

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Monday, March 28, 2011, 8:30 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

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

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; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; Deputy Treasurer Eriza Rivera; County Engineer Malcolm Bowie; Superior Court Administrator Pat Austin; County Clerk Josie Delvin; District Court Administrator Jacki Lahtinen; Sheriff Steven Keane; Central Services Manager Randy Reid; DPA Ryan Brown; DPA Jonathan Young.

Workshop Agenda

Commissioner Small said that he met with the Port of Benton the previous week getting an overview of their services.

Commissioner Beaver reported on his meetings with the Fairgrounds User Group, the Tri Cities Visitor and Convention Bureau and the Health Board. Commissioner Beaver also toured the Jail at the Justice Center with Officer Souza and Teamster representatives.

County Administrator David Sparks commented on the jail bonds and said that he and Loretta Smith Kelty performed an analysis of the 2001 bonds and added that said bonds (callable) could be paid off in December 2011 for \$3.2 million. Mr. Sparks informed the Board that if the County wanted to pay these bonds early (December), work had to be done 60 days prior to December. The Board was in agreement with Mr. Sparks' recommendation for the payoff and directed him to move forward.

Chairman Bowman reported on his trip to Olympia. Commissioner Bowman met with Carl Adrian and Representative Moscoso on the gang bill and indicated that he would be going back to Olympia to continue working the gang issue this week.

Chairman Bowman reported on his meeting with the Department of Transportation regarding Commute Trip Reduction. Chairman Bowman presented the group with information about Tri Cities; specifically Highways 124 and 240 and reviewed the criteria to see whether Benton County qualified for an exemption. Chairman Bowman indicated that Benton County would be getting a letter from Benton Franklin Council of Government removing Benton County from the qualifying list and indicated that Benton County was in good shape. Additionally, he discussed Benton County's other legislative issues to include crime labs and the medical marijuana bill. He said the counties would not be responsible on enforcing such a bill, but the Health Departments would be enforcing; keeping in mind, however, that the Commissioners directly sat on the Health Board. Additionally, he informed the Board that the House had passed their transportation budget.

Chairman Bowman discussed a letter received from the Historic Downtown Prosser Association regarding their Main Street Certification Celebration on May 17th and that they wanted to have their event at the courthouse. Also discussed was their request to close off the street in front of the courthouse steps (Dudley Street). Public Works staff commented that this was within the City's jurisdiction, not the county's and the Commissioners agreed that if the City of Prosser was okay with closing the street, Benton County would not have an issue. Commissioners directed staff to draft a response letter to the Association.

Commissioner Beaver discussed his desire to remove his commissioner parking spot at the Justice Center and recommended that space be used as an employee recognition parking spot. Personnel Department was assigned this project to determine how employees would be nominated for employee parking recognition.

Adam Fyall presented the Board with a draft letter for Board signature recognizing Planning's efforts on the zoning ordinance amendments. The Board agreed to the letter and requested Mr. Fyall prepare it to send out this week.

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

Approval of Minutes

The Minutes of Special Board Meeting of March 16, 2011 were approved.

The Minutes of March 21, 2011 were approved.

Review Agenda

Commissioner Small requested item "r" (Copier Lease Agreement w/IKON) be discussed.

Item "r" (Copier Lease Agreement w/IKON)

Commissioner Small wanted to discuss whether the County as a whole could purchase copiers versus leasing and the last time the County had reviewed that issue. Commissioner Small thought that perhaps the County would save money having some sort of purchasing contract in

place. Chairman Bowman indicated the County had looked at this in the past and that every department had unique needs and that is why it did not work in the past. Chairman Bowman further indicated that perhaps bringing that subject at the next elected officials meeting would be ideal.

Consent Agenda

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

Commissioners

- a. Amended and Restated Employment Agreement w/D Sparks

Facilities

- b. Contract w/Apollo Sheet Metal for Water Line Replacement

Fairgrounds

- c. Lease Agreement w/12-Bar Productions, LLC

Human Services

- d. Contract Amendment, #0963-68016-04, w/WA State, Dept of Social & Health Services

Juvenile

- e. Contract Amendment w/City of Kennewick for Graffiti Abatement
- f. Amended Professional Services Agreement w/K Oldfield for Indigent Legal Representation
- g. Contract Amendment w/Washington Collectors Tri-Cities, Inc.

Public Works

- h. Authorization to Sign Certification of Expenditures for Fish Passage Barrier Removal 2010
- i. Authorization to Sign Certification of Expenditures for Traffic Law Enforcement 2010
- j. Authorization to Sign Certification for Annual Certification 2010
- k. Authorization to Rent Paving Machine from Road Products, Inc.
- l. Supply Contract w/Bleyhl Farm Service, Inc. for Refined Petroleum Products
- m. Authorization for County Engineer to Approve Change Orders
- n. Authorization for Public Hearing for Company 79 Franchise
- o. Agreement Amendment No. 2 w/State of Washington Department of Ecology
- p. Award of Contract to Burlington Environmental LLC to Transport Hazardous Waste

Sheriff

- q. Agreement w/South Correctional Entity (SCORE) for Use of Jail Facilities
- r. Copier Lease Agreement w/IKON

Sustainable Development

- s. Service Agreement w/Tri-City Development Council

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

Trial Court Improvement

Pat Austin, Josie Delvin & Jacki Lahtinen presented the 2011- 2012 planned expenditure requests for the Trial Court Improvement monies.

Jacki Lahtinen informed the Board that the Trial Court Improvement Committee had reviewed the 2011 – 2012 expenditure requests and agreed the expenditures were in compliance with the Trial Court Improvement Fund guidelines as outlined by the Washington Administrative Office of the Courts.

Ms. Lahtinen further informed the Board that said expenditures would be used for reader boards; monitors for electronic schedule postings; monitors for Clerk, District Court and Superior Court schedules; I-Pads computer devices; Wi-Fi access; installment of jury program; IDS upgrade; sound system upgrades in courtrooms; microphone and listening devices; headsets & transmitters; travel and training; Liberty licenses; scanners, printers and computers; security cameras; repairs to sound system and audio visual equipment and more specifically as outlined by the resolution as presented.

Commissioner Small asked whether the training fund was for both District Court and Superior Court.

Chairman Bowman raised his concern on licenses for Liberty web. He wondered whether thought had been given on replacement and maintenance costs and hoped that there was consideration given to the trial court improvement fund paying for any replacement and maintenance costs. Clerk Josie Delvin indicated that they were working with Randy Reid for those costs.

MOTION: Commissioner Small moved to approve the recommended expenditures from the Trial Court Improvement Fund in the matter of authorizing purchases as identified on the letter from the Trial Court Improvement Fund Committee for expenditures totaling \$198,740 utilizing the funds from the Benton County Trial Court Improvement Fund. Commissioner Beaver seconded and upon vote, the motion carried unanimously.

Executive Session

The Board went into executive session with DPA Jonathan Young and Sheriff Steve Keane at 9:19 a.m. for approximately 15 minutes to discuss current litigation. Also present were Ryan Brown, David Sparks, Loretta Smith Kelty, Melina Wenner, Cami McKenzie and Marilu Flores. The Board came out of executive session at 9:34 am and requested to go back into executive session for an additional 5 minutes to continue discussion. The Board came out of executive session at 9:39 am and requested an additional 10 minutes. The Board came out of executive session at 9:45 am and Mr. Young said no decisions were made.

Unscheduled Visitors

There were no unscheduled visitors.

Vouchers

Check Date: 3/25/2011
Warrant #: 31035-31265
Taxes #: 010103111, 010103112, 050103111
Total all funds: \$1,306,869.11

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

Resolutions

- 11.204 Amended and Restated Employment Agreement w/D Sparks
- 11.205 Contract w/Apollo Sheet Metal for Water Line Replacement
- 11.206 Lease Agreement w/12-Bar Productions, LLC
- 11.207 Contract Amendment, #0963-68016-04, w/WA State, Dept of Social & Health Services
- 11.208 Contract Amendment w/City of Kennewick for Graffiti Abatement
- 11.209 Amended Professional Services Agreement w/K Oldfield for Indigent Legal Representation
- 11.210 Contract Amendment w/Washington Collectors Tri-Cities, Inc.
- 11.211 Authorization to Sign Certification of Expenditures for Fish Passage Barrier Removal 2010
- 11.212 Authorization to Sign Certification of Expenditures for Traffic Law Enforcement 2010
- 11.213 Authorization to Sign Certification for Annual Certification 2010
- 11.214 Authorization to Rent Paving Machine from Road Products, Inc.
- 11.215 Supply Contract w/Bleyhl Farm Service, Inc. for Refined Petroleum Products
- 11.216 Authorization for County Engineer to Approve Change Orders
- 11.217 Authorization for Public Hearing for Company 79 Franchise
- 11.218 Agreement Amendment No. 2 w/State of Washington Department of Ecology
- 11.219 Award of Contract to Burlington Environmental LLC to Transport Hazardous Waste
- 11.220 Agreement w/South Correctional Entity (SCORE) for Use of Jail Facilities
- 11.221 Copier Lease Agreement w/IKON
- 11.222 Service Agreement w/Tri-City Development Council
- 11.223 Trial Court Fund Expenditures

There being no further business before the Board, the meeting adjourned at approximately 9:46 am.

Alternate Clerk of the Board

Chairman