
				UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT
1	MOBILIZATION	Lump Sum	L.S.		300,000.00	Lump Sum	160,000.00	Lump Sum	230,000.00	Lump Sum	225,000.00
2	CLEARING AND GRUBBING	Lump Sum	L.S.		6,000.00	Lump Sum	30,000.00	Lump Sum	37,000.00	Lump Sum	20,000.00
3	REMOVAL OF STRUCTURES AND OBSTRUCTIONS	Lump Sum	L.S.		15,000.00	Lump Sum	40,000.00	Lump Sum	10,000.00	Lump Sum	10,000.00
4	REMOVING WIRE FENCE	775	L.S.	1.56	1,209.00		1,240.00	1.00	775.00	1.00	775.00
5	ROADWAY EXCAVATION INCLUDING HAUL	626,235	C.Y.	2.25	1,409,028.75		1,628,211.00	3.00	1,878,705.00	1.76	1,102,173.60
6	EMBANKMENT COMPACTION	414,160	C.Y.	0.70	289,912.00		207,080.00	2.25	931,860.00	0.65	269,204.00
7	DITCH EXCAVATION INCLUDING HAUL	9,187	C.Y.	6.28	57,694.36		55,122.00	8.00	73,496.00	4.25	39,044.75
8	QUARRY SPALLS	9,187	C.Y.	12.00	110,244.00		220,488.00	16.00	146,992.00	13.50	124,024.50
9	PLAIN STEEL CULVERT PIPE 0.064 INCH THICK 12 INCH DIAMETER	1,714	L.F.	21.46	36,782.44		38,993.60	20.00	34,280.00	20.00	34,280.00
10	PLAIN STEEL CULVERT PIPE 0.064 INCH THICK 18 INCH DIAMETER	600	L.F.	34.22	20,532.00		16,680.00	22.00	13,200.00	28.00	16,800.00
11	PLAIN STEEL CULVERT PIPE 0.064 INCH THICK 24 INCH DIAMETER	564	L.F.	48.00	27,072.00		18,048.00	25.00	14,100.00	38.00	21,432.00
12	PLAIN STEEL CULVERT PIPE 0.064 INCH THICK 36 INCH DIAMETER	1,060	L.F.	60.00	63,600.00		68,900.00	35.00	37,100.00	54.00	57,240.00
13	PLAIN STEEL CULVERT PIPE 0.138 INCH THICK 60 INCH DIAMETER	1,242	L.F.	146.78	182,300.76		165,186.00	110.00	136,620.00	175.00	217,350.00
14	COMMERCIAL CONCRETE FOR HEADWALL	26	C.Y.	1,300.00	33,800.00		5,200.00	1,500.00	39,000.00	800.00	20,800.00
15	CRUSHED SURFACING BASE COURSE	45,240	TON	8.25	373,230.00		615,264.00	12.00	542,880.00	5.75	260,130.00
16	CRUSHED SURFACING TOP COURSE (Shoulders and Approaches)	27,131	TON	8.75	237,386.25		434,096.00	12.00	325,572.00	6.75	183,134.25
17	HMA CLASS 1/2 INCH PG 70-28	16,724	TON	65.00	1,087,060.00		1,120,508.00	64.00	1,070,336.00	65.00	1,087,060.00
18	ASPHALT COST PRICE ADJUSTMENT	1	CALC.	Calculated	1.00	Calculated	1.00	Calculated	1.00	Calculated	1.00
19	ESC LEAD	38	DAY	125.00	4,750.00		8,740.00	160.00	6,080.00	75.00	2,850.00
20	SEEDING, FERTILIZING, AND MULCHING	28	ACRE	1,350.00	37,800.00		35,280.00	1,260.00	33,600.00	1,300.00	36,400.00
21	BEAM GUARDRAIL TYPE 1	8,312.5	L.F.	16.75	139,234.38		145,468.75	17.20	142,875.00	18.50	153,781.25
22	BEAM GUARDRAIL FLARED TERMINAL	26	EA.	1,655.00	43,030.00		44,980.00	1,620.00	42,120.00	1,800.00	46,800.00
23	PAINT LINE	65,625	L.F.	0.12	7,875.00		9,843.75	0.12	7,875.00	0.11	7,218.75
24	PROJECT TEMPORARY TRAFFIC CONTROL STRUCTURE EXCAVATION CLASS B INCLUDING HAUL SHORING OR EXTRA	Lump Sum	L.S.		15,000.00	Lump Sum	60,000.00	Lump Sum	10,000.00	Lump Sum	30,000.00
25	EXCAVATION CLASS B INCLUDING HAUL	3,637	C.Y.	7.00	25,459.00		14,184.30	10.00	36,370.00	7.50	27,277.50
26	EXCAVATION CLASS B INCLUDING HAUL	6,166	S.F.	2.75	16,956.50		5,241.10	2.00	12,332.00	0.25	1,541.50

PROJECT: CE 1778 CRP - CLODFELTER ROAD & CE 1838 CRP - LOCUST GROVE ROAD											
ITEM NO.	ITEM DESCRIPTION	QTY	UNIT	NORTH CENTRAL CONSTRUCTION, INC.		FOWLER GENERAL CONSTRUCTION, INC.		WILLIAMS CHARLES WEST		ENGINEER'S ESTIMATE	
				UNIT PRICE	BID AMOUNT	UNIT	BID AMOUNT	UNIT	BID AMOUNT	UNIT	BID AMOUNT
27	GRAVEL BACKFILL FOR PIPE ZONE BEDDING	1,123	C.Y.	25.00	28,075.00	18.00	20,214.00	22.00	24,706.00	10.00	11,230.00
28	REMOVING AND RESETTING WIRE FENCE	575	L.F.	4.25	2,443.75	2.20	1,265.00	1.50	862.50	7.00	4,025.00
29	ROADSIDE CLEANUP		L.S.	Lump Sum	8,500.00	Lump Sum	10,000.00	Lump Sum	23,000.00	Lump Sum	5,000.00
30	TRIMMING AND CLEANUP		L.S.	Lump Sum	5,000.00	Lump Sum	16,000.00	Lump Sum	32,000.00	Lump Sum	1,000.00
31	MINOR CHANGE	1	CALC.	Calculated	2,500.00	Calculated	2,500.00	Calculated	2,500.00	Calculated	2,500.00
32	SPCC PLAN		L.S.	Lump Sum	500.00	Lump Sum	500.00	Lump Sum	500.00	Lump Sum	500.00
33	MAILBOX SUPPORT TYPE 2	3	EA.	500.00	1,500.00	235.00	705.00	270.00	810.00	500.00	1,500.00
<b>TOTAL BID</b>					<b>\$4,589,436.19</b>		<b>\$5,199,339.50</b>		<b>\$5,897,647.50</b>		<b>\$4,020,073.10</b>

9:10

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: <u>6/27/2011</u>	Execute Contract _____	Consent Agenda _____
Subject: <u>Executive</u>	Pass Resolution _____	Public Hearing _____
<u>Session</u>	Pass Ordinance _____	1st Discussion _____
Prepared by: <u>B.Perry</u>	Pass Motion <u>x</u> _____	2nd Discussion _____
Reviewed by: <u>M.Wenner</u>	Other _____	Other <u>x</u> _____

**BACKGROUND INFORMATION**

*The Risk Manager requests an executive session to discuss county claim.*

**SUMMARY**

N/A

**RECOMMENDATION**

N/A

**FISCAL IMPACT**

N/A

**MOTION**

10:05

<b>AGENDA ITEM</b> <b>WORKSHOP DATE:</b> June 27, 2011 <b>SUBJECT:</b> Proposed Zoning Ordinances: Light Industrial (LI), Heavy Industrial (HI), Parks District (P), Unclassified District (U). <b>MEMO DATE:</b> June 20, 2011 <b>Prepared By:</b> Susan M. Walker <b>Reviewed By:</b> Michael Shuttleworth	<b>TYPE OF ACTION NEEDED</b> <b>Execute Contract</b> <b>Pass Resolutions</b> <b>Pass Ordinance</b> <b>Pass Motion</b> <b>Other</b>	<b>Consent Agenda</b> <b>Public Hearing</b> <b>1st Discussion</b> <b>2nd Discussion</b> <b>Other</b> X
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**BACKGROUND INFORMATION**

The Washington State Growth Management Act (36.70A) requires that counties and cities adopt zoning and other development regulations that are consistent with, and implement their adopted Comprehensive Plans. Benton County is in the process of meeting these mandates and planning staff with citizen input has prepared draft zoning ordinances and maps proposed to bring the County's zoning code into compliance with the goals and policies of the adopted Benton County Comprehensive Land Use Plan. The adoption of the new zoning districts and official zoning maps will add new chapters to Title 11 of the Benton County Code (BCC) and meet the update requirements of RCW 36.70A.130.

The Public Participation Process for the zoning ordinances and official zoning maps began with review by the County's Planning Area Committees in early 2003, and the drafts reviewed and revised over time to respond to changes in land use decisions and activities taking place in the County and to reflect changes required by state law.

On June 14, 2011, the Benton County Planning Commission held hearings regarding the ordinances and maps proposed in Group 2-B, of the 2011 Zoning Update Program. The Group 2-B ordinances include the following: Light Industrial (LI), Heavy Industrial (HI), Parks District (P), and Unclassified District (U). The Board will hold a workshop on June 27, 2011, to review the Group 2-B ordinances and maps, and consider them for adoption at a public hearing scheduled for July 11, 2011.

**SUMMARY**

**2011 Zoning Update Program Group 2-B**

The attached proposed Zoning ordinances and maps classify land into "Districts" (e.g., Light Industrial, Heavy Industrial, etc.), according to the land use designations in the County's adopted Comprehensive Plan. Each zoning district contains requirements and standards that govern the use and development of land within that district, and generally include: lot sizes, setbacks, buffers, sizes of building, etc. The zoning classification for each parcel of land is delineated on the County's proposed Official Zoning Map.

The Group 2-B zoning ordinances have been prepared to implement the County's Comprehensive Plan as required by the Growth Management Act, and created with regard to the visions, goals, and policies shared by the County residents and adopted within the Benton County Comprehensive Plan.

**PLANNING COMMISSION RECOMMENDATION**

After reviewing Planning Staff recommendations and receiving public testimony the Planning Commission voted to recommend to the Board of Commissioners approval of the Group 2-B ordinances. A copy of the Planning Commissions findings for each district is attached. A public hearing with the Board of County Commissioners has been scheduled for July 11th, 2011 to consider adoption of these ordinances.

**MOTION** - No motion necessary.

**FISCAL IMPACT** - None.

RECOMMENDATION OF THE  
BENTON COUNTY PLANNING COMMISSION

RE: In the Matter of County Planning:  
relating to an Ordinance Amendment  
adding a new district to BCC Title 11  
Light Industrial District (LI)

RECOMMENDATION,  
FINDINGS OF FACT,  
AND CONCLUSIONS

**RECOMMENDATION**

In the matter of County Planning, an ordinance amendment adding the Light Industrial District (LI) as a new district, and adding new chapter to Title 11 of the Benton County Code and adopting amendments to the Official Zoning Map(s) of Benton County showing the location and boundaries of the LI District.

**RESOLUTION**

WHEREAS, the Legal notification pursuant to RCW 36.70A.130 was given on June 2, 2011, and,

WHEREAS, those members on the Public Participation Plan Lists requesting notice were given notice by mail and email on May 31, 2011, and,

WHEREAS, Benton County has established and followed the 2011 Zoning Update Public Participation Program for the review and update of its development regulations pursuant to RCW 36.70A.130 (2), and,

WHEREAS, a public hearing was held on June 14, 2011 at 7:00 p.m., in the Hearing Room, Planning Annex, 1002 Dudley Avenue, Prosser, WA 99350; and,

WHEREAS, the following members were present: James Wetzel, Mark Reis, Rick Giberson, Darwin Crosby and Martin Sheeran; and,

WHEREAS, all those who testified and those public hearing exhibits that were received into evidence are identified into the minutes and are contained in the official record, and,

WHEREAS, the Planning Commission considered all evidence and testimony submitted and after discussion voted four members in favor, one member abstained, with two members absent, to recommend **approval** of the zoning ordinance amendments; and,

WHEREAS, the Planning Commission is entering its written findings, conclusions and recommendations concerning this matter, and is forwarding the same to the Board of County Commissioners.

**FINDINGS AND CONCLUSIONS**

1. The proposed zoning and map amendments are found to be in conformance with the visions, goals and policies of the Benton County Comprehensive Plan.

2. The Planning Commission finds the official zoning maps have been prepared to reflect and be consistent with the land use designations shown on the Land Use Maps of the adopted Benton County Comprehensive Plan.
3. The record establishes a need for the proposed zoning amendments and map to bring the development regulations into compliance with the goals and policies of the Benton County Comprehensive Plan and satisfy the update requirements of RCW 36.70A.130, and to be consistent with and forward the intent of the Growth Management Act.
4. The Planning Commission received a staff memo dated June 2, 2011 that includes a Light Industrial (LI) District ordinance and Map, staff recommendations and findings, and agrees with the information found in the staff memo.
5. Planning Commission agrees with staff proposal to include Rapid Charging Stations for electric vehicles as a use in the Light Industrial designations.
6. The Planning Commission finds the activities and uses within the Light Industrial District help to maintain the County's economic and employment base and generally involve insignificant impacts to adjacent rural properties.
7. The Planning Commission finds that the areas designated for Light Industrial use include 1,889 acres and are located in all planning areas of the County.
8. The Planning Commission finds that light industrial activities have characteristics that require large acreage ownerships that are relatively flat relief, located near the labor force, on-site utilities, and maximize the use of existing transportation facilities.
9. The Planning Commission finds the ordinance provides an appropriate list of uses within the District, review processes and development standards for siting of Light Industrial development.
10. The Planning Commission has determined that the requirements of the State Environmental Policy Act have been satisfied. A Determination of Non Significance was issued on May 18, 2011.
11. The record indicates that approval of the proposed amendments would be in the public interest as they provide the necessary requirements, standards and Map to govern the use and development of land within the Light Industrial District.

THEREFORE BE IT RESOLVED BY THE BENTON COUNTY PLANNING COMMISSION, through its chairman as authorized by motion of the Planning Commission, that these findings and conclusions for the aforementioned amendments adding the Light Industrial District (LI) as a new district to BCC Title 11 and adopting amendments to the Official Zoning Map(s) of Benton County showing the location and boundaries of the Light Industrial (LI) District be approved for transmittal to the Board of County Commissioners, with a recommendation to adopt the amendments.

  
MARTIN SHEERAN, Chairman      6/17/11  
DATE  
BENTON COUNTY PLANNING COMMISSION

RECOMMENDATION OF THE  
BENTON COUNTY PLANNING COMMISSION

RE: In the Matter of County Planning:  
relating to an Ordinance Amendment  
adding a new district to BCC Title 11  
Heavy Industrial District (HI)

RECOMMENDATION,  
FINDINGS OF FACT,  
AND CONCLUSIONS

**RECOMMENDATION**

In the matter of County Planning, an ordinance amendment adding the Heavy Industrial District (HI) as a new district, and adding new chapter to Title 11 of the Benton County Code and adopting amendments to the Official Zoning Map(s) of Benton County showing the location and boundaries of the HI District.

**RESOLUTION**

WHEREAS, the Legal notification pursuant to RCW 36.70A.130 was given on June 2, 2011, and,

WHEREAS, those members on the Public Participation Plan Lists requesting notice where given notice by mail and email on March 31, 2011, and,

WHEREAS, Benton County has established and followed the 2011 Zoning Update Public Participation Program for the review and update of its development regulations pursuant to RCW 36.70A.130 (2), and,

WHEREAS, a public hearing was held on June 14, 2011 at 7:00 p.m., in the Hearing Room, Planning Annex, 1002 Dudley Avenue, Prosser, WA 99350; and,

WHEREAS, the following members were present: James Wetzel, Mark Reis, Rick Giberson, Darwin Crosby and Martin Sheeran; and,

WHEREAS, all those who testified and those public hearing exhibits that were received into evidence are identified into the minutes and are contained in the official record, and,

WHEREAS, the Planning Commission considered all evidence and testimony submitted and after discussion voted five members in favor, with two members absent, to recommend **approval** of the zoning ordinance amendments; and,

WHEREAS, the Planning Commission is entering it's written findings, conclusions and recommendations concerning this matter, and is forwarding the same to the Board of County Commissioners.

**FINDINGS AND CONCLUSIONS**

1. The proposed zoning and map amendments are found to be in conformance with the visions, goals and policies of the Benton County Comprehensive Plan.
2. The Planning Commission finds the official zoning maps have been prepared to reflect and be consistent with the land use designations shown on the Land Use Maps of the adopted Benton County Comprehensive Plan.

3. The record establishes a need for the proposed zoning amendments and map to bring the development regulations into compliance with the goals and policies of the Benton County Comprehensive Plan and satisfy the update requirements of RCW 36.70A.130, and to be consistent with and forward the intent of the Growth Management Act.
4. The Planning Commission received a staff memo dated June 2, 2011 that includes a Heavy Industrial (HI) District ordinance and Map, staff recommendations and findings, and agrees with the information found in the staff memo.
5. Planning Commission agrees with staff proposal to include Rapid Charging Stations for electric vehicles as a use in the Heavy Industrial designations.
6. The Planning Commission finds that the areas designated for Heavy Industrial use encompass 4,038 acres and are located in the following planning areas of Benton County: Prosser-Whitstran, Kennewick-Finley, and Plymouth, and in the North portion of the City of Richland's UGA, bordering the Hanford Site, and in the Southwest portion of Kennewick's UGA south of W. 10<sup>th</sup> Ave and West of Clodfelter Rd.
7. The Planning Commission finds that Lands suited for heavy industrial activities require large acreage ownerships that are relatively flat relief, located near the labor force, and maximize the use of existing transportation facilities.
8. The Planning Commission finds that Heavy Industrial activities generally have more intense uses that may create objectionable conditions (noise, smoke, odor, etc.) to adjacent rural or urban activities and therefore located away from urban populations to limit adverse impacts upon urban and rural activities, and located in close proximity to existing industry, utilities, and transportation facilities such as rail, barge, and interstate networks.
9. The Planning Commission finds the ordinance provides an appropriate list of uses within the District, review processes and development standards for siting of Heavy Industrial development.
10. The Planning Commission has determined that the requirements of the State Environmental Policy Act have been satisfied. A Determination of Non Significance was issued on May 18, 2011.
11. The record indicates that approval of the proposed amendments would be in the public interest as they provide the necessary requirements, standards and Map to govern the use and development of land within the Heavy Industrial District.

THEREFORE BE IT RESOLVED BY THE BENTON COUNTY PLANNING COMMISSION, through its chairman as authorized by motion of the Planning Commission, that these findings and conclusions for the aforementioned amendments adding the Heavy Industrial District (HI) as a new district to BCC Title 11 and adopting amendments to the Official Zoning Map(s) of Benton County showing the location and boundaries of the Heavy Industrial (HI) District be approved for transmittal to the Board of County Commissioners, with a recommendation to adopt the amendments.

 6/17/11  
\_\_\_\_\_  
MARTIN SHEERAN, Chairman      DATE  
BENTON COUNTY PLANNING COMMISSION

RECOMMENDATION OF THE  
BENTON COUNTY PLANNING COMMISSION

RE: In the Matter of County Planning:  
relating to an Ordinance Amending  
Chapter 11.48 of BCC Title 11  
Unclassified District (U)

RECOMMENDATION,  
FINDINGS OF FACT,  
AND CONCLUSIONS

**RECOMMENDATION**

In the matter of County Planning, an ordinance amending Chapter 11.48, the Unclassified District (U) in Title 11 of the Benton County Code and adopting amendments to the Official Zoning Map(s) of Benton County showing the location and boundaries of the U District.

**RESOLUTION**

WHEREAS, Legal notification pursuant to RCW 36.70A.130 was given on June 2, 2011, and,

WHEREAS, those members on the Public Participation Plan Lists requesting notice were given notice by mail and email on May 31, 2011, and,

WHEREAS, Benton County has established and followed the 2011 Zoning Update Public Participation Program for the review and update of its development regulations pursuant to RCW 36.70A.130 (2), and,

WHEREAS, a public hearing was held on June 14, 2011 at 7:00 p.m., in the Hearing Room, Planning Annex, 1002 Dudley Avenue, Prosser, WA 99350; and,

WHEREAS, the following members were present: James Wetzel, Mark Reis, Rick Giberson, Darwin Crosby and Martin Sheeran; and,

WHEREAS, all those who testified and those public hearing exhibits that were received into evidence are identified into the minutes and are contained in the official record, and,

WHEREAS, the Planning Commission considered all evidence and testimony submitted and after discussion voted five members in favor, with two members absent, to recommend **approval** of the zoning ordinance amendments; and,

WHEREAS, the Planning Commission is entering its written findings, conclusions and recommendations concerning this matter, and is forwarding the same to the Board of County Commissioners.

**FINDINGS AND CONCLUSIONS**

1. The proposed zoning and map amendments are found to be in conformance with the visions, goals and policies of the Benton County Comprehensive Plan.
2. The Planning Commission finds the official zoning maps have been prepared to reflect and

be consistent with the land use designations shown on the Land Use Maps of the adopted Benton County Comprehensive Plan.

3. The record establishes a need for the proposed zoning amendments and map to bring the development regulations into compliance with the goals and policies of the Benton County Comprehensive Plan and satisfy the update requirements of RCW 36.70A.130, and to be consistent with and forward the intent of the Growth Management Act.
4. The Planning Commission received a staff memo dated June 2, 2011 that includes an Unclassified (U) District ordinance and Map, staff recommendations, and findings, and agrees with the information found in the staff memo.
5. The Planning Commission finds that the areas designated for the Unclassified District are located in the areas known as the Hanford Site and Hanford Reach Protection, and is approximately 429 sq. miles and designated to reflect the current clean up and energy related activities associated with the Hanford site.
6. The Planning Commission finds that within the Unclassified District, energy related uses, environmental clean-up activities, research and development industries will take place and that further revision within the district will take place as the County develops its Hanford Land Use Sub-Area Plan.
7. The Planning Commission finds the ordinance provides an appropriate list of uses within the District, review processes and development standards for siting of development.
8. The Planning Commission has determined that the requirements of the State Environmental Policy Act have been satisfied. A Determination of Non Significance was issued on May 18, 2011.
9. The record indicates that approval of the proposed amendments would be in the public interest as they provide the necessary requirements, standards and Map to govern the use and development of land within the Unclassified District.

THEREFORE BE IT RESOLVED BY THE BENTON COUNTY PLANNING COMMISSION, through its chairman as authorized by motion of the Planning Commission, that these findings and conclusions for the aforementioned amendments to Ordinance 62, Section 1, Subsection XII-A, Ordinance 135, Section 2, Ordinance 167, Section 11, Ordinance 222, Section 6, Ordinance 235, Section 8, Ordinance 371, Section 11 and BCC 11.48.010; repealing Ordinance 62, Section 1, Subsection XII-A Ordinance 110, Section 2, Ordinance 135, Section 3, Ordinance 167, Section 12 and BCC 11.48.020; and adding two new sections to Chapter 11.48 BCC and adopting amendments to the Official Zoning Map(s) of Benton County showing the location and boundaries of the Unclassified District (U) be approved for transmittal to the Board of County Commissioners, with a recommendation to adopt the amendments.

 6/17/11  
MARTIN SHEERAN, Chairman      DATE  
BENTON COUNTY PLANNING COMMISSION

RECOMMENDATION OF THE  
BENTON COUNTY PLANNING COMMISSION

RE: In the Matter of County Planning:  
relating to an Ordinance Amendment  
adding a new district to BCC Title 11  
Parks District (P)

RECOMMENDATION,  
FINDINGS OF FACT,  
AND CONCLUSIONS

**RECOMMENDATION**

In the matter of County Planning, an ordinance amendment adding the Parks District (P) as a new district, and adding new chapter to Title 11 of the Benton County Code and adopting amendments to the Official Zoning Map(s) of Benton County showing the location and boundaries of the P District.

**RESOLUTION**

WHEREAS, the Legal notification pursuant to RCW 36.70A.130 was given on June 2, 2011, and,

WHEREAS, those members on the Public Participation Plan Lists requesting notice where given notice by mail and email on May 31, 2011, and,

WHEREAS, Benton County has established and followed the 2011 Zoning Update Public Participation Program for the review and update of its development regulations pursuant to RCW 36.70A.130 (2), and,

WHEREAS, a public hearing was held on June 14, 2011 at 7:00 p.m., in the Hearing Room, Planning Annex, 1002 Dudley Avenue, Prosser, WA 99350; and,

WHEREAS, the following members were present: James Wetzal, Mark Reis, Rick Giberson, Darwin Crosby and Martin Sheeran; and,

WHEREAS, all those who testified and those public hearing exhibits that were received into evidence are identified into the minutes and are contained in the official record, and,

WHEREAS, the Planning Commission considered all evidence and testimony submitted and after discussion voted five members in favor, with two members absent, to recommend **approval** of the zoning ordinance amendments; and,

WHEREAS, the Planning Commission is entering it's written findings, conclusions and recommendations concerning this matter, and is forwarding the same to the Board of County Commissioners.

**FINDINGS AND CONCLUSIONS**

1. The proposed zoning and map amendments are found to be in conformance with the visions, goals and policies of the Benton County Comprehensive Plan.
2. The Planning Commission finds the official zoning maps have been prepared to reflect and

be consistent with the land use designations shown on the Land Use Maps of the adopted Benton County Comprehensive Plan.

3. The record establishes a need for the proposed zoning amendments and map to bring the development regulations into compliance with the goals and policies of the Benton County Comprehensive Plan and satisfy the update requirements of RCW 36.70A.130, and to be consistent with and forward the intent of the Growth Management Act.
4. The Planning Commission received a staff memo dated June 2, 2011 that includes a Parks (P) District ordinance and Map, staff recommendations and findings, and agrees with the information found in the staff memo.
5. The Planning Commission finds that the areas designated for park uses are located along the river corridors, within the UGAs, the Badger Mountain Preserve in the Richland Planning Area and in an area known as the Sunnyside Wildlife Preserve.
6. The Planning Commission finds that Lands designated for parks activities encompass 15,697 acres and are characterized as having natural, historic, or scenic qualities such as: attractive natural environments, river corridors, unique wildlife habitats, visually prominent steep slopes, and scenic vistas.
7. The Planning Commission finds that uses found in the Park District (P) include recreational opportunities such as: riverside or regional parks, trails, water activities, and historic or cultural activities along with a variety of uses allowed for short-term economic benefit such as agricultural and mining uses.
8. The Planning Commission finds the ordinance provides an appropriate list of uses within the District, review processes and development standards for siting of recreational development.
9. The Planning Commission has determined that the requirements of the State Environmental Policy Act have been satisfied. A Determination of Non Significance was issued on May 18, 2011.
10. The record indicates that approval of the proposed amendments would be in the public interest as they provide the necessary requirements, standards and Map to govern the use and development of land within the Parks District.

THEREFORE BE IT RESOLVED BY THE BENTON COUNTY PLANNING COMMISSION, through its chairman as authorized by motion of the Planning Commission, that these findings and conclusions for the aforementioned amendments adding the Parks District (P) as a new district to BCC Title 11 and adopting amendments to the Official Zoning Map(s) of Benton County showing the location and boundaries of the Parks District (P) be approved for transmittal to the Board of County Commissioners, with a recommendation to adopt the amendments.

  
MARTIN SHEERAN, Chairman      6/17/11  
DATE  
BENTON COUNTY PLANNING COMMISSION

## Mental Health Update

10:25

### **RSN Funding Formula**

Recently, the funding and fiscal operations committee of greater Columbia Behavioral Health Regional Support Network began meeting to recommend a two year budget to the board of directors and to recommend a funding formula for that same period.

Historically, special funding had come to the RSN for our regional Program for Assertive Community Treatment (PACT). The RSN then directly contracted with Lourdes Counseling Center to provide this service. Benton and Franklin Counties had no contractual standing in the agreement. Beginning this year, the state has folded funding for the PACT team into the RSN rates, it no longer exists as a separate line item. A debate had occurred as to whether or not the PACT team should continue to be funded separate from the funding allocation methodology. As the PACT team has been implemented in Benton and Franklin Counties, it was perceived that Benton and Franklin Counties would unfairly benefit from a pre formula funding of the PACT program. It was agreed that the recommendation would be made to place the funding into the formula and Benton and Franklin Counties would continue to operate the PACT team from the allocated funding.

With this agreement, it was raised that Yakima County received two contracts for residential services with payment occurring prior to the application of the funding formula. Following the logic applied to the PACT team, it was recommended that these pre formula contracts terminate and that Yakima commit to supporting them with their funding allocation.

Subsequently, the operator of the Yakima based residential services reported that there would not be sufficient funds to maintain all residential programs without additional financial support during a two-year transitional period. This would have two serious potential impacts to the RSN as a whole.

- Closing a residential service that currently serves chronically mentally ill adults needing residential support would likely place those residents at high risk for recurrence of serious symptoms and inpatient hospitalization, deepening the financial crisis for outpatient services.
- Reducing capacity of a service contractually identified as a priority service while continuing to provide low priority services within the region may lead to contract compliance issues with the state.

The operator (Central Washington Comprehensive Mental Health) has requested continuing support for residential services on the State Only funding side in the amount of \$26,000 per month in year one and \$11,000 in year two.

The operator has indicated that it would apply any future funding increases in State Only dollars to residential services, reducing the monthly support in equal amounts. While this will have an adverse funding impact on Benton and Franklin Counties over the next two years, I believe that the RSN should support this transitional plan.

- Historically, there is a precedent for transitional funding. In the recent past, the RSN moved from a “hold harmless formula” to a population based funding formula. Initially, Benton and Franklin Counties agreed to provide the transitional funding to the smaller counties for its allocation as we received the greatest benefit, but in subsequent years, the RSN applied the funding prior to the funding formula. The counties that benefitted from this were Skamania, Garfield, and Columbia.
- Residential services are a top priority. It would raise a state level contract compliance concern to terminate residential capacity while supporting lower priority services.
- We would be impacting vulnerable people that currently live in these programs.
- As a result of this process, I have learned that Benton and Franklin Counties should have access to the supported living program in Yakima County and will meet with CWCMH staff on June 22<sup>nd</sup> to discuss the referral process and access expectations. Our own providers have been hesitant to provide this service despite frequent our encouragement to do so. This may result in adding residential resources to Benton and Franklin County residents.

### **Direct Contracting**

As indicated in previous presentations, I believe it is in the Counties’ interest to allow Greater Columbia Behavioral Health to contract directly with the outpatient providers in Benton and Franklin Counties provided that the Counties retain the decision making authority over which providers and proportion if funding. The RSN is currently developing a policy to assure this authority in counties with multiple providers. The human services department would continue to receive the contract for crisis services and operate the Crisis Response Unit as it represents the counties public safety interests. Additional benefits include;

- Reduction in duplication of work.
- Faster contract processing for outpatient providers by eliminating the cumbersome bicounty legal review process.
- Reduced administrative costs by eliminating 1FTE program specialist position at the human services office ( a position that is currently vacant), allowing that funding to purchase more healthcare.
- Open the door to regional partnerships for public safety planning. (Crisis facilities)

### **“PACT GAP”**

The expiration of the special contract for PACT in our region creates a priority problem.

The PACT contract between the RSN and Lourdes expires on July 1. The RSN funding formula will move the funding into our funding allocation, however, we do not have the PACT team in the statement of work for our contract with Lourdes. Whether we ask the RSN to contract for us in the future, or we opt to continue contracting there is a gap in contracts between July 1 and October 1. I may have to approach the boards with request for onetime payment by resolution while we develop the long term solution.

### **HB 1170 Planning**

This legislative session, HB 1170 has passed offering a new type of crisis facility, “triage facility”. The state has formed a work group to develop the WAC requirements for certification of these new types of facilities.

The intent is to allow for non medical, voluntary or involuntary locked facilities where law enforcement may bring persons in distress for evaluation and care planning. I have joined this work group and am committed to advocating for WAC requirements that are as flexible as possible to allow for local planning and implementation of these models.

It is hoped that the non medical nature of the triage facility will lead it to be more affordable and open the door for a crisis center in our region.