

*June 28, 2010*

**THE BOARD OF  
BENTON COUNTY  
COMMISSIONERS  
AGENDA PACKET**

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
June 21, 2010, 8:30 a.m.  
Commissioners' Conference Room  
Benton County Courthouse, Prosser, WA

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

**Benton County Employees Present During All or a Portion of the Meeting:** Deputy Administrator Loretta Smith Kelty; Adam Fyall, Community Development Coordinator; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Facilities Manager Roy Rogers; Ed Thornbrugh, Human Services; Steve Becken and Malcolm Bowie, Public Works; GIS Manager Mary Phillips; DPA Ryan Brown; Nick Kooiker, Treasurer's Office; DPA Sarah Perry; Norm Childress, Public Works.

Workshop Agenda

Current Use Program

Commissioner Bowman asked about the report he had received on the Current Use Program. Commissioner Benitz said the Dept. of Revenue reviewed the County's policy on open space and that it met all requirements for the State.

WSAC Conference

Commissioner Bowman reported on his attendance at the WSAC conference. He said they would be abandoning the eastern and western districts and would now have meetings and committees based on subjects rather than districts. Additionally, he provided information on the annual fundraiser for the scholarship fund, consolidation of transportation, and policy changes.

Yakima River Basin Enhancement Report

Commissioner Benitz requested the Board review the Yakima River Basin Enhancement report and provide any comments to him.

### Benton Clean Air Authority

Commissioner Beaver said the Clean Air Authority was proposing a wage increase and that he told the Board he did not think was appropriate, given the current economic situation. He said the Board was having an emergency meeting tonight to approve the budget. Commissioner Benitz said the Board should remain consistent with COLA's and he would support Commissioner Beaver. Commissioner Bowman said he would support that as well, and also suggested negotiating a lesser amount.

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

### Approval of Minutes

The Special Joint Session Minutes of April 27, 2009 were approved as corrected.  
The Minutes of June 14, 2010 were approved.

### Consent Agenda

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

#### Commissioners

- a. Line Item Transfer, Fund No. 0000-101, Dept. 137
- b. Escrow Account Agreement @ Community First Bank
- c. PUD No. 1 Developer's Agreement and Application for Service
- d. Utility Easement w/Benton PUD No. 1
- e. Reappoints (5) to the Benton-Franklin Workforce Development Council
- f. Letter to Governor Gregoire on Groundwater Use and Exempt Wells

#### Human Services

- g. Professional Services Agreement, #PSA-2010/11-ESD w/Educational Service District 123
- h. Professional Services Agreement, #PSA-2010-KPD-00 w/Kennewick Police Department
- i. Travel Expense Reimbursement

#### Office of Public Defense

- j. Interlocal Agreement w/City of Richland for District Court Indigent Defense Services

#### Parks

- k. State Land Use Agreement Amendment w/Dept of Fish and Wildlife

#### Personnel

- l. Line Item Transfer, Fund No. 0504-101, Dept. 000

#### Public Works

- m. Lease Agreement w/Ben Franklin Transit for Use of Prosser Maintenance Facility

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

## **GIS 2009 Annual Report / 2010 Strategic Plan**

Mary Phillips provided a written 2009 Annual Report and 2010 Strategic Plan and briefly discussed the following 2010 goals:

- Digital data access
- Web mapping deployment
- In-house GIS training
- Imagery base enhancement
- Local GIS group participation
- GIS feature enhancement

### **Letter to Port of Moses Lake**

Mr. Fyall presented a letter to Port of Moses Lake supporting the inclusion of Benton County into the expanded service area of Foreign Trade Zone 203. Commissioner Bowman asked about the involvement of other cities and ports, etc. and requested a copy of the letter be sent to the other entities.

**MOTION:** Commissioner Benitz moved to approve the Chairman to sign the letter supporting the inclusion of Benton County within the service area of foreign trade zone 203. Commissioner Bowman seconded and upon vote, the motion carried.

### **Executive Session – Union Negotiations**

The Board went into executive session at 9:30 a.m. for approximately 10 minutes with DPA Sarah Perry to discuss union negotiations. Also present were David Sparks, DPA Ryan Brown, Melina Wenner, Steve Becken, Malcolm Bowie, Loretta Smith Kelty, and Cami McKenzie. The Board came out at 9:38 a.m. Ms. Perry stated the Board discussed union negotiations and no decisions were made.

### **Unscheduled Visitors**

#### **Public Works – Traffic Paint Issue**

Norm Childress updated the Board on a nationwide shortage of traffic paint and wanted to alert them it could take between three weeks and six months before the paint was available. He said that Benton County had been able to stripe the roads every year so they were not in bad shape but the concern was the seal coat.

The Board agreed to have Public Works work with the press to notify the public of the issue.

Commissioner Bowman asked about the weeds on the side of the roads. Steve Becken said that Benton County was still spraying, but there was a problem this year due to the amount of rain.

## Claim for Damages

CC 2010-08: Received on June 21, 2010 from Juan Trujillo Lara

## Vouchers

Check Date: 06/15/2010  
Payroll Draw Deductions  
Taxes #: 10110064  
Total all funds: \$35,018.92

Check Date: 06/15/2010  
Payroll Draw  
Warrant #: 230647-230673  
Direct Deposit #: 55057-55261  
Total all funds: \$113,982.89

Check Date: 06/18/2010  
Warrant #: 12394-12644  
Total all funds: \$908,775.44

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

## Resolutions

- 10-344 Line Item Transfer, Fund No. 0000-101, Dept. 137
- 10-345 Escrow Account Agreement @ Community First Bank
- 10-346 PUD No. 1 Developer's Agreement and Application for Service
- 10-347 Utility Easement w/Benton PUD No. 1
- 10-348 Reappointment of Carl Adrian to the Workforce Development Council
- 10-349 Reappointment of Lisa Bunch to the Workforce Development Council
- 10-350 Reappointment of Curt Freed to the Workforce Development Council
- 10-351 Reappointment of John Merk to the Workforce Development Council
- 10-352 Reappointment of Todd Samuel to the Workforce Development Council
- 10-353 Professional Services Agreement, #PSA-2010/11-ESD w/Educational Service District 123
- 10-354 Professional Services Agreement, #PSA-2010-KPD-00 w/Kennewick Police Department
- 10-355 Interlocal Agreement w/City of Richland for District Court Indigent Defense Services
- 10-356 State Land Use Agreement Amendment w/Dept of Fish and Wildlife
- 10-357 Line Item Transfer, Fund No. 0504-101, Dept. 000
- 10-358 Lease Agreement w/Ben Franklin Transit for Use of Prosser Maintenance Facility

There being no further business before the Board, the meeting adjourned at approximately 9:50 am.

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Clerk of the Board

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Chairman

9

# RESOLUTION

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

**IN THE MATTER OF AUTHORIZING THE SERVICES CONTRACT BETWEEN AUTOMATIC FUNDS TRANSFER SERVICES AND THE BENTON COUNTY ASSESSOR TO PROVIDE FORMATTING, PRINTING, AND MAILING OF THE BENTON COUNTY CHANGE OF VALUE AND NEW CONSTRUCTION NOTICES**

**WHEREAS**, per resolution 04-534 dated November 15, 2004 all contracts for non-public works services need not advertise or follow a formal competitive bidding procedure, and

**WHEREAS**, the Benton County Assessors is required to send out notices for revaluation and new construction within Benton County; and

**WHEREAS**, the Benton County Assessors received a proposal from Automatic Funds Transfer Services, Seattle, WA to provide the formatting, printing, and mailing of said notices for a unit price, further described Exhibit 1 attached hereto, and postage at cost; and

**WHEREAS**, the Benton County Assessor recommends entering into a service contract with Automatic Funds Transfer Services, Seattle, WA for a contract amount not to exceed \$10,000 including WSST, with said service contract expiring one (1) year from the date of its execution, **NOW, THEREFORE**

**BE IT RESOLVED** by the Board of Benton County Commissioners, Benton County, Washington, the Board hereby agrees with the recommendation to enter into a service agreement with Automatic Funds Transfer Services to provide necessary services for the formatting, printing and mailing of the revaluation and new construction notices for a contract amount not to exceed \$10,000 including WSST; and

**BE IT FURTHER RESOLVED**, the Board of Benton County Commissioners is hereby authorized to sign said service contract attached hereto.

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

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

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

\_\_\_\_\_  
Member

Attest: .....  
Clerk of the Board

Constituting the Board of County  
Commissioners of Benton County,  
Washington

**PERSONAL SERVICES CONTRACT  
TERMS AND CONDITIONS**

THIS CONTRACT is made and entered into by and between BENTON COUNTY, a political subdivision, with its principal offices at 620 Market Street, Prosser, WA 99350 (hereinafter "COUNTY"), and AUTOMATIC FUNDS TRANSFER SERVICES ("AFTS"), with its principal offices at 151 S. Lander, #C, Seattle, WA 98134, (hereinafter "CONTRACTOR").

In consideration of the mutual benefits and covenants contained herein, the parties agree as follows:

**1. CONTRACT DOCUMENTS**

This Contract consists of the following documents:

a. **EXHIBIT "1"** which delineates the terms of the agreement with respect to printing services to be provided by the CONTRACTOR, mailing services to be provided by the CONTRACTOR, and pricing for the services provided in accordance with this CONTRACT.

**2. DURATION OF CONTRACT**

The term of this Contract shall begin immediately upon execution by the COUNTY, and shall expire one (1) year from the date of its execution. The CONTRACTOR shall complete all work by the time(s) specified herein, or if no such time is otherwise specified, no later than the expiration date.

**3. SERVICES PROVIDED**

The CONTRACTOR shall perform the following services:

- a. A detailed description of the services to be performed by the CONTRACTOR is set forth in **Exhibit "1"** which is attached hereto and incorporated herein by reference.
- b. The CONTRACTOR agrees to provide its own labor and materials. Unless otherwise provided for in the Contract, no material, labor, or facilities will be furnished by the COUNTY.
- c. The CONTRACTOR shall perform the work specified in the Contract according to standard industry practice.

Leo Bowman  
District 1  
Max Benitz, Jr.  
District 2  
James Beaver  
District 3

Board of County Commissioners  
BENTON COUNTY

David Sparks  
County Administrator

Loretta Smith Kelty  
Deputy County Administrator



June 28, 2010

Ms. Lisa Roundy, 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, 2009 through December 31, 2009.

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.

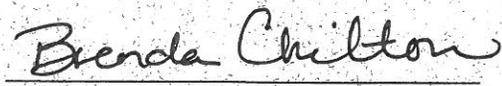
5. We have made available to you all:
  - a. Financial records and related data.
  - b. Minutes of the meetings of the Board of Commissioners or summaries of actions of recent meetings for which minutes have not yet been prepared.
6. There have been no communications from regulatory agencies concerning 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.

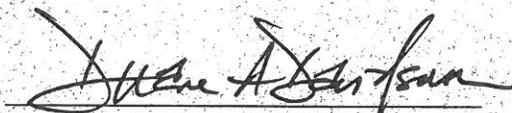
15. We have complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance. The attached letters describe any allegations to the contrary made by third parties of which we are aware.
16. We are not aware of any impending 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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James Beaver  
Chairperson,  
Board of County Commissioners

  
Brenda Chilton  
Benton County Auditor

  
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 28, 2010, to the Board of County Commissioners from Ryan Brown, Chief Civil Deputy: RE: Letter of Representation and Pending Litigation.
2. Letter dated June 28, 2010, to the Board of County Commissioners from Melina Wenner, Risk Manager RE: Letter of Representation and Claims Update.

C

# RESOLUTION

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

**IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE CONTRACT FOR E-911 WITH THE WASHINGTON STATE MILITARY DEPARTMENT**

**BE IT RESOLVED** that James R. Beaver, Chairman of the Board of Benton County Commissioners, is hereby authorized to sign the E-911 Contract.

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

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

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

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

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

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

**Washington State Military Department  
CONTRACT FACE SHEET**

1. Contractor Name and Address: <b>Benton County 651 Truman Avenue Richland, Washington 99352</b>	2. Contract Amount: <b>\$22,000</b>	3. Contract Number <b>E11-020</b>
4. Contractor's Contact Person, phone number: <b>James Barber / 509.628.8595 j.barber@bces.wa.gov</b>	5. Contract Start Date <b>July 1, 2010</b>	6. Contract End Date <b>February 28, 2011</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>94-567-1287</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>71281; 71282      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>15</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 the extent of available funds, provide reimbursement to the Contractor (County) for certain approved incurred eligible Coordinator Professional Development, Operational, and Year End Supplemental expenses as described in AC 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 _____ James R. Beaver, Chairman Board of County Commissioners for Benton County
APPROVED AS TO FORM: Brian E. Buchholz (signature on file) 3/12/2010 Assistant Attorney General	

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# RESOLUTION

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

**IN THE MATTER AUTHORIZING THE CHAIRMAN OF THE BOARD OF BENTON COUNTY COMMISSIONERS TO SIGN THE UIC STORMWATER WELL REGISTRATION FORM FROM THE DEPARTMENT OF ECOLOGY FOR THE ANIMAL CONTROL FACILITY PROJECT**

**WHEREAS**, Benton County is in the beginning stages of the construction for the new Benton County Animal Control Facility and the City of Kennewick is requiring the drywells on the project to be registered; **NOW, THEREFORE**

**BE IT RESOLVED**, the Board of Benton County Commissioners, Benton County, Washington, hereby authorizes the Chairman of the Board to sign the UIC Stormwater Well Registration Form from the Washington Department of Ecology.

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



## UIC Stormwater Well Registration Form Industrial or Commercial Facilities

*Please send completed forms to: UIC Coordinator, Water Quality Program, WA Department of Ecology  
P.O. Box 47600, Olympia, WA 98504-7600*

### A. Facility Name and Location

Facility Name: Benton County Animal Shelter  
 Address: 1116 N Grant Court  
 PO Box: \_\_\_\_\_  
 City: Kennewick State: WA ZIP: 99336  
 Phone at the facility: 509-222-3710  
 County: ~~Franklin~~ Benton  
 Township, Range, Section, Quarter: 09N-29E-33-NW

### B. Contact Information

**Well Owner**

Name: Roy Rogers  
 Organization: Benton County Facilities Department  
 Address: 7122 W Okanogan Place  
 PO Box: \_\_\_\_\_  
 City: Kennewick  
 State: WA ZIP: 99336  
 E-mail: Roy.Rogers@CO.Benton.WA.US  
 Phone: 509-222-3710

**Property Owner**

Same as Well Owner  If not:

Name: \_\_\_\_\_  
 Organization: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 PO Box: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
 E-mail: \_\_\_\_\_  
 Phone: \_\_\_\_\_

**Technical Contact Person**

Same as Well Owner  If not:

Name: Scott Rivas  
 Organization: DCI Engineers Inc..  
 Address: 601 W Riverside Ave, Suite 600  
 PO Box: \_\_\_\_\_  
 City: Spokane  
 State: WA ZIP: 99201  
 E-mail: srivas@dci-engineers.com  
 Phone: 509-455-4448

### C. Facility Description

List the Primary Standard Industrial Classification Code (SIC) or NAIC Code for you facility  
 (<http://www.census.gov/epcd/www/naics.html>)

SIC Code: 8999 NAIC Code: \_\_\_\_\_

Zoning: Commercial

Facility wastewater: Connected to a public sewer

Site Drinking Water Source: Public Water Supply

Briefly describe the type or nature of business at this facility:  
It is an animal shelter. For the County dog catcher.

Was this site ever a toxic cleanup site?  Yes  No

# RESOLUTION

## BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WA

### IN THE MATTER OF AWARDING JANITORIAL SERVICES AT THE BENTON COUNTY JUSTICE CENTER, BENTON COUNTY CORONER'S OFFICE & BENTON COUNTY HEALTH DISTRICT BUILDING

**WHEREAS**, as per Resolution 10-279 dated May 17, 2010 the Board of Benton County Commissioners approved the Invitation to Bid for the Janitorial Services for the locations of the Benton County Justice Center, Benton County Coroner's Office, and Benton County Health District Building; and

**WHEREAS**, sealed bids were received until 1:30 PM on June 9, 2010 at the Benton County Justice Center in the Commissioners Board Room; and

**WHEREAS**, one bid was delivered by the Security Manager after 3:00 PM on June 9, 2010; which was from Vanguard Cleaning Systems, Spokane, WA and was not considered until after we realized that the packet had reached the Benton County Justice Center at 10:56 AM and was inadvertently put in the mail room for distribution; and

**WHEREAS**, the following were the results of all sealed bids received:

1. ABM Janitorial Services, Kennewick, WA
  - a. 811.5 hours: \$156,900.00 (not including WSST) – (approx. \$193.35/hr)
2. Varsity Contractors, Inc., Boise, ID
  - a. 834 hours: \$162,000.00 (not including WSST) – (approx. \$194.24/hr) – No Bid Bond
3. 4M Janitorial Supply LLC, Pasco, WA
  - a. 344 hours: \$167,184.00 (not including WSST) – ( approx. \$324.00/hr)
4. Del Sol, Inc, Pasco, WA
  - a. 470 hours: \$193,054.20 (not including WSST) – (approx. \$228.47/hr)
5. Vanguard Cleaning Systems, Spokane, WA
  - a. 999 hours: \$107,968.00 (not including WSST) – approx. 108.08/hr) – No Bid Bond

**WHEREAS**, the Benton County Deputy Administrator and Facilities Manager reviewed the proposals and though Vanguard Cleaning Systems appears to be the lowest bidder, they failed to submit the required 5% bid bond and the bid packet that was submitted was incomplete in various areas; which disqualified them; and

**WHEREAS**, AMB Janitorial Services, Kennewick, WA – Contractors License No. ABMJAS\*963QQ was the next lowest responsive bidder and provided all necessary bid documents with an annual bid amount of \$156,900.00 not including WSST per each year this contract is in place; **NOW, THEREFORE**

**BE IT RESOLVED** by the Board of Benton County Commissioners, Benton County, Washington, the Board hereby agrees to move forward with the award of janitorial services at the Benton County Justice Center, Benton County Coroner's Office, and Benton County Health District to ABM Janitorial Services for an annual contract amount of \$156,900.00 (not including WSST) as the lowest responsible bidder; and

**BE IT FURTHER RESOLVED**, the Board hereby authorizes personnel to prepare a contract between Benton County and ABM Janitorial Services for said contract amount and be placed on the consent agenda at a later date for the Chairman's signature.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2010

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

\_\_\_\_\_  
Member

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

\_\_\_\_\_  
Member

Constituting the Board of County  
Commissioners of Benton County,

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# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE LEASE AMENDMENT BETWEEN BENTON COUNTY AND CPM DEVELOPMENT CORPORATION, D/B/A CENTRAL PRE-MIX CONCRETE CO. AND AMENDING THE LEASE AGREEMENT APPROVED BY RESOLUTION 08-545

**WHEREAS**, per Resolution 08-545 Benton County and CPM Development Corporation entered into a Lease Agreement for the purposes of allowing CPM Development Corporation to (a) enter upon and remove sand and gravel from the Premises, and (b) operate a rock, sand, and gravel crushing, sorting, and washing operation; and

**WHEREAS**, the parties wish to amend the Lease Agreement terms and conditions so that, in addition to the other rights and duties conferred within the Lease Agreement, CPM Development Corporation is permitted to engage in water truck training and loader training along with authorized employees and agents of Washington Idaho Teamsters Construction Welfare Trust ("Teamsters") on the Premises during the months of June 2010 and July 2010 without increased burden or risk to Benton County; and

**WHEREAS**, the Finance Manager and the Deputy County Administrator recommend approving the Lease Amendment; **NOW THEREFORE**

**BE IT RESOLVED**, by the Board of Benton County Commissioners, Benton County, Washington, the Board concurs with the Finance Manager and Deputy County Administrator's recommendation and hereby authorizes the Chairman of the Board to sign the attached Lease Amendment; and

**BE IT FURTHER RESOLVED**, the Lease Agreement approved by Resolution 08-545 is hereby amended.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of Commissioners  
of Benton County, Washington.

Attest.....  
Clerk of the Board

Orig Commissioners  
cc: Auditor, R. Ozuna, CPM

Prepared by: K Mercer

## LEASE AMENDMENT

**THIS LEASE AMENDMENT** is made and entered into this 21<sup>ST</sup> day of JUNE, 2010 by and between Benton County, Washington hereinafter called "LESSOR" and CPM Development Corporation hereinafter called "LESSEE".

**WHEREAS**, per Resolution 08-545 the parties entered into a Lease Agreement for the purposes of allowing LESSEE to (a) enter upon and remove sand and gravel from the Premises, and (b) operate a rock, sand, and gravel crushing, sorting, and washing operation; and

**WHEREAS**, the parties wish to amend the Lease Agreement terms and conditions so that, in addition to the other rights and duties conferred within the Lease Agreement, LESSEE is permitted to engage in water truck training and loader training along with authorized employees and agents of Washington Idaho Teamsters Construction Welfare Trust ("Teamsters") on the Premises during the months of June 2010 and July 2010 without increased burden or risk to LESSOR;

**NOW, THEREFORE**, in consideration of the payments, provisions, and agreements set forth in the Lease Agreement, the parties agree as follows:

1. The following shall be added to Section 2. Purpose:

The Premises may also be used by LESSEE and authorized agents and employees of Washington Idaho Teamsters Construction Welfare Trust ("Teamsters") for water truck training and loader training in the months of June 2010 and July 2010. No material shall be removed from the Premises and all material used for practice shall be returned to their original location. The maximum number of trainees on the Premises at one time shall be six (6). An instructor, with qualifications meeting or exceeding industry standards for the type of training performed, shall be present during all operating times.

2. The following shall be added to Section 21. Indemnity and Hold Harmless

e) The LESSEE shall hold harmless, indemnify and defend the LESSOR, its officers, officials, employees and agents, from and against any and all claims, actions, suits, liability, loss, expenses, damages, and judgments of any nature whatsoever, including reasonable costs and attorneys' fees in defense thereof, for injury, sickness, disability or death to persons or damage to property or business, caused by or arising out of the acts, errors or omissions of agents or employees of Washington Idaho Teamsters Construction Welfare Trust ("Teamsters") while Teamsters are acting under, or pursuant to, this Lease Amendment.

3. All other terms and conditions remain the same.

**BENTON AND FRANKLIN COUNTIES  
ACTION SUMMARY COVER SHEET**

COPY

AGENDA ITEM	TYPE OF ACTION NEEDED	
<b>Adoption of Provider Network Business Plan</b>	<input checked="" type="checkbox"/> Execute Contract	<input checked="" type="checkbox"/> Consent Agenda
	<input checked="" type="checkbox"/> Pass Resolution	<input type="checkbox"/> Public Hearing
Prepared By: Carol Carey	<input type="checkbox"/> Pass Ordinance	<input type="checkbox"/> 1 <sup>st</sup> Discussion
	<input type="checkbox"/> Pass Motion	<input type="checkbox"/> 2 <sup>nd</sup> discussion
	<input type="checkbox"/> Other	<input type="checkbox"/> Other

**BACKGROUND INFORMATION**

The Greater Columbia Behavioral Health has requested mental health agencies in each member county to submit a business plan in a provided format. This business plan shall become a metric of provider performance. The Department of Human Services has consolidated the provider plans into a county business plan document. This document has been reviewed by the Boards of County Commissioners of Benton and Franklin Counties.

**RECOMMENDATION**

- Sign the resolution to accept the Provider Business Plan

**FISCAL IMPACT**

**There is no impact on the current expense budget.**

**MOTION**

To accept and sign the Resolution accepting the Provider Business Plan and authorize the Chairs of each county to sign on behalf of the Board.

# JOINT RESOLUTION

Benton County Resolution # \_\_\_\_\_

Franklin County Resolution # \_\_\_\_\_

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

**IN THE MATTER OF EXECUTION OF THE SUBMISSION OF A BENTON AND FRANKLIN COUNTIES PROVIDER BUSINESS PLAN TO GREATER COLUMBIA BEHAVIORAL HEALTH REGIONAL SUPPORT NETWORK**

**WHEREAS**, Greater Columbia Behavioral Health, has requested mental health provider agencies in each member county to submit a business plan in a provided format; and

**WHEREAS**, the approved business plan shall become a metric of provider performance; and

**WHEREAS**, the Department of Human Services has consolidated the provider plans into a county business plan document; and

**WHEREAS**, the Boards of County Commissioners of Benton and Franklin Counties reviewed the Benton and Franklin Counties Provider Network Business Plan; NOW THEREFORE;

**BE IT RESOLVED** that the Boards of Benton and Franklin County Commissioners hereby accept the proposed Benton and Franklin Counties Provider Network Business Plan; and

**BE IT FURTHER RESOLVED** that the Department of Human Services shall notify Greater Columbia Behavioral Health of the Boards of Benton and Franklin Counties acceptance of this Benton and Franklin Counties Provider Network Business Plan.

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

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

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Chair Pro-tem

\_\_\_\_\_  
Chair Pro-tem

\_\_\_\_\_  
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

AGENDA ITEM: <u>Consent</u>	<u>TYPE OF ACTION NEEDED</u> Executive Contract	Consent Agenda <u>xx</u>
MEETING DATE: B/C 06-28-10	Pass Resolution <u>XX</u>	Public Hearing
SUBJECT: Line Item Transfer	Pass Ordinance	1st Discussion
Prepared By: Donna A. Lee	Pass Motion	2nd Discussion
Reviewed By: Sharon Paradis	Other	Other

**BACKGROUND INFORMATION**

This line item transfer is requesting to move \$2,000 from Professional Services Line Item 4103 to Repair & Maintenance Line Item 9802. Services were provided interdepartmentally therefore should be coded differently to more accurately reflect line item description in the BARS Manual. Request to move \$30 from Professional Services Line Item 4103 to Building Lease Line Item 9502, line item was originally under-funded. Request to move \$230 from Professional Services Line Item 4103 to Data Processing Admin. Line Item 9101 to cover cost of additional GotoMyPC license to support staff working in the field. Requesting approval to move \$1,500 from Professional Services Line Item 4103 to Background Checks - WSP Line Item 5121, this line item more accurately reflects the line item description in the BARS Manual for the services performed. Requesting approval to move \$23,500 from Line Item 1724 (Detention Officer) to Line Item 1624 (Detention Officer). Duties reorganized due to staff turnover and required layoffs due to budget cuts. Line Item 1724 will remain unfunded.

**SUMMARY**

These line item transfers shift dollars from line item 4103 'Professional Services' to line item 9802 'Repair & Maintenance'; from line item 4103 'Professional Services' to line item 9502 'Building Lease'; from line item 4103 to line item 9101 'Data Processing Admin.'; from line item 4103 'Professional Services' to line item 5121 'WSP'; and from line item 1714 'Detention Officer' to line 1624 'Detention Officer'.

**RECOMMENDATION**

We recommend that the Boards of Commissioners of Benton County sign the Resolution authorizing the transfers of funds.

**FISCAL IMPACT**

The budget amount is included in the approved Operations Department 171.

**MOTION**

I move that the Boards of Commissioners of Benton County sign the Resolution for Line Item Transfer.

# RESOLUTION

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

**IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN JUVENILE FUND NUMBER 0115-101, DEPARTMENT NUMBER 171 - Operations, and**

**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 June, 2010

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

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of County  
Commissioners of Benton County,  
Washington

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

**EXHIBIT A  
LINE ITEM TRANSFERS**

Department: Operations

Department No: 171

Fund Name: Juvenile Justice Center

Fund: 0115-101

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
527-100	4103	Professional Services	\$2,000	527-100	9802	Repair & Maintenance	\$2,000
527-100	4103	Professional Services	\$30	527-100	9502	Building Lease	\$30
527-100	4103	Professional Services	\$230	527-100	9101	Data Processing Admin.	\$230
527-100	4103	Professional Services	\$1,500	527-100	5121	Background Checks - WSP	\$1,500
527-100	1724	Detention Officer	\$23,500	527-100	1624	Detention Officer	\$23,500
<b>Totals</b>			<b>\$27,260</b>	<b>Total</b>			<b>\$27,260</b>

**EXPLANATION:**

Requesting approval to move \$2,000 from Professional Services Line Item 4103 to Repair & Maintenance Line Item 9802. Services were provided interdepartmentally therefore should be coded differently to more accurately reflect line item description in the BARS Manual. Request to move \$30 from Professional Services Line Item 4103 to Building Lease Line Item 9502, line item was originally underfunded. Request for move \$230 from Professional Services Line Item 4103 to Data Processing Admin. Line Item 9101 to cover cost of additional GoToMyPC license to support staff working in the field. Requesting approval to move \$1,500 from Professional Services Line Item 4103 to Background Checks - WSP Line Item 5121, this line item more accurately reflects the line item description in the BARS Manual for the services performed. Requesting approval to move \$23,500 from Line Item 1724 (Detention Officer) to Line Item 1624 (Detention Officer). Duties reorganized due to staff turnover and required layoffs due to budget cuts. Line item 1724 will remain unfunded.

Prepared by \_\_\_\_\_

*Jennifer Bowe*  
Jennifer Bowe, Administrative Services Manager

Date

6/22/2010

Authorized by \_\_\_\_\_

*Sharon Paradis*  
Sharon Paradis, Administrator

Date

6/22/2010

Approved  Denied

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

AGENDA ITEM: <u>Consent</u>	<u>TYPE OF ACTION NEEDED</u> Executive Contract	Consent Agenda <u>xx</u>
MEETING DATE: B/C 06-28-10	Pass Resolution <u>XX</u>	Public Hearing
SUBJECT: Line Item Transfer	Pass Ordinance	1st Discussion
Prepared By: Donna A. Lee	Pass Motion	2nd Discussion
Reviewed By: Sharon Paradis	Other	Other

**BACKGROUND INFORMATION**

This line item transfer is requesting to move \$2,600 from Professional Services LI 4103 to LI 3502 Small Item - Equipment. These dollars are required to pay vendor to replace three (3) aging computer in detention that operate the detention doors. Also, we are requesting approval to move \$200 from LI 4805 Service/Maintenance Agree to LI 4202 Telephone to cover expenses incurred for cell phone service for the facilities supervisor, this line item was originally budgeted for zero dollars. These line item transfers allow this department to remain in compliance with the requirements of categorical budgeting.

**SUMMARY**

This line item transfer shifts dollars from line item 4103 'Professional Services' to line item 3502 'Small Item - Equipment' and from line item 4805 'Service/Maintenance Agree' to line item 4202 'Telephone'.

**RECOMMENDATION**

We recommend that the Boards of Commissioners of Benton County sign the Resolution authorizing the transfers of funds.

**FISCAL IMPACT**

The budget amount is included in the approved Juvenile Facilities Department 172.

**MOTION**

I move that the Boards of Commissioners of Benton County sign the Resolution for Line Item Transfers.

# RESOLUTION

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

**IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN JUVENILE FUND  
NUMBER 0115-101, DEPARTMENT NUMBER 172 – Juvenile Facilities, and**

**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 June, 2010

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

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of County  
Commissioners of Benton County,  
Washington

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

**EXHIBIT A  
LINE ITEM TRANSFERS**

Department: Juvenile Facilities

Department No: 172

Fund Name: Juvenile Justice Center

Fund: 0115-101

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
527-800	4103	Professional Services	\$2,600	527-800	3501	Small Item - Equipment	\$2,600
527-800	4805	Service/Maintenance Agree.	\$200	527-800	4202	Telephone	\$200
<b>Totals</b>			<b>\$2,800</b>	<b>Total</b>			<b>\$2,800</b>

**EXPLANATION:**

Requesting approval to move dollars from Professional Services LI 4103 to LI 3501 Small Item - Equipment. Dollars are required to pay vendor to replace three (3) aging computers in detention that operate the detention doors. Also, we are requesting approval to move dollars from LI 4805 (Service/Maintenance Agree) to LI 4202 (Telephone) to cover expenses incurred for cell phone service for the facilities supervisor, this line item was originally budgeted for zero dollars. These line item transfer allows this department to remain in compliance with the requirements of categorical budgeting.

Prepared by \_\_\_\_\_ Date 6/22/2010

*Jennifer Bowe*  
Jennifer Bowe, Administrative Services Manager

Authorized by \_\_\_\_\_ Date 6/22/2010

*Sharon Paradis*  
Sharon Paradis, Administrator

Approved  Denied

Chairman

Member

Member

AGENDA ITEM: <u>Consent</u>	<u>TYPE OF ACTION NEEDED</u> Executive Contract	Consent Agenda <u>xx</u>
MEETING DATE: B/C 06-28-10	Pass Resolution <u>XX</u>	Public Hearing
SUBJECT: Line Item Transfer	Pass Ordinance	1st Discussion
Prepared By: Donna A. Lee	Pass Motion	2nd Discussion
Reviewed By: Sharon Paradis	Other	Other

#### BACKGROUND INFORMATION

This line item transfer is requesting to move \$19,918 from Line Item 1929 (Detention Officer) to Line Item 1662 (Detention Officer). The duties reorganized due to staff turnover. Line Item 1629 will remain unfunded due to budget cuts to 2010 budget. This line item transfer allows this department to remain in compliance with the requirement of categorical budgeting.

#### SUMMARY

This line item transfer shifts dollars from Line Item 1929 'Detention Officer' to Line Item 1662 'Detention Officer'.

#### RECOMMENDATION

We recommend that the Boards of Commissioners of Benton County sign the Resolution authorizing the transfers of funds.

#### FISCAL IMPACT

The budget amount is included in the approved Contract Fee for Service Department 173.

#### MOTION

I move that the Boards of Commissioners of Benton County sign the Resolution for Line Item Transfers.

# RESOLUTION

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

**IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN JUVENILE FUND NUMBER 0115-101, DEPARTMENT NUMBER 173 – Contract Fee for Service, and**

**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 June, 2010

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

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of County  
Commissioners of Benton County,  
Washington

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



AGENDA ITEM:	<u>Consent</u>	<u>TYPE OF ACTION NEEDED</u> Executive Contract	Consent Agenda <u>XX</u>
MEETING DATE:	B/C 06-28-10	Pass Resolution <u>XX</u>	Public Hearing
SUBJECT:	Line Item Transfer	Pass Ordinance	1st Discussion
Prepared By:	Donna A. Lee	Pass Motion	2nd Discussion
Reviewed By:	Sharon Paradis	Other	Other

**BACKGROUND INFORMATION**

This line item transfer is to move budget appropriations from Department 173 'Fee For Service Contracts' to Department 174 'Grant Reimbursement' to support personnel salaries specific to the Strengthening Families grant previously approved by Commissioners. This line item transfer does not change the scope of the grant, however, it allows us to maximize use of grant funds.

**SUMMARY**

This line item transfer shifts dollars from line item 173-1710 'Fee For Service Contracts' to line item 174-1710 'Grant Reimbursement'.

**RECOMMENDATION**

We recommend that the Boards of Commissioners of Benton County sign the Resolution authorizing transfer of funds.

**FISCAL IMPACT**

The budget amount is included in the approved Department.

**MOTION**

I move that the Boards of Commissioners of Benton County sign the Resolution for the Line Item Transfer.

**RESOLUTION** \_\_\_\_\_

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

**IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN JUVENILE FUND NUMBER 0115-101, DEPARTMENT 173, FEE FOR SERVICE AND DEPARTMENT 174, GRANT REIMBURSEMENT, and**

**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 June, 2010

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

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of County  
Commissioners of Benton County,  
Washington

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

**EXHIBIT A  
LINE ITEM TRANSFERS**

Department: Grant Reimbursement

Department No: 174

Fund Name: Juvenile Justice Center

Fund: 0115-101

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
527-400	173 - 1710	Counselor II	\$2,107	527-400	174 - 1710	Counselor II	\$2,107
<b>Totals</b>			<b>\$2,107</b>	<b>Total</b>			<b>\$2,107</b>

**EXPLANATION:**

Requesting approval to move dollars from Department 173 - Fee For Service Contracts to Department 174 - Grant Reimbursement to support personnel salaries specific to the Strengthening Families grant previously approved by Commissioners. This line item transfer does not change the scope of the grant, however allows us to maximize use of grant dollars.

Prepared by Jennifer Bowe Date 6/22/2010  
 Authorized by Sharon Paradis Date 6/22/2010  
 Jennifer Bowe, Administrative Services Manager  
 Sharon Paradis, Administrator

Approved  Denied

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

<b>AGENDA ITEM:</b> Consent	<b>TYPE OF ACTION</b>	CONSENT AGENDA <u>xx</u> PUBLIC HEARING 1ST DISCUSSION 2ND DISCUSSION OTHER
<b>MEETING DATE:</b> B/C 06-28-10 F/C 07-07-10	<b>NEEDED</b>	
<b>SUBJECT:</b> Resolution Authorization of Agreement with Pasco School Probation Liaison Program at Chiawana High School	Executive Contract <u>xx</u>	
<b>Prepared By:</b> Donna A. Lee	Pass Resolution <u>xx</u>	
<b>Reviewed By:</b> Sharon Paradis	Pass Ordinance Pass Motion Other	

**BACKGROUND INFORMATION**

The Chiawana High School / Probation Liaison Project places a probation counselor at Chiawana High School to teach Aggression Replacement Training and to work with those youth at the school who are on probation has been in place since 2000. Research indicates this program is making substantial, positive changes in the lives of the youth it serves. In years past funding was received from the Department of Social Health Services, Office of Juvenile Justice to sustain this program. Beginning with the 2005 2006 school year to continue this community vital program, the Pasco School District agreed to compensate the Counties for the contract.

**SUMMARY**

The Pasco School District would like to continue to program for the period beginning on July 1, 2010 and ending on June 30, 2011.

**RECOMMENDATION**

We recommend that the Boards of County Commissioners of Benton and Franklin Counties sign the Contract with the Pasco School District to continue probation services and intervention services to youth located at Chiawana High School.

**FISCAL IMPACT**

Pasco School District has agreed to compensate the Counties for a total of \$37,700.04, which is one-half the cost to the Counties of employing a Probation Counselor to provide the Probation Liaison Project services as set forth in the contract's Statement of Work.

**MOTION**

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board Franklin County Commissioners be hereby authorized to sign the contract with the Pasco School District to provide a probation counselor in Chiawana High School.

JOINT RESOLUTION

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

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

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

IN THE MATTER OF THE REQUEST FOR SIGNATURE FROM THE BOARDS OF BENTON AND FRANKLIN COUNTY COMMISSIONERS ON THE CONTRACT BETWEEN THE JUVENILE JUSTICE CENTER AND THE PASCO SCHOOL DISTRICT TO PROVIDE A PROBATION COUNSELOR IN CHIAWANA HIGH SCHOOL, and

WHEREAS, Sharon Paradis, Administrator of the Juvenile Court, believes it is in the best interest of the Juvenile Justice Center that the proposed Contract between the Juvenile Court and the Pasco School District be approved as presented for a term commencing July 1, 2010, and terminating on June 30, 2011, NOW, THEREFORE,

BE IT RESOLVED, 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 Contract between the Juvenile Court and the Pasco School District shall be for a period commencing July 1, 2010, and terminating on June 30, 2011.

DATED this day 28<sup>th</sup> of June 2010

DATED this 7<sup>th</sup> day of July 2010

BENTON COUNTY BOARD OF COMMISSIONERS

FRANKLIN COUNTY BOARD OF COMMISSIONERS

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

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

\_\_\_\_\_  
Member

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

\_\_\_\_\_  
Member

Constituting the Board of  
County Commissioners,  
Benton County, Washington

\_\_\_\_\_  
Member

Constituting the Board of  
County Commissioners,  
Franklin County, Washington

Attest:

Attest:

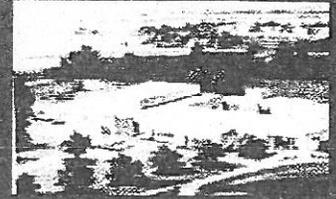
\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Clerk of the Board

**JUDGES**

Hon. Craig J. Matheson  
Hon. Vic L. VanderSchoor  
Hon. Robert G. Swisher  
Hon. Carrie Runge  
Hon. Cameron Mitchell  
Hon. Bruce Spanner

**BENTON-FRANKLIN COUNTIES  
JUVENILE JUSTICE CENTER**



SHARON PARADIS, Administrator  
Juvenile Court Services

SUPERIOR COURT OF THE STATE OF WASHINGTON

5606 W CANAL PLACE, SUITE 106 • KENNEWICK, WASHINGTON 99336-1388  
PHONE (509) 783-2151 • FAX (509) 736-2728

LONNA K. MALONE  
JOSEPH R. SCHNEIDER  
JERRI G. POTTS  
Court Commissioners

**SCHOOL/JUVENILE PROBATION LIAISON PROGRAM AGREEMENT  
BETWEEN  
BENTON AND FRANKLIN COUNTIES  
AND  
PASCO SCHOOL DISTRICT**

This Agreement 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 Fourth Avenue, Pasco, WA 99301, by and for the Benton-Franklin Counties Juvenile Justice Center ("BFJJC"), a bi-county agency located at 5606 W. Canal Place STE 106, Kennewick, WA 99336 (hereinafter collectively referred to as the "Counties"), and Pasco School District, with its principal offices at 1215 West Lewis Street, Pasco, WA 99301 (hereinafter referred to as the "District").

**RECITALS**

- A. The Counties and the District have implemented a School/Juvenile Probation Liaison Program and desire to continue such a program (the "Program") to serve the population identified in Exhibit A to this Agreement, which is attached hereto and incorporated herein by reference; and
- B. The Counties and the District desire to continue the Program in accordance with the Goals and Objectives set forth in Exhibit A to this Agreement.

**AGREEMENT**

In consideration of the mutual benefits and covenants contained herein, the parties agree as follows:

**1. STATEMENT OF WORK**

- 1.1 The parties agree that a description of the Statement of Work for this Agreement is set forth in Exhibit B to this Agreement, which is attached hereto and incorporated herein by reference.
- 1.2 The Counties agree to perform all work described in Exhibit B, Section 1 of this Agreement. The Counties further agree to furnish the necessary personnel,

m

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> PUBLIC HEARING 1ST DISCUSSION 2ND DISCUSSION OTHER
MEETING DATE: B/C 06-28-10 F/C 07-07-10		
SUBJECT: Resolution Authorization of Agreement with Pasco School Probation Liaison Program at Pasco High School		
Prepared By: Donna A. Lee		
Reviewed By: Sharon Paradis		

**BACKGROUND INFORMATION**

The Pasco High School / Probation Liaison Project places a probation counselor at Pasco High School to teach Aggression Replacement Training and to work with those youth at the school who are on probation has been in place since 2000. Research indicates this program is making substantial, positive changes in the lives of the youth it serves. In years past funding was received from the Department of Social Health Services, Office of Juvenile Justice to sustain this program. Beginning with the 2005 2006 school year to continue this community vital program, the Pasco School District agreed to compensate the Counties for contract.

**SUMMARY**

The Pasco School District would like to continue to program for the period beginning on July 1, 2010 and ending on June 30, 2011.

**RECOMMENDATION**

We recommend that the Boards of County Commissioners of Benton and Franklin Counties sign the Contract with the Pasco School District to continue probation services and intervention services to youth located at Pasco High School.

**FISCAL IMPACT**

Pasco School District has agreed to compensate the Counties for a total of \$37,700.04, which is one-half the cost to the Counties of employing a Probation Counselor to provide the Probation Liaison Project services as set forth in the contract's Statement of Work.

**MOTION**

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board Franklin County Commissioners be hereby authorized to sign the contract with the Pasco School District to provide a probation counselor in Pasco High School.

**JOINT RESOLUTION**

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

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

**BEFORE THE BOARDS OF THE COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES, WASHINGTON;**

**IN THE MATTER OF THE REQUEST FOR SIGNATURE FROM THE BOARDS OF BENTON AND FRANKLIN COUNTY COMMISSIONERS ON THE CONTRACT BETWEEN THE JUVENILE JUSTICE CENTER AND THE PASCO SCHOOL DISTRICT TO PROVIDE A PROBATION COUNSELOR IN PASCO HIGH SCHOOL, and**

**WHEREAS**, Sharon Paradis, Administrator of the Juvenile Court, believes it is in the best interest of the Juvenile Justice Center that the proposed Contract between the Juvenile Court and the Pasco School District be approved as presented for a term commencing July 1, 2010, and terminating on June 30, 2011, **NOW, THEREFORE,**

**BE IT RESOLVED**, 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 Contract between the Juvenile Court and the Pasco School District shall be for a period commencing July 1, 2010, and terminating on June 30, 2011.

**DATED this day 28<sup>th</sup> of June 2010**

**DATED this 7<sup>th</sup> day of July 2010**

**BENTON COUNTY BOARD OF COMMISSIONERS**

**FRANKLIN COUNTY BOARD OF COMMISSIONERS**

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

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

\_\_\_\_\_  
Member

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

\_\_\_\_\_  
Member

Constituting the Board of  
County Commissioners,  
Benton County, Washington

\_\_\_\_\_  
Member

Constituting the Board of  
County Commissioners,  
Franklin County, Washington

Attest:

Attest:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Clerk of the Board

JUDGES  
Hon. Craig J. Matheson  
Hon. Vic L. VanderSchoor  
Hon. Robert G. Swisher  
Hon. Carrie Runge  
Hon. Cameron Mitchell  
Hon. Bruce Spanner

# BENTON-FRANKLIN COUNTIES JUVENILE JUSTICE CENTER



SHARON PARADIS, Administrator  
Juvenile Court Services

SUPERIOR COURT OF THE STATE OF WASHINGTON

5606 W CANAL PLACE, SUITE 106 • KENNEWICK, WASHINGTON 99336-1388  
PHONE (509) 783-2151 • FAX (509) 736-2728

LONNA K. MALONE  
JOSEPH R. SCHNEIDER  
JERRI G. POTTS  
Court Commissioners

## SCHOOL/JUVENILE PROBATION LIAISON PROGRAM AGREEMENT BETWEEN BENTON AND FRANKLIN COUNTIES AND PASCO SCHOOL DISTRICT

This Agreement 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 Fourth Avenue, Pasco, WA 99301, by and for the Benton-Franklin Counties Juvenile Justice Center ("BFJJC"), a bi-county agency located at 5606 W. Canal Place STE 106, Kennewick, WA 99336 (hereinafter collectively referred to as the "Counties"), and Pasco School District, with its principal offices at 1215 West Lewis Street, Pasco, WA 99301 (hereinafter referred to as the "District").

### RECITALS

- A. The Counties and the District have implemented a School/Juvenile Probation Liaison Program and desire to continue such a program (the "Program") to serve the population identified in Exhibit A to this Agreement, which is attached hereto and incorporated herein by reference; and
- B. The Counties and the District desire to continue the Program in accordance with the Goals and Objectives set forth in Exhibit A to this Agreement.

### AGREEMENT

In consideration of the mutual benefits and covenants contained herein, the parties agree as follows:

#### 1. STATEMENT OF WORK

- 1.1 The parties agree that a description of the Statement of Work for this Agreement is set forth in Exhibit B to this Agreement, which is attached hereto and incorporated herein by reference.
- 1.2 The Counties agree to perform all work described in Exhibit B, Section 1 of this Agreement. The Counties further agree to furnish the necessary personnel,

n

<b>AGENDA ITEM:</b> Consent	<b>TYPE OF ACTION NEEDED</b>	
<b>MEETING DATE:</b> B/C 06-28-10 F/C 06-23-10	Executive Contract <u>xx</u>	CONSENT AGENDA <u>xx</u>
<b>SUBJECT:</b> Resolution Authorization of Contract with Department of Social & Health Services/Office of Juvenile Justice Programs for Juvenile Detention Alternatives Initiative	Pass Resolution <u>xx</u>	PUBLIC HEARING
<b>Prepared By:</b> Donna A. Lee	Pass Ordinance	1ST DISCUSSION
<b>Reviewed By:</b> Sharon Paradis	Pass Motion	2ND DISCUSSION
	Other	OTHER

**BACKGROUND INFORMATION**

The Juvenile Detention Alternative Initiative (JDAI) is proposed to use data driven decision making to review which youth are being detained in detention and to determine which youth should be eligible for a lesser restrictive environment that is consistent with community safety and that will ensure the youth will appear at future court hearings, improve court processes, identify and reduce racial disparities. The end results of JDAI is the delivery of a juvenile court system that makes program decisions based on accurate and complete data; detains youth that pose a significant risk to the community; provide a continuum of options for holding youth accountable for criminal behavior and non-compliance; delivers a swift and fair court process and delivers programs that are culturally appropriate and evidence based.

**SUMMARY**

The Benton-Franklin Counties Juvenile Justice will address the eight strategies of JDAI, which include Collaboration & Governance, Utilizing Data, Detention Admissions & Risk Assessments, Detention Alternative Programs, Expediting Case Processing, Special Detention Cases, Conditions of Confinement and Reducing Racial Disparities.

**RECOMMENDATION**

We recommend that the Boards of County Commissioners of Benton and Franklin Counties sign the JDAI Grant Application with the Governor's Juvenile Justice Advisory Committee, Department of Social and Health Services, Office of Juvenile Justice for the period from July 1, 2010 through June 30, 2011.

**FISCAL IMPACT**

This project is grant funded.

**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 authorized to sign the grant application with the Governor's Juvenile Justice Advisory Committee, Department of Social and Health Services, Office of Juvenile Justice to provide Juvenile Detention Alternatives Initiative.

JOINT RESOLUTION

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

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

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

IN THE MATTER OF THE REQUEST FOR SIGNATURE FROM THE BOARDS OF BENTON AND FRANKLIN COUNTY COMMISSIONERS ON THE JUVENILE DETENTION ALTERNATIVES INITIATIVE (JDAI) GRANT APPLICATION BETWEEN THE OFFICE OF JUVENILE JUSTICE (OJJ) AND BETWEEN THE BENTON-FRANKLIN COUNTIES JUVENILE JUSTICE CENTER, and

WHEREAS, Sharon Paradis, Administrator of the Juvenile Court, believes it is in the best interest of the Juvenile Justice Center that the JDAI Grant Application between the Juvenile Court and the Office of Juvenile Justice (OJJ), be approved as presented for a term commencing July 1, 2010 and terminating on June 30, 2011, NOW, THEREFORE,

BE IT RESOLVED, 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 Court Improvement Grant.

DATED this 28<sup>th</sup> day of June 2010

DATED this 23<sup>rd</sup> day of June 2010

BENTON COUNTY BOARD OF COMMISSIONERS

FRANKLIN COUNTY BOARD OF COMMISSIONERS

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

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

\_\_\_\_\_  
Member

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

\_\_\_\_\_  
Member

Constituting the Board of  
County Commissioners,  
Benton County, Washington

\_\_\_\_\_  
Member

Constituting the Board of  
County Commissioners,  
Franklin County, Washington

Attest:

Attest:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Clerk of the Board



OFFICE OF JUVENILE JUSTICE (OJJ)  
**Juvenile Detention Alternatives  
 Initiative Grant Application**  
 Please read all instructions carefully.

For assistance, contact the Department of Social and Health Services (DSHS)  
 Office of Juvenile Justice at (360) 725-3600 or FAX (360) 407-0152.

CONTRACT NUMBER	FOR OJJ USE ONLY	
	DATE STAMP	
PROGRAM AREA		

**1. APPLICANT: DO NOT USE PERSON'S NAME**

AGENCY NAME <b>Benton-Franklin Counties Juvenile Justice Center</b>	TELEPHONE NUMBER <b>(509) 783-2151</b>	FAX NUMBER <b>(509) 736-2728</b>
STREET ADDRESS <b>5606 W. Canal Place, Suite 106</b>	CITY <b>Kennewick</b>	STATE ZIP CODE <b>WA 99336</b>
MAILING ADDRESS <b>5606 W. Canal Place, Suite 106</b>	CITY <b>Kennewick</b>	STATE ZIP CODE <b>WA 99336</b>

**2. IMPLEMENTING AGENCY: ENTER AGENCY, DEPARTMENT OR CONTRACTOR DIRECTLY IMPLEMENTING THE PROJECT (DO NOT USE PERSON'S NAME)**

NAME <b>Benton-Franklin Counties Juvenile Justice Center</b>	TELEPHONE NUMBER <b>(509) 783-2151</b>
STREET ADDRESS <b>5606 W. Canal Place, Suite 106</b>	FEDERAL EMPLOYER IDENTIFICATION NUMBER OR SOCIAL SECURITY NUMBER (MANDATORY FOR FEDERAL TAX PURPOSES)
CITY STATE ZIP CODE <b>Kennewick WA 99336</b>	<b>91-6001299</b>

**3. PROJECT TITLE: ENTER BRIEF, DESCRIPTIVE PROJECT TITLE**

**Benton-Franklin Counties Juvenile Detention Alternatives Initiative**

**4. APPLICANT'S AGREEMENT**

The applicant is applying for a grant award in the amount shown in the proposed BUDGET SUMMARY (Section 8 of this application) for the purposes identified in this application. By signing and submitting this application, the applicant agrees that this document, together with the STANDARD CONDITIONS AND CERTIFICATIONS (Attachment A of this application), becomes an offer to contract with Washington State Department of Social and Health Services (DSHS or the Department) which, if accepted, binds the applicant to the following:

The applicant agrees that this offer becomes a binding contract when a copy of this page is signed by the OJJ Office Chief and returned to the applicant together with an Approved Budget and Special Conditions form provided, however:

In the event any budget category amount differs from the amount shown in Section 8 of this application, as modified by the Approved budget and Special Conditions, that amount shall be considered to be a counteroffer. The Department shall consider the counteroffer accepted by the applicant unless rejected in writing within 30 days after the date of mailing of such counteroffer by the Office of Juvenile Justice (hereinafter referred to as OJJ) to the applicant.

b. Upon acceptance of this offer/counteroffer, the applicant shall be referred to as the "Contractor" and the Contractor agrees to accept and abide by the special terms and conditions.

NAME AND TITLE OF AUTHORIZED OFFICER (PERSON WITH LEGAL AUTHORITY: COUNTY COMMISSIONERS' CHAIRMAN OF THE BOARD, MAYOR, CITY/TOWN MANAGER, AGENCY DIRECTOR)

**Sharon A. Paradis, Juvenile Court Administrator - See attached signature page - Attachment 1A**

APPLICANT'S SIGNATURE	DATE <b>05/27/2010</b>
-----------------------	---------------------------

ACCEPTANCE OF OFFER COUNTEROFFER FOR DSHS <input type="checkbox"/> Acceptance <input type="checkbox"/> Non-acceptance	OJJ CONTRACTING OFFICER'S SIGNATURE	DATE
--	-------------------------------------	------

**5. PROJECT DIRECTOR: PERSON IN DIRECT CHARGE OF PROJECT (DAY-TO-DAY OPERATIONS AND PREPARATION OF REQUIRED PROGRESS REPORTS)**

NAME AND TITLE <b>Eric Lipp, Detention Manager</b>	TELEPHONE NUMBER <b>(509) 783-2151</b>
STREET ADDRESS <b>5606 W. Canal Place</b>	FAX NUMBER <b>(509) 736-2728</b>
CITY STATE ZIP CODE <b>Kennewick WA 99336</b>	E-MAIL ADDRESS <b>Eric.Lipp@co.benton.wa.us</b>

**6. FINANCIAL OFFICER: PERSON IN CHARGE OF FISCAL MATTERS (ACCOUNTING, FUNDS MANAGEMENT, EXPENDITURE, VERIFICATIONS, FINANCIAL REPORTS)**

NAME AND TITLE <b>Jennifer Bowe, Administrative Services Manager</b>	TELEPHONE NUMBER <b>(509) 736-2721</b>
STREET ADDRESS <b>5606 W. Canal Place, Suite 106</b>	FAX NUMBER <b>(509) 736-2728</b>
CITY STATE ZIP CODE <b>Kennewick WA 99336</b>	E-MAIL ADDRESS <b>Jennifer.Bowe@co.benton.wa.us</b>

Issuance of any required information or certification may be cause for denial of the application. The Department shall take a final approval/disapproval action on all applications within 90 days of receipt by the Department of a conforming application, together with all required certifications. The Department shall not consider an application conforming unless the applicant has completed all items in accordance with instructions and has submitted the necessary certifications. The applicant must submit two signed completed applications to: OFFICE OF JUVENILE JUSTICE, DEPARTMENT OF SOCIAL AND HEALTH SERVICES, PO BOX 45828 OLYMPIA WA 98504-5828.

# RESOLUTION



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

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

**IN THE MATTER OF TERMINATING THE PROFESSIONAL SERVICES CONTRACT  
FOR INVESTIGATIVE SERVICES BETWEEN BENTON & FRANKLIN COUNTIES  
("COUNTIES") AND BRIGHT BOWE ("INVESTIGATOR").**

**WHEREAS**, in September, 2009, after a Request for Proposals ("RFP") process Counties awarded four investigative services contracts to defense investigators to provide services to the Benton & Franklin Counties Office of Public Defense. Bright Bowe, DBA Bowe & Associates, LLC was one such contract recipient;

**WHEREAS**, at the time of contract award a certain volume of investigative assignments was anticipated that would have necessitated four contracts;

**WHEREAS**; in the months since September, 2009 investigative assignment volumes have, instead, taken a significant downturn and have not been of the volume sufficient to support four contracts;

**WHEREAS**, in light of the downturn in volume it is appropriate to reduce the number of contracts from four to three, with possible future evaluation for a reduction to two;

**WHEREAS**, each of the presently awarded contracts contains a provision allowing for the termination of the contract with or without cause, with 90 days notice;

**WHEREAS**, it appears to be in the best interests of the Counties to terminate Investigator's contract at this time using the provision allowing for such action, without cause, with 90 days notice in order to immediately effectuate the reduction of contracts to three;

**NOW THEREFORE, BE IT RESOLVED THAT** the Counties hereby elect to terminate the professional services agreement between Counties and Bright Bowe, DBA Bowe & Associates, LLC, fully executed as of November 16, 2009 and expiring December 31, 2011 pursuant to the provision of paragraph 12(b) therein. Be it further resolved that the Chairman of each respective Board is authorized to execute the enclosed correspondence effectuating the

termination, as required by the provisions of the agreement, and after full execution of such correspondence, the original is directed to be delivered to Investigator by way of legal messenger services.

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

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

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

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

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

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

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of County  
Commissioners, Benton County  
Washington

Constituting the Board of County  
Commissioners, Franklin County  
Washington

Attest: .....  
Clerk of the Board

Attest: .....  
Clerk of the Board

Leo Bowman  
District 1  
Max Benitz, Jr.  
District 2  
James Beaver  
District 3

**Board of County Commissioners**  
**BENTON COUNTY**

David Sparks  
County Administrator

Loretta Smith Kelty  
Deputy County Administrator

June 16, 2010

Bright Bowe  
Bowe & Associates, LLC  
4005 S Irby St  
Kennewick, WA 99337

RE: Notice of termination of your professional services agreement for investigative services  
Executed as of November 30, 2009 and expiring December 31, 2011

Dear Bright:

As you know, Section 12(b) of your professional services agreement provides that Benton County may elect to terminate the agreement with or without cause upon ninety days advance written notice. Please regard this correspondence as the written notice to terminate without cause as required by this provision.

As provided in Section 12, the effective date of the termination of your agreement will be October 5, 2010 and you will cease to receive new case assignments effective September 6, 2010.

We wish you luck in your future endeavors.

Sincerely,

James Beaver  
Chairman  
Benton County Board of Commissioners

P

## RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY,  
WASHINGTON:

IN THE MATTER OF COUNTY FRANCHISES RE: GRANTING A FRANCHISE TO PUD NO. 1 OF KLICKITAT COUNTY, FOR A FRANCHISE FOR AN ELECTRICAL DISTRIBUTION SYSTEM AND FACILITY, LOCATED IN BENTON COUNTY;

WHEREAS, a public hearing was held to consider the request of PUD No. 1 of Klickitat County, who has applied to continue a non exclusive franchise for an electrical distribution system and facility 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, 2020, 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;
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, PUD No. 1 of Klickitat County, 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.

g.

## RESOLUTION

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

IN THE MATTER OF COUNTY FRANCHISES RE: GRANTING A FRANCHISE TO ELECTRIC LIGHTWAVE, LLC, FOR A FRANCHISE FOR TELECOMMUNICATION SYSTEM AND FACILITY, LOCATED IN BENTON COUNTY;

WHEREAS, a public hearing was held to consider the request of Electric Lightwave, LLC, who has applied to continue a non exclusive franchise for a telecommunication system and facility 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, 2020, 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;
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, Electric Lightwave, LLC, 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.

r

## RESOLUTION

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

IN THE MATTER OF COUNTY FRANCHISES RE: GRANTING A FRANCHISE TO OASIS WATER CORPORATION, FOR A FRANCHISE FOR A WATER SYSTEM AND FACILITY, LOCATED IN BENTON COUNTY;

WHEREAS, a public hearing was held to consider the request of Oasis Water Corporation, who has applied to continue a non exclusive franchise for a water system and facility 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, 2020, 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;
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, Oasis Water 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.

5

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING PURCHASES FROM LARSEN FIREARMS INCLUDING CLOTHING (GLOVES, PANTS, BOOTS, ETC.), AMMUNITION, FLASHLIGHTS, HOLSTERS, AND OTHER MISCELLANEOUS ITEMS FOR THE BENTON COUNTY SHERIFF'S OFFICE, CURRENT EXPENSE FUND 0000-101, DEPARTMENTS 118, 120, 121, 125, 0126-101 AND 0127-101

WHEREAS, per resolution 09-812, "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"; and

WHEREAS, the Benton County Sheriff's Office requested a quote for clothing (gloves, pants, boots, etc), ammunition, flashlights, holsters and other miscellaneous items from all companies on Benton County's current vendor's list; and

WHEREAS, the only companies to respond are the following:

Larsen Firearms, Pasco, WA (See attached quote)

Chief, Charlotte, NC (See attached quote)

L.E.E.D., Oregon City, OR (Quote is invalid because it was not received on company letterhead as requested)

WHEREAS, the Patrol Lieutenant has reviewed the quotes for completeness and recommends purchasing clothing (gloves, pants, boots, etc), ammunition, flashlights, holsters and other miscellaneous items from Larsen Firearms due to cost and availability of items for calendar year of 2010; **NOW THEREFORE,**

**BE IT RESOLVED,** the Board of Benton County Commissioners, Benton County Washington, concurs with the Patrol Lieutenant's recommendation and hereby authorizes purchases of clothing (gloves, pants, boots, etc), ammunition, flashlights, holsters and other miscellaneous items from Larsen Firearms, for the calendar year 2010, in an amount not to exceed \$12,000 including WSST.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

\_\_\_\_\_  
Member

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

Attest.....  
Clerk of the Board

Orig: Sheriff's Office  
cc: Auditor, Purchase file

Prepared by: D. Pettey

4

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

**IN THE MATTER OF APPROVAL FOR DISBURSEMENTS FROM THE HISTORICAL PRESERVATION FUND (0157-101) FOR THE PURPOSES OF FUNDING HISTORICAL PRESERVATION PROJECTS.**

**WHEREAS**, the Board of County Commissioners is supportive of historical preservation projects and appointed Duane Davidson, Benton County Treasurer, to serve as the charter chairman of an advisory committee to evaluate certain proposed projects for funding; and,

**WHEREAS**, the Advisory Committee's has set forth recommendations for funding selected projects described in the attached memorandum (Attachment A) totaling \$28,174.31; and,

**WHEREAS**, the Board of County Commissioners agrees with the advisory committees findings and approve the funding of the recommended projects described in attachment "A", totaling \$28,174.31; **NOW THEREFORE**

**BE IT RESOLVED**, by the Board of Benton County Commissioners, the Benton County Treasurer is authorized to vouch the County Auditor's office to make such payments and execute any agreements necessary for the disbursement of the aforementioned funds.

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

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

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

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

Prepared by D. Davidson

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

Clerk of the Board

Cc: County Auditor's Office, Treasurer's Office

## Historical Grants: Applicant Weighting System Matrix (AWSM)

	<b>\$ Amount Required</b>	<b>Committee Recommendation</b>
<b>WHITE BLUFFS QUILT MUSEUM</b> <i>HISTORIC COLLECTION</i>	<i>\$1,800.00</i>	<b>\$1,800.00</b>
<b>WHITE BLUFFS QUILT MUSEUM</b> <i>HOUSING ASSISTANCE</i>	<i>\$10,950.00</i>	<b>\$10,950.00</b>
<b>BC HISTORICAL SOCIETY</b> <i>ORAL HIST EXPANSION &amp; UPGRADE</i>	<i>\$2,070.00</i>	<b>\$2,070.00</b>
<b>BC HISTORICAL MUSEUM</b> <i>DRESS COLLECTION PRESERVATION</i>	<i>\$7,909.86</i>	<b>\$7,909.86</b>
<b>BC HISTORICAL SOCIETY</b> <i>CONSERVATION PROJECT</i>	<i>\$2,894.45</i>	<b>\$2,894.45</b>
<b>CREHST</b> <i>ORAL HISTORY ARCHIVES</i>	<i>\$5,550.00</i>	<b>\$2,550.00</b>
<b>PROSSER CEMETERY ASSOC.</b> <i>MAINTENANCE/STORAGE</i>	<i>\$3,500.00</i>	<b>\$0</b>
<b>VALLEY THEATRE CO.</b> <i>PRES. OF PRINCESS THEATRE</i>	<i>\$2,500.00</i>	<b>\$0</b>
<b>TOTAL AMOUNT REQUESTED</b>	<b>\$37,174.31</b>	<b>\$28,174.31</b>

u

# RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF OBTAINING BANKING SERVICES FOR BENTON COUNTY

**WHEREAS**, the County Treasurer is charged with the responsibility of selecting a qualified depository (Bank) for the county's finances pursuant to RCW 36.29.020: and,

**WHEREAS**, the Benton County Treasurer has selected Key Bank, Inc. to serve as the primary Bank for Benton County; and

**WHEREAS**, the Treasurer wishes to ensure the cooperation of other departments in this endeavor by obtaining the Board's concurrence of this decision; **NOW THEREFORE**,

**BE IT RESOLVED**, by the Board of Benton County Commissioners, that the Chairman of the Board of Benton County Commissioners is authorized to sign the attached Agreement for Banking Services.

Dated this 28<sup>th</sup> day of June, 2010.

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

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Constituting the Board of County  
Commissioners of Benton County,  
Washington

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

Prepared by D. A. Davidson, Benton County Treasurer

**AGREEMENT FOR BANKING SERVICES  
TERMS AND CONDITIONS**

**I. PARTIES**

This Agreement for Banking Services (the "Agreement") is made and executed this 28th day of June, 2010, by and between **Benton County**, 620 Market Street, Prosser, WA 99350 (hereinafter "County"), and **KeyBank National Association**, 601 – 108<sup>th</sup> Avenue, N.E., P.O. Box 90027, Bellevue, WA 98009-9027 (hereinafter the "Bank").

**II. RECITALS**

- A. WHEREAS, the County issued a Request for Proposals for Banking Services; and
- B. WHEREAS, the Bank was the successful bidder in response to the County's RFP for Banking Services;
- C. WHEREAS, the County desires to enter into an agreement with the Bank for the performance of the banking services identified in the County's RFP; and
- D. WHEREAS, the Bank is agreeable to performing such banking services for the County in accordance with the terms and conditions set forth below.

NOW, THEREFORE, in consideration of the mutual benefits to the County and the Bank, and in consideration of the terms and conditions specified below, the parties agree as follows:

**III. SCOPE OF BANKING SERVICES**

At the County's request, the Bank has indicated it currently performs all services described in Attachment A and will furnish all labor, materials, and supplies necessary to perform the requested banking services. If the bank elects to discontinue any of these services, it shall notify the County in writing in advance.

**IV. TIME OF PERFORMANCE/TERM**

A. The Agreement shall be in effect for a period of five (5) years commencing January 1, 2010.

B. Prior to the expiration of the term of this Agreement, and upon the mutual written consent of the parties, this Agreement may be renewed for a period of one (1) additional year.

Steven W. Becken  
Public Works Manager

Malcolm Bowie, P.E.  
Benton County Engineer

# Benton County

## Department of Public Works

Post Office Box 1001 - Courthouse  
Prosser, Washington 99350-0954

Area Code 509  
Prosser 786-5611  
Tri-Cities 736-084  
Ext 664  
Fax 786-5627

9:05

June 28, 2010

Board of County Commissioners  
Benton County Courthouse  
Prosser, WA 99350

RE: Proposed Right of Way Vacation  
Unimproved Right of Way in Hunts Plat  
Section 31-10-27  
CE 1929 VAC

Commissioners:

This report has been prepared for the continued public hearing for a proposed road right of way vacation in the Corrected Plat of Hunt's Plat requested by Thomas Heath.

The public hearing was continued several times to allow Mr. Heath to work out access concerns with his neighbors and the Fire Marshall and to determine the location of a City of West Richland owned sewer line.

The petitioner has provided Public Works with the documentation required to complete granting an easement as required by the Fire Marshall. Mr. Heath's surveyor has established a legal description for an easement to preserve the City of West Richland's existing sewer main and the Petitioner has submitted a the legal description to the County which has been approved by the City of West Richland.

In conclusion, it is the opinion of Benton County Public Works that it is not in the interest of the County to retain the right of way shown on the attached map and the public will be benefited by the vacation and abandonment of said right of way. It is also our opinion that it is not advisable to retain the right of way for the County road system of the future.

The landowners have signed and submitted two easements. These easements shall be recorded immediately following the recording of the Resolution to Vacate the Right of Way if it is approved. All parcels affected by the vacation have a valid access easement if the vacation was approved and the easements recorded.

The Benton County Engineer recommends the right of way be vacated, subject to the following conditions:

**EXHIBIT LIST FOR REVISION TO PD 94-1, ZC 94-1 & EA 94-3  
BADGER MTN. GOLF AND COUNTRY CLUB**

9:20

<b>Planning Commission Memo Exhibit List</b>			<b>DATED</b>
<b>PCM 1</b> Includes:	PCM 1.1	Staff Memo	April 30, 2010
	PCM 1.2	Letter from Loren Combs-VSI Law Group	February 24, 2010
	PCM 1.3	Application for Revision to an Existing Approved Planned Development including legals and maps	February 24, 2010
	PCM 1.4	Notice of Public Hearing	April 20, 2010
	PCM 1.5	Comments from the Benton Co. Fire Marshal	March 12, 2010
	PCM 1.6	Comments from Benton Co. Public Works Dept.	March 25, 2010

<b>Board of County Commissioners Exhibit List</b>			
<b>CCM 1</b> Includes:	CCM 1.1	Board of County Commissioners Agenda Sheet	June 21, 2010
	CCM 1.2	Planning Commission Recommendation, Findings & Conclusion	May 28, 2010

<b>Items entered in at the Board of County Commissioners Meeting</b>			
<b>CCH 1</b> Includes:	CCH 1.1		
	CCH 1.2		
	CCH 1.3		
	CCH 1.4		
	CCH 1.5		

**The Exhibit Numbers are found in the Top Right Hand Corner of each document.**

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PCM = Planning Commission Memo Exhibits  
PCH = Exhibits submitted during Hearing**

**CCR = County Commissioner Record Exhibits  
CCM = County Commissioner Memo Exhibits  
CCH = Exhibits submitted during Hearing**

<b>AGENDA ITEM</b>	<b>TYPE OF ACTION NEEDED</b>	
<b>MTG. DATE:</b> June 28, 2010	Execute Contract	Consent Agenda
<b>SUBJECT:</b> RPD 94-1 - Revisions to PD 94-1 Badger Mtn. Golf & Country Club	Pass Resolution	Public Meeting X
<b>MEMO DATE:</b> June 21, 2010	Pass Ordinance	1st Discussion
<b>Prepared By:</b> Michael Shuttleworth	Pass Motion	2nd Discussion
<b>Reviewed By:</b> Michael Shuttleworth	Other	Other

### **BACKGROUND INFORMATION**

On January 24, 2001, the Benton County Commissioners approved the preliminary plans for the Badger Mountain Golf and Country Club Planned Development (BMGCCPD) with 42 conditions for approval. On March 25, 2002, May 19, 2003, and November 20, 2006, the Board approved revisions to the existing approved preliminary plans for BMGCCPD.

The Badger Mountain Golf and Country Club Planned Development is approximately 1707 acres of which 629 single family lots will be developed on 399.4 acres; 238 multi-family units are to be developed on 44.5 acres; 12 tracts are designated for commercial uses on 33.3 acres; 13 tracts on 652.7 acres are designated as Urban Reserve; a 16.4 acre tract is designated for a future hotel/convention center; and 375.2 acres of Open Space which is proposed to contain a 27 hole golf course on 271 of those acres with the rest of the open space contains a bike/foot path along the boundary of the site.

On February 24, 2010, the applicant submitted a request to remove 15.86 acres from the boundaries of the Planned Development. The Planning Manager reviewed the request and determined that it would be considered a major change as defined in Benton County Code 11.20.090. On May 11, 2010, the Planning Commission conducted a public hearing and after considering all testimony, voted to recommend approval with conditions on the requested change to the Planned Development (see attached Findings).

### **SUMMARY**

An application has been submitted to remove 15.86 acres from the Badger Mountain Golf and Country Club Planned Development. The Planning Commission has conducted a public hearing and made a recommendation to the Board.

### **RECOMMENDATION**

It is the recommendation of the Benton County Planning Commission and the Benton County Planning Department that the request to remove 15.86 acres from the Badger Mountain Golf and Country Club Planned Development, PD 94-01, be granted.

**FISCAL IMPACT** - None.

### **MOTION**

The Benton County Planning Department recommends the following motion: The Benton County Board of Commissioners adopt the Planning Commission's findings of fact and conclusions as their own and approve the request to remove 15.86 acres lying south of Reata Road and North of Interstate 82 and East of the Bermuda Rd./I 82 overpass from the boundaries of the Planned Development of Badger Mountain Golf and Country Club (PD 94-1) and that such request is conditioned as follows:

1. The applicant must comply with all Conditions of Approval for the Badger Mountain Golf and Country Club Planned Development set forth in the Board's January 24, 2001, decision attached to Benton County Commissioner Resolution 01-037 and as modified by the Board of County Commissioners.
2. No other changes are approved other than those considered with this request.

**EXHIBIT LIST FOR SUB 10-01/EA10-15**

9:30

<b>Planning Commission Application Exhibit</b>			<b>DATED</b>
<b>PCR 1</b> Includes:	PCR 1.1	Preliminary Plat Application	February 24, 2010
	PCR 1.2	Preliminary Hydrology Report	February 24, 2010
	PCR 1.3	Environmental Checklist	February 24, 2010
	PCR 1.4	Preliminary Plat Map	February 24, 2010
<b>Planning Commission Staff Memo Exhibit List</b>			
<b>PCM 1</b> Includes:	PCM 1.1	Staff Memo	April 29, 2010
	PCM 1.2	Notice of Application	March 12, 2010
	PCM 1.3	Notice of Open Record Hearing	April 20, 2010
	PCM 1.4	Determination Of Non Significance	April 4, 2010
	PCM 1.5	Comments from Benton County Fire Marshal	March 16, 2010
	PCM 1.6	Comments from Benton County Assessor's Office	March 16, 2010
	PCM 1.7	Comments from Benton County Parks Department	March 16, 2010
	PCM 1.8	Comments from Benton PUD	March 19, 2010
	PCM 1.9	Comments from Benton County Fire District 1	March 22, 2010
	PCM 1.10	Comments from City of Kennewick	March 25, 2010
	PCM 1.11	Comments from Washington State Dept of Ecology	March 26, 2010
	PCM 1.12	Comments from Benton-Franklin Health District	March 29, 2010
	PCM 1.13	Comments from Badger Mountain Irrigation District	March 29, 2010
	PCM 1.14	Comments from WA State Dept of Transportation	March 30, 2010
	PCM 1.15	Comments from Benton County Public Works	April 10, 2010
	PCM 1.16	Comments from Benton County Building Dept	March 30, 2010
	PCM 1.17	Comments from City of Richland	April 29, 2010
	PCM 1.18	Comments from the Benton Franklin District Health Dept.	April 29, 2010
	PCM 1.19	Comments from the Benton Franklin District Health Dept.	April 28, 2010
	PCM 1.20	Aerial Photo of the Site.	
<b>Board of County Commissioners Exhibit List</b>			
<b>CCM 1</b> Includes:	CCM 1.1	Board of County Commissioners Agenda Sheet	June 18, 2010
	CCM 1.2	Planning Commission Recommendation, Findings & Conclusion	June 14, 2010
<b>CCH 1</b> Includes:	CCH 1.1		
	CCH 1.2		

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**SUB 10-1**  
**CCM 1.1**

<b>AGENDA ITEM</b>	<b>TYPE OF ACTION NEEDED</b>	
<b>MTG. DATE:</b> June 28, 2010	Execute Contract	Consent Agenda
<b>SUBJECT:</b> Preliminary Plat of Reata Place SUB 10-01	Pass Resolution X	Closed Record
<b>MEMO DATE:</b> June 18, 2010	Pass Ordinance	Hearing
<b>Prepared By:</b> Clark A. Posey	Pass Motion X	Public Meeting X
<b>Reviewed By:</b> Michael Shuttleworth	Other	1st Discussion
		2nd Discussion
		Other

**BACKGROUND INFORMATION**

On May 11, 2010, the Benton County Planning Commission conducted an open record hearing on the proposed preliminary plat of Reata Place – SUB 10-01. This subdivision consists of 15.86 acres to be divided into 15 single-family lots. After closing the Open Record Hearing and discussing the proposed plat, the Planning Commission made a recommendation to approve the preliminary plat of Reata Place as presented with conditions. The Planning Commission’s record and recommendation for SUB 10-01 is being submitted for your review and decision. The Board has set a public meeting for June 28, 2010 at 9:40 a.m. to review the record and recommendation of the Planning Commission.

The Board of County Commissioners must make a final decision on the preliminary plat application based on the Planning Commission’s Open Record Hearing. The Board of County Commissioners cannot consider any testimony other than that testimony that was presented to the Planning Commission at their Open Record Hearing. The only information the Board can consider is the clarification of statements made at the Open Record Hearing. Attached for the Board’s review is a copy of the Planning Commission Record and their signed Recommendation, Findings and Conclusion.

**SUMMARY**

The Benton County Planning Commission has completed the open record hearing for the preliminary plat application of Reata Place – SUB 10-01. The Board of County Commissioners will consider the preliminary plat and recommendation of the Planning Commission at a public meeting on June 28, 2010.at 9:40 a.m. in the Commission’s meeting on the third floor of the Benton County Courthouse

**RECOMMENDATION**

After closing the Open Record Hearing and discussing the issue, the Planning Commission voted to recommend approval of the preliminary plat as presented with conditions. After reviewing the information presented at the public meeting, the Planning staff recommends that the Board adopt the Planning Commission’s recommendation, Findings and Conclusions and approve the proposed preliminary plat.

**FISCAL IMPACT** none.

**MOTION**

If the Board agrees with the Planning Commission and Planning Department, the Board can adopt the Planning Commission recommendation, Findings and Conclusions as their own and approve the preliminary plat of Reata Place – SUB 10-01 with conditions.

If however, the Board disagrees with the Planning Commission and Planning Department’s recommendation then the Board will have to complete your own Findings and either approve the plat with additional conditions or deny the plat. If based on the Planning Commission’s record, you wish to complete your own findings; the Planning Department could draft the Boards findings and conclusions for the Board’s approval.

**EXHIBIT LIST FOR ORDINANCE ADDING A NEW  
CHAPTER TO BCC TITLE 9**

9:40

<b>Planning Commission Application Exhibit List</b>		
		<b>DATED</b>
<b>PCR 1</b>	PCR 1.3 Draft Ordinance adding new Chapter to BCC Title 9	
Includes:	PCR 1.4 Environmental Checklist	April 20, 2010
<b>Planning Commission Staff Memo Exhibit List</b>		
<b>PCM 1</b>	PCM 1.1 Staff Memo	April 30, 2010
Includes:	PCM 1.2 Determination of Non Significance issued	April 1, 2010
	PCM 1.3 Comments from Benton Co. Public Works	April 29, 2010
	PCM 1.4 Comments from Benton Co. Fire Marshal	April 22, 2010
<b>Board of County Commissioners Exhibit List</b>		
<b>CCM1</b>	CCM 1.1 Board of County Commissioners Agenda Sheet	June 21, 2010
Includes:	CCM 1.2 Planning Commission Recommendation & Findings	May 28, 2010
<b>CCH1</b>	CCH 1.1	
Includes:	CCH 1.2	
	CCH 1.3	
	CCH 1.4	
	CCH 1.5	

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<p><b>AGENDA ITEM</b>  <b>MTG. DATE:</b> June 28, 2010  <b>SUBJECT:</b> Ord. adding a new Chapter to Title 9 re: Boundary Line Adjustment  <b>Memo Date:</b> June 21, 2010  <b>Prepared By:</b> Michael Shuttleworth</p>	<p><b>TYPE OF ACTION NEEDED</b>  Execute Contract  Pass Resolution X  Pass Ordinance X  Pass Motion X</p>	<p>Consent Agenda  Public Hearing  1st Discussion  2nd Discussion  Public Meeting X</p>
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**BACKGROUND INFORMATION**

The proposed ordinance titled "Boundary Line Adjustments" will create a new chapter in Title 9 of the Benton County Code. The new chapter will provide procedures and consistent criteria for reviewing and approving boundary line adjustments. The proposed ordinance has been reviewed under the State Environmental Policy Act and a Determination of Non-Significances was issued on April 20, 2010.

On May 11, 2010 the Benton County Planning Commission conducted a public hearing for the proposed ordinance. After reviewing the information presented at the public hearing the Planning Commission has recommended approval of the proposed ordinance. The Board of County Commissioners will consider the proposed ordinance at a public meeting on Monday June 28, 2010, at 9:40 a.m.

**SUMMARY**

The proposed ordinance will amend Title 9 to provide procedures and consistent criteria for reviewing and approving boundary line adjustments. The Benton County Planning Commission conducted a public hearing for the proposed ordinance and recommended approval of the proposed ordinance.

This action is to review the record prepared by the Planning Commission and discuss the attached draft ordinance. After review of the information, the Board can adopt the ordinance as recommended, adopt with changes or reject the proposed ordinance.

**RECOMMENDATION**

The Planning Commission and Planning Department recommends adoption of the attached ordinance title "Boundary Line Adjustments", which will add a new chapter to Benton County Code Title 9.

**FISCAL IMPACT**

None

**MOTION**

At the conclusion of the public meeting, the Board will need to make a motion adopting the Planning Commission Findings of Fact as your own and approving the resolution and adopting the ordinance "Boundary Line Adjustments".

BENTON COUNTY PROSECUTOR  
CIVIL DIVISION  
7122 W. Okanogan Place, Bldg. A  
Kennewick, WA 99336  
(509) 735-3591 Fax (509) 222-3705

9:50  
RECEIVED  
JUN 21 2010  
BENTON COUNTY  
COMMISSIONERS

MEMORANDUM

TO: Board of Commissioners  
FROM: Ryan Brown, Chief Deputy *RKB*  
DATE: June 18, 2010  
RE: Review of BCC Chapter 6.08

Max	<input checked="" type="checkbox"/>
Leo	<input checked="" type="checkbox"/>
Jim	<input checked="" type="checkbox"/>
David	<input checked="" type="checkbox"/>
Loretta	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>

The Building Department and its Code Enforcement Officer recently inquired about the Code Enforcement Officer's ability to cite persons for violations of Chapter 6.08 of the Benton County Code (BCC). Our DPA that handles referrals from the Code Enforcement Officer questioned the propriety of the Code Enforcement Officer citing violations of BCC 6.08, given that all violations, even initial violations, are misdemeanors under BCC 6.08.210. Steve Brown then inquired as to whether his office and/or BCSO should be enforcing BCC 6.08.

BCC Chapter 6.08 is entitled "Litter Control". It was enacted in 1974 and has been only minimally amended by the Board of County Commissioners since then. There have been few, if any, enforcement actions under BCC 6.08 in at least the last 10 years. Enclosed for your review is a copy of that chapter.

Many of the provisions of Chapter 6.08 BCC repeat or are similar to regulations reflected in existing Washington State statutes. However, the penalties under this chapter of the County code are, for the most part, much more severe than under State laws that address similar issues. We have not confirmed but suspect that although the County penalties may have paralleled those in state law when adopted 36 years ago, state law has been amended over the years to substantially reduce the penalties for similar violations.

Noted in the margins of your enclosed copy of BCC 6.08 are references to the RCW provision that generally addresses the subject matter of the respective provisions in BCC 6.08. As you can see, the only provisions in BCC 6.08 that do not seem to be addressed at least in some manner by a provision in state law are BCC 6.08.040; 6.08.050; and 6.08.070. With respect to these three provisions, you will need to assess whether you want to continue to

Board of Commissioners  
June 18, 2010  
Page 2

have those regulations and, if so, whether you believe violations of those provisions should be misdemeanors. We note with interest that one of these three provisions, BCC 6.08.070, requires a litter bag in each vehicle that must be visible from outside the vehicle. A violation of this provision is a misdemeanor, as are all violations of BCC 6.08. We find no comparable state law.

You may also want to consider whether you want to continue the regulations regarding handbills that are set forth in BCC 6.08.110 through .150. State law does not appear to contain such pervasive regulations regarding handbills, other than to prohibit them near polling places. See RCW 29A.84.510. If you decide you want to maintain these regulations, you should also consider whether a violation should be a criminal misdemeanor.

With respect to the other provisions of BCC 6.08, in some fashion state law already addresses the conduct described in those code provisions. Captain Keane has polled his deputies, and he sees no reason to maintain BCC 6.08. His deputies utilize the state statutes when citing for the littering type activities governed by these laws.

In sum, we are asking that you review BCC 6.08 and decide whether to: a) maintain BCC 6.08 as it currently exists despite the fact that it currently is not being relied upon by law enforcement officers; b) repeal the chapter in its entirety and leave litter regulation to the state; or c) go through the chapter one provision at a time and decide how you would like to amend it.

We have scheduled a time on your agenda for 9:50 am on Monday, June 28<sup>th</sup> to discuss this matter. If you have any questions before then, please let us know.

Encl.

cc: Andy Miller  
Steve Brown  
Steve Keane  
Larry Taylor



## BENTON-FRANKLIN COUNTIES DEPARTMENT OF HUMAN SERVICES

Developmental Disabilities, Housing, Mental Health,  
Substance Abuse and Prevention Programs



10:05

### Report to the Boards of Commissioners

May/June 2010

---

#### Administrative Office:

1. Review of Joint Resolution Authorizing Director of Human Services to execute certain types of contracts. With the change in title, it is appropriate to review and update this resolution.
2. Participation on all boards has diminished in spite of recruitment efforts. Would like to propose consolidating boards into a Human Services Board.

#### Developmental Disabilities Services:

1. DD Advisory Board –did not meet in May. Board members have been touring the Employment/Day Program agencies to get a first-hand look at what services are provided.
2. DD Employment Services—The State plans to amend the county contract rather than implementing a new contract for the upcoming fiscal year. Contract language changes include decreasing the administration line item from 7% to 6.5% and including a statement that counties will inform the Region of any changes to a client's employment plan prior to the changes being made.
3. State DD Budget –The State has received transition funds to serve students who have graduated and will be graduating in the 2009-2011 biennium. We are currently working with the Division to settle on a process for bringing these new individuals into services. We may experience challenges with capacity.
4. Contract Monitoring—All contract monitoring is complete. Two Employment/Day programs had no corrective actions and the five other agencies had between 2-4 corrective actions; all of which have been adequately addressed.

#### Mental Health Services:

1. Greater Columbia Behavioral Health (GCBH)— The board met June 3rd and they are scheduled to offer employment to a Medical Director, Dr. Keith Brown.
2. Mental Health Advisory Board— The board voted to recommend Muriel Templeton to join the Board. The group is also in the process of reviewing the NAMI needs assessment and developing a response to this document.

3. NOFA proposals received and scored. Scoring committee recommends to the Boards of County Commissioners that the following awards be made. It is important to recognize that these projects will be supported with existing fund balances.
  - a. Access Initiative- Award grants to both Lourdes Counseling and Catholic Family Child Services.
  - b. Hospital Liaison- Award grant to Crisis Response Unit
  - c. Supported Housing Program- No award recommended
  - d. Senior Adult Services- Award grant to Catholic Family and Child Services
  - e. DBT evidence Based Practice- No proposals received for consideration
4. Mental Health Outpatient Services— The providers are all now operating under Provider One, which thus far has been successful. Human Services is looking to enter into a contract to compare outcomes between our subcontracted mental health agencies so performance can be quantitatively compared. Ed Thornbrugh also traveled to San Antonio to attend the national CIT conference.
5. Crisis Intervention Team (CIT)— CIT's spring 2010 session was held May 17<sup>th</sup> through May 21<sup>st</sup>. nine commissioned officers and two Department of Child and Family Services workers received certificates. The fall 2010 session is nearly filled to capacity.
6. International CIT conference was attended by four commissioned officers and deputy director. Will add depth to planning and delivery of future forty hour training sessions.
7. Lutheran Community Services has submitted a proposal to operate a family resource center for at risk youth. It is intended to provide early access to resources and reduce the likely hood of direct referral into deep end systems.

#### **Substance Abuse:**

1. SAAB did not meet this month. Most Board members were unable to attend.
2. SA providers- The provider network has a waiting list of 1-2 weeks for intakes and counseling. All agencies are now using the new payer system, Provider One, and have experienced very few problems.
3. State Budget- The Counties have recently been informed that our service providers will not see a reduction in funding this up-coming fiscal year, however, the Counties will see a 2% reduction in Administration funds.
4. RSAT- DHS, with the assistance of Lourdes, has submitted the RSAT proposal for the continuation of funds for this program which is provided at the Benton County jail. DHS has been awarded \$82,000 for this up-coming biennium. DHS is in the process of reworking the stated "Goals and Objectives" which will be resubmitted to Division of Behavioral Health and Recovery (DBHR) for approval.
5. RSAT onsite monitoring report received from Department of Commerce. Benton/Franklin Counties found generally in compliance. Department will adjust vouchers to be consistent in form with contract budget.

6. Program Specialist retiring the end of June. Jerry VanHoosen has completed 19+ years of service and we are grateful for his contributions.
7. Substandard performance by a provider.

### **Prevention Services:**

1. Current prevention providers are wrapping up services for this fiscal year. DHS recently reviewed and scored the prevention proposals for the 2011 fiscal year. There were 9 proposals from 4 agencies. The Review Team has narrowed the recommendations to three providers and 4 programs. It is anticipated that the 2011 funding amount will be at the same level as this current year. The recommendations have been submitted to the Substance Abuse Administrative Board via email.

### **Housing**

1. Collaboration with the Washington State Department of Commerce's Housing Trust Fund and the City of Pasco and Franklin County Housing Authority, which has stepped forward to ensure that the Cullum House and two Shelter Plus Care homes will remain in service for chronically mentally ill people following the closure of the Richland Housing Authority.
2. The contract for HMIS funding remains at Department of Commerce for signature. Attendance by staff at recent HMIS training will result in increased system performance capabilities.

### **IT Services**

1. HP servers ready for replacement. Current server is four years old and storage capacity at ninety percent full
2. Email archiving service renewal pending

### **Supporting Documentation**

Advocates for Wellness report  
Recommended NOFA applications  
Joint Resolution BC 90-176, FC90-72  
LCS resource center proposal