

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Special Board Meeting  
March 16, 2011, 9:00 a.m.  
Commissioners' Conference Room  
Benton County Justice Center, Kennewick, WA

**Present:** Commissioner Shon Small (Chairman Pro Tem)  
Commissioner James Beaver  
County Administrator David Sparks  
Clerk of the Board Cami McKenzie

**Absent:** Chairman Leo Bowman (excused)

**Benton County Employees Present During All or a Portion of the Meeting:** Deputy Administrator Loretta Smith Kelty; DPA Ryan Brown; Finance Manager Keith Mercer; Dean Docken, Facilities; Caroline Bowen, Fairgrounds; PA Andy Miller; Eric Hsu, OPD; Sharon Paradis, Juvenile; Judge Cameron Mitchell; Sheriff Steve Keane; Pat Austin, Superior Court; Clerk Josie Delvin; Jennifer Bowe, Juvenile.

#### Fair Association Workshop

Commissioner Beaver said he believed in 5/10/15 year strategies and wanted what was best to improve the facility. He said he had a series of user group meetings, wanted to continue that, and was interested in matching up ideas with the Fair Association.

Doug Elliot, Fair Association, said they wanted to develop a better working relationship with the County and get the facility up to standards. Additionally, they were interested in re-negotiating their lease at a lower rate. He said that costs were up (entertainment, insurance, carnival, labor) and they would be losing \$50,000 in funding from the State in 2012. He said it was their desire to lower the lease payment, but use money to improve the grounds.

Commissioner Beaver said he wanted the Fair Association to know there were other issues in front of the Board (gangs, juvenile facility, state mandates, lost income to jail facility) that were affecting the County and he could not weigh a discount to the Fair Association against public safety. However, there might be capital funding available for the County to partner with the Fair Association for improvements to the grounds.

Mr. Elliott stated the Fair Association would not be able to participate in capital improvements if they continued at the high lease rate.

Commissioner Small said he guaranteed there would be a better working relationship with the current Board of Commissioners and he was in favor of building a great community facility.

Mr. Sparks said they could look at the value of the lease as a whole (what you get, not what you are paying).

The Board agreed to have Commissioner staff work with the Fair Association to agree on a list of improvements.

Harvey Underwood discussed the challenges the County faced in completing improvements and the rules it was governed by. He said the Fair Association might be able to complete work for less since it did not have to pay prevailing wage, etc.

DPA Ryan Brown said it was a county facility and any improvements or contracts had to be done according to the law (prevailing wage, bidding requirements) and trying to get around that would be circumventing the prevailing wage law.

Mr. Sparks reiterated they would work on putting a value on the contract with the Fair Association. Mr. Elliott again asked if there was room to negotiate the lease and the Board informed him they would try to have an answer in two weeks.

It was agreed that David Sparks and Loretta Smith Kelty would be the County contact for the Fair Association when it was ready to get together to formulate a list of improvements for the Board to review.

The Board recessed at 10:10 a.m., reconvening at 10:30 a.m.

### **Law & Justice Council Workshop**

Sharon Paradis reviewed her proposal to the Board to increase Juvenile Detention by adding three detention officers and one detention relief, for a total amount of \$187,280. She said that Franklin County was not able to increase their funding at this time. Ms. Paradis then discussed the pros and cons of the two different options for additional Benton County only funding:

Option 1: Strict limits to beds assigned to each county

Option 2: Flexible per county capacity to address Benton County community safety concern  
(when capped, Franklin County youth would be released first)

Andy Miller discussed his concerns and said that certain changes had taken place in the program, based upon a temporary problem, including alternatives to detention. He said the problem now was that the juveniles were already calculating how early they would get out. He said that early release detracted from the seriousness of the message they were trying to send and hurt law enforcement efforts. He said he believed in being proactive with gangs and stopping minor crimes before they became a pattern was an effective resource to deterring Juvenile gang offenders.

Commissioner Small said he had a passion to care for the Juvenile and was interested in resolving the detention issue, then moving along to implement the gang task force.

Commissioner Beaver agreed the issue could consume a community and that he appreciated the information. He said he wanted to make a decision soon and would look at all options, including the sales tax option.

Mr. Miller said the voters approved a “detention sales tax” about 15 years ago, although the county’s capacity had not changed in that time.

Sheriff Keane said that accountability is an important component and that low-level crimes lead to high-level crimes. He said the violent offenders were being housed, but the smaller, less serious crimes did not have the same accountability. He said they would continue to look at all funding options before considering sales tax.

Eric Hsu said the Juvenile defenders shared the same concerns that their clients were “gaming the system”. Mr. Hsu suggested forming a committee to review the issue and give recommendations.

Mr. Miller said he wanted to refocus the issue back to whether Benton County could make a commitment of \$187,280 and the Board should set a policy before Ms. Paradis and/or Mr. Brown starting investing more time into the issue.

The Board said the issue would be before the Board at the next Monday meeting. Judge Mitchell said if the Board made the commitment, it could do the work required to make a recommendation.

Mr. Hsu said part of the process was to educate the public and now was a good time if putting a sales tax on the ballot was part of the long-term goal. Mr. Miller reiterated he didn’t want to get distracted from the point of today’s meeting or have the public think the long-term solution was a sales tax.

The Board agreed to discuss the issue with Commissioner Bowman at Monday’s meeting.

There being no further business before the Board, the meeting adjourned at approximately 11:30 a.m.

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Clerk of the Board

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Chairman