

March 29, 2010

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

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
March 22, 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.
Clerk of the Board Cami McKenzie

Absent: County Administrator David Sparks (attending mediation)

Benton County Employees Present During All or a Portion of the Meeting: Adam Fyall, Community Development Coordinator; Finance Manager Keith Mercer; Ed Thornbrugh, Human Services; Planning Manager Mike Shuttleworth; Treasurer Duane Davidson; DPA Ryan Brown; Steve Becken and Malcolm Bowie, Public Works; Nick Kooiker, Treasurer; Sue Schuetze, Public Works; Ken Williams, Building Department.

Workshop Agenda

County Seat Issue

Commissioner Bowman said he had been speaking to different groups, including the editorial board, asking them to provide their vision of what it meant to move the county seat. The Board discussed the report deadline, and whether it should be modified and the history of moving county seats. Commissioner Benitz said the issue had been brought up to the elected officials and Mr. Sparks was working with them and would bring back a recommendation regarding the report the first part of April.

Coroner/Medical Examiner

Commissioner Bowman posed the question of whether the County should look into hiring a medical examiner and/or requiring the Coroner to be a medical examiner. Mr. Davidson stated that population dictated the Coroner position in the statutes. The Board agreed that Commissioner Bowman could review the issue and report back to the Board.

Human Services Administrator Position

Commissioner Benitz stated that both counties had agreed to the process for hiring a new administrator and the bi-county boards would interview the top three candidates as recommended by the Committee.

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

Approval of Minutes

The Minutes of March 15, 2010 were approved.

Consent Agenda

MOTION: Commissioner Bowman moved to approve the consent agenda items “a” through “w”. Commissioner Benitz seconded and upon vote, the Board approved the following:

Commissioners

- a. Letters of Support for Kadlec Health System’s Appropriations Request

Facilities

- b. Blanket Service Agreement w/Doyle Electric, Inc.
- c. Blanket Service Agreement w/Apollo Sheet Metal, Inc.

Fairgrounds

- d. Lease Agreement w/Rada Rabbits & Cavies 4-H Club
- e. Lease Agreement w/12-Bar Productions, LLC
- f. Lease Agreement w/Atomic City Rollergirls
- g. Contract w/Mid-Columbia Construction, Inc.

Juvenile

- h. Agreement w/The John D. and Catherine T. Mac Arthur Foundation

Office of Public Defense

- i. Amended Service Agreement w/T Orosco for District Court Indigent Defense
- j. Amended Service Agreement w/D Kathren for District Court Supervisory Services
- k. Termination of Drug Court Contract w/N Rodriguez
- l. Compensation for R Swinburnson to Mentor Staff Attorneys on District Court Appeals

Personnel

- m. Contract w/Zee Medical for First Aid Supplies and Cabinets

Prosecuting Attorney

- n. Collective Bargaining Agreement w/Crisis Response Unit

Public Works

- o. Refined Petroleum Products – Bulk Diesel Fuel Contract w/Bleyhl Farm Service, Inc.
- p. Application Franchise Public Hearing Authorization for Badger Mountain Irrigation District
- q. Application Franchise Public Hearing Authorization for Agreserves Inc.
- r. Order and Agreement for Nonexclusive Franchise for the City of Richland
- s. Order and Agreement for Nonexclusive Franchise for the City of West Richland

Sheriff

- t. Line Item Transfer, Fund No. 0000-101, Dept. 120
- u. Line Item Transfer, Fund No. 0000-101, Dept. 120
- v. Authorizing Ammunition Purchases w/Dooley Enterprises & San Diego Police Equip. Co.

Treasurer

- w. Memorandum of Understanding w/Dept of Revenue – Real Estate Excise Tax Grant Program

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

Public Hearing – Proposed Vacation for Unimproved Right of Way – Hunts Plat

Sue Schuetze said they received an application to vacate the right of way, sent out notifications and received two comments as follows:

1. City of W. Richland did not want to vacate due to a sewer main located within the right of way;
2. Fire Marshal stated that several parcels would be landlocked by the vacation.

Ms. Schuetze said her office recommended the right of way be vacated with the following conditions:

1. Subject to an easement being preserved for the City of W. Richland's sewer main and the applicant working with City of W. Richland to get this done.
2. An easement, including a turnaround, be granted from North 46th to two parcels that would be landlocked by the vacation and the easements be recorded by Public Works immediately following the recording of the vacation.
3. Applicant should prepare the legal descriptions, obtain the required signatures, and pay for the recording costs.
4. The Board should require the applicant to submit the easements by a set date and if the deadline was not met, the proposed vacation should be denied.

Terry and Thomas Heath, applicants, spoke in favor of the vacation and said it was proposed due to impacts on their property. Ms. Heath provided pictures and said they wanted to plant trees as a dust barrier and privacy screen because the traffic was creating a lot of dust.

Chuck Sheely, adjacent property owner said he was concerned about access to the parcels if the right of way was vacated. He said he leased one of the parcels and the reason he bought the property was for pasture and horse riding.

As there was no one else present to testify, public testimony was closed.

The Board indicated it was in favor of the vacation if the issues could get worked out.

The Board continued the meeting to 9:15 a.m. on April 19, 2010 in the Commissioners' Conference Room, Benton County Courthouse.

Public Hearing – Short Plat Vacation – 10-01

Mr. Shuttleworth stated the applicant had withdrawn his application.

MOTION: Commissioner Bowman moved to accept the applicant's withdrawal of application. Commissioner Benitz seconded and upon vote, the motion carried unanimously.

Final Plat – Phase 1 Badger Mountain Golf & Country Club

Mr. Shuttleworth said that all conditions of approval had been satisfied and requested the Board authorize the Chairman to sign the final plat and approve the change of zoning from Agricultural to Planned Development.

MOTION: Commissioner Bowman moved to approve the Final Plat of Reata Ridge Phase 1A of the Badger Mountain Golf and Country Club Planned Development – PD 94-01/1A and the Board sign the attached resolutions authorizing the Chairman to sign the final plat and approve the change of zoning for the Reata Ridge Phase 1A of the Badger Mountain Golf & Country Club Planned Development from "Agricultural" to "Planned Development". Commissioner Benitz seconded and upon vote, the motion carried.

Executive Session – Pending Litigation

The Board went into executive session at 9:37 a.m. with DPA Ryan Brown to discuss pending litigation for approximately 20 minutes. Also present were David Sparks (via/videoconference), Mike Shuttleworth, Susan Walker, and Cami McKenzie. The Board came out of executive session at 9:46 a.m. Mr. Brown stated he discussed pending litigation and settlement proposals with the Board.

The Board briefly recessed, reconvening at 9:58 a.m.

Vouchers

Check Date: 03/15/2010
Taxes #: 10110035-10110036
Total all funds: \$35,191.98

Check Date: 3/15/2010
Warrant #: 230137-230168
Direct Deposit #: 52593-52794
Total all funds: \$114,546.16

Check Date: 3/19/2010
Warrant #: 6042-6220
Total all funds: \$3,796.66

Check Date: 3/19/2010
Warrant #: 5816-6041
Direct Deposit #: 01160310
Total all funds: \$562,594.73

Check Date: 3/19/2010
Warrant #: 6221-6320
Total all funds: \$2,094.70

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

Resolutions

- 10-160 Blanket Service Agreement w/Doyle Electric, Inc.
- 10-161 Blanket Service Agreement w/Apollo Sheet Metal, Inc.
- 10-162 Lease Agreement w/Rada Rabbits & Cavies 4-H Club
- 10-163 Lease Agreement w/12-Bar Productions, LLC
- 10-164 Lease Agreement w/Atomic City Rollergirls
- 10-165 Contract w/Mid-Columbia Construction, Inc.
- 10-166 Agreement w/The John D. and Catherine T. Mac Arthur Foundation
- 10-167 Amended Service Agreement w/T Orosco for District Court Indigent Defense
- 10-168 Amended Service Agreement w/D Kathren for District Court Supervisory Services
- 10-169 Termination of Drug Court Contract w/N Rodriguez
- 10-170 Compensation for R Swinburnson to Mentor Staff Attorneys on District Court Appeals
- 10-171 Contract w/Zee Medical for First Aid Supplies and Cabinets
- 10-172 Collective Bargaining Agreement w/Crisis Response Unit
- 10-173 Refined Petroleum Products – Bulk Diesel Fuel Contract w/Bleyhl Farm Service, Inc.
- 10-174 Application Franchise Public Hearing Authorization for Badger Mountain Irrigation District
- 10-175 Application Franchise Public Hearing Authorization for Agreserves Inc.
- 10-176 Order and Agreement for Nonexclusive Franchise for the City of Richland
- 10-177 Order and Agreement for Nonexclusive Franchise for the City of West Richland
- 10-178 Line Item Transfer, Fund No. 0000-101, Dept. 120
- 10-179 Line Item Transfer, Fund No. 0000-101, Dept. 120
- 10-180 Authorizing Ammunition Purchases w/Dooley Enterprises & San Diego Police Equip. Co.
- 10-181 Memorandum of Understanding w/Dept of Revenue – Real Estate Excise Tax Grant Program
- 10-182 Final Plat of Reata Ridge Phase 1A of Badger Mountain Golf and Country Club Planned Unit Development – PD94-1
- 10-183 Change of Zoning for the Final Plat of Reata Ridge Phase 1A of Badger Mountain Golf and Country Club Planned Unit Development – PD 94-1

There being no further business before the Board, the meeting adjourned at approximately 9:58 a.m.

Clerk of the Board

Chairman

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

March 29, 2010

Mr. Art Tackett
Benton-Franklin Regional Council of Governments
1622 Terminal Drive
Richland, WA 99354

Re: Support for Port of Benton HAEIFC Loan Request- Vintner's Village Phase II

Dear Mr. Tackett:

This letter is to convey our support for the Port of Benton's submittal to the Hanford Area Economic Investment Fund Committee for the development of Vintner's Village Phase II infrastructure. We have been pleased to see Phase I of Vintner's Village develop in such a short time; it has truly become a regional asset. The Vintner's Village project is a true example of an economic development success story that we often share.

The Board of County Commissioners strongly endorses the concept of expansion of this development that will not only support the wine industry, but also value added agriculture and related companies. It is also in alignment with the State of Washington's vision to support the development of wine tourism. The Port of Benton's site in Prosser is uniquely positioned to implement such a product, due to its location and history tied to the wine industry and with Washington State University.

It is a smart investment to leverage the momentum that has already begun within Vintner's Village Phase I. Further, this is a positive step in the right direction towards fulfilling the Prosser community's vision as being a wine community. Therefore, we fully endorse the Port's application for funding of this project.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

James Beaver, Chairman

cc Commissioners
Administration

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

b

CANVASSING BOARD APPOINTMENT

I, Jim Beaver, Chair of the Benton County Commissioners, hereby designate myself to serve on the Benton County Canvassing Board for the Special Election to be held on April 27, 2010. I will serve for the timeframe of April 7, 2010 through May 12, 2010.

DATED this _____ day of March 2010.

JIM BEAVER
Chair, Board of County Commissioners

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



March 29, 2010

Ms. Cindy Johnson, City Manager
City of Richland
505 Swift Blvd.
Richland, WA 99352

RE: Interlocal Cooperation Agreement – Local Revitalization Financing Status

Dear Ms. Johnson:

On August 24, 2009, per Resolution 09-549, the Board of Benton County Commissioners approved and signed an Interlocal Cooperation Agreement with the City of Richland.

Section 4 Interlocal Cooperation Act Required Provisions, subsection (a) Duration states in part: ...“provided this Agreement shall automatically terminate on December 31, 2009, in the event:

- (i) the City has not received a project award of at least Three Hundred Twenty Five Thousand Dollars (\$325,000) from the Department of Revenue for the Industry, Science and Education Local Revitalization Financing project by such date; or
- (ii) the Port of Benton and the City have not executed an interlocal agreement by such date whereby the Port of Benton is obligated to distribute to the City 100% of the regular property taxes levied by the Port upon the ‘property tax allocation revenue value’ (as defined in Section 102(14) of the Act) within the Revitalization Area for the same period of time that the County is contributing under Section 2 above, not to exceed Seventy Three Thousand Dollars (\$73,000) in any year.”

It is our understanding the above conditions have not been met. Therefore, we consider the contract terminated as of December 31, 2009. If you have any questions regarding this matter or for some reason do not concur that our agreement has terminated, please let us know.

Thank you,

Jim Beaver
Benton County Commissioner, Chairman

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<u>AGENDA ITEM</u>	<u>ACTION NEEDED</u>	<u>DISCUSSION TYPE</u>
Meeting Date: 29 March 2010	Execute Contract	Consent Agenda X
Subject: USDA-ARS	Pass Resolution	Public Hearing
Memo Date: 24 March 2010	Pass Ordinance	1st Discussion
Prepared By: AJF	Pass Motion X	2nd Discussion
Reviewed By: LSK	Other	Other

SUMMARY & BACKGROUND

Attached is a draft letter of support for the Board's consideration regarding the US Department of Agriculture's Agricultural Research Service (ARS) outside of Prosser. The letter focuses on our Congressional delegation, and asks for their support of a \$3.9 million appropriation for ARS. A background position paper provided by Rod Christensen of Ag Management, Inc is also attached. All three of the letters are identical.

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POSITION PAPER
USDA-ARS, Prosser, WA – December 29, 2009

Agriculture contributes about \$40 billion to Washington State economy, i.e. about 14% of the State's total economy. An ideal climate combined with hard-working growers and efficient processors and other allied industries have made this state's agricultural economy the most successful in the world. In addition, strong research support has been critical for the success of agricultural industry. Therefore, it is important to recognize, maintain, and expand the agricultural research expertise and infrastructure for continued success of the agricultural industry. The researchers at the USDA-ARS, Prosser, WA, have demonstrated their commitments to serve the following critical needs of the customers and stakeholders of specialty and forage crops, as well as biofuel feedstocks: (i) to improve genetic resistance to various diseases and management technologies to enhance production, quality as well as nutritional value and health benefits, thereby, these production industries are competitive in the global market place; (ii) providing state of the art sustainable production prescriptions to maximize the input (water, nutrients, and chemicals) use efficiencies to support specialty crops, forages, and biofuel feedstocks; (iii) production packages for maintaining economical and environmental sustainability of the current and future irrigated production systems; (iv) to develop practices to incorporate sustainable production of biofuel feedstocks without adverse impacts on the current irrigated specialty crops production systems; (v) mitigate emission of trace gases (nitrous oxide, carbon dioxide, and methane) from crops and animal production systems, thus, to minimize negative effects on climate change; (vi) investigate the feasibility of deficit irrigation for specialty crops, forage crops, and biofuel feedstocks, thus develop production practices in anticipation of potential water shortages induced by climate change and/or increasing competing demands; (vii) improving nutritional traits, including health promoting components in potatoes and edible legumes, thus contribute to enhanced nutritional quality; (viii) sustainable management of animal manure and effluents to minimize potential food safety concerns while effective utilization of nutrients from waste products to decrease the heavy reliance on chemical fertilizers. Deliverables of the above research contribute to the current USDA-REE priorities, i.e. food safety and security, human nutrition, climate change, and bioenergy. However, to continue to execute the research programs with high efficiency and to start some new research to address the new challenges within the above priority areas of research there is a critical need for increased funding.

The focus of this \$3.9 million new funding request is to ensure adequate resources to the USDA-ARS research laboratory at Prosser, WA, for high-efficiency delivery of critical research support to all stakeholders. This request comprises the following components:

1. Edible legumes and forage crops variety improvement to: enhance nutritional traits; improved disease resistance; and minimize the negative impacts on climate change (contribute to: food/feed safety and security; human nutrition; and climate change priorities): \$0.7 million
2. Improved nutritional quality and health-promoting attributes of potatoes and sustainable production systems to: optimize the production inputs; maximize net returns; conserve chemicals, fertilizers, and energy; improved carbon sequestration; and minimize trace gas emissions (contribute to: food security/safety; human nutrition; and climate change priorities): \$1.0 million
3. Sustainable production of biofuel feedstocks in: irrigated specialty crops production systems; marginal lands with limited inputs; and under potential water deficits due to climate change. Investigations on the impact of biomass removal (for energy) on carbon sequestration and climate change (contribute to: climate change, and bioenergy priorities): \$1.2 million
4. Sustainable management of natural resources (soil and water) for production of specialty crops, forages, and biofuel feedstocks in low-rainfall Northwest region. Develop strategies for optimal management of deficit irrigation for optimal yield and quality, and minimize negative impacts on the environment. Integrate animal and crop production systems for best management of nutrients from animal manures to minimize negative water quality impacts (contribute to: climate change; food security/safety; and bioenergy priorities): \$1.0 million

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

29 March 2010

The Honorable Doc Hastings
2715 Saint Andrews Loop – Suite D
Pasco, Washington 99301

Re: USDA-ARS Prosser

Dear Representative Hastings,

Benton County wants to express its support for the \$3.9 million funding enhancement at the US Department of Agriculture's Agricultural Research Service (ARS) unit at Prosser.

Lack of adequate federal funding in the past, combined with ever-increasing costs have strained the unit financially. The requested enhancement will allow ARS to continue to be a premier research operation, benefiting not only American agriculture generally, but also the base of our region's economy.

Thank you for consideration of this request.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

Jim Beaver, Chair

Leo Bowman

Max E. Benitz, Jr.

cc: USDA-ARS Prosser

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 Kelly
Deputy County Administrator

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 Kelly
Deputy County Administrator

29 March 2010

The Honorable Maria Cantwell
511 Dirksen Senate Office Building
Washington, DC 20510

Re: **USDA-ARS Prosser**

Dear Senator Cantwell,

Benton County wants to express its support for the \$3.9 million funding enhancement at the US Department of Agriculture's Agricultural Research Service (ARS) unit at Prosser.

Lack of adequate federal funding in the past, combined with ever-increasing costs have strained the unit financially. The requested enhancement will allow ARS to continue to be a premier research operation, benefiting not only American agriculture generally, but also the base of our region's economy.

Thank you for consideration of this request.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

Jim Beaver, Chair

Leo Bowman

Max E. Benitz, Jr.

cc: **USDA-ARS Prosser**

P.O. Box 190, Prosser, WA 99350-0190; Phone (509) 786-5600 or (509) 736-3080, Fax (509) 786-5625
commissioners@co.benton.wa.us

29 March 2010

The Honorable Patty Murray
173 Russell Senate Office Building
Washington DC 20510

Re: **USDA-ARS Prosser**

Dear Senator Murray,

Benton County wants to express its support for the \$3.9 million funding enhancement at the US Department of Agriculture's Agricultural Research Service (ARS) unit at Prosser.

Lack of adequate federal funding in the past, combined with ever-increasing costs have strained the unit financially. The requested enhancement will allow ARS to continue to be a premier research operation, benefiting not only American agriculture generally, but also the base of our region's economy.

Thank you for consideration of this request.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

Jim Beaver, Chair

Leo Bowman

Max E. Benitz, Jr.

cc: **USDA-ARS Prosser**

P.O. Box 190, Prosser, WA 99350-0190; Phone (509) 786-5600 or (509) 736-3080, Fax (509) 786-5625
commissioners@co.benton.wa.us

RESOLUTION

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

**IN THE MATTER OF A BLANKET SERVICE AGREEMENT BETWEEN BENTON
COUNTY AND FRONTIER FENCE, INC. FOR "AS NEEDED" FENCING MATERIAL AND
INSTALLATION SERVICES FOR ALL BENTON COUNTY LOCATIONS**

WHEREAS, per resolution 09-811, any public works services or materials involving less than \$25,000, advertisement and competitive bidding may be dispensed, and such contracts may be entered into after direct negotiation and authorization from the Board of Benton County Commissioners; and

WHEREAS, the Facilities Manager recommends a blanket service agreement with Frontier Fence, Inc., Pasco WA – Contractors License No. FRONTF*258BH be put in place for "as needed" fencing material and installation for all Benton County locations, including Benton County Fairgrounds, for a contract amount not to exceed \$15,000.00 including WSST; **NOW, THEREFORE**

BE IT RESOLVED by the Board of Benton County Commissioners, Benton County, Washington, the Board hereby awards Frontier Fence, Inc. the blanket service agreement for "as needed" services at all Benton County locations for an amount not to exceed \$15,000 inclusive of WSST; and

BE IT FURTHER RESOLVED the Board hereby authorizes the Chairman to sign the service agreement attached hereto.

Dated this _____ day of _____, 2010

Chairman of the Board

Member

Member

Attest: _____
Clerk of the Board

**PERSONAL SERVICES CONTRACT
TERMS AND CONDITIONS**

THIS CONTRACT is made and entered into by and between **BENTON COUNTY**, a political subdivision of the State of Washington, with its principal offices at 620 Market Street, Prosser, WA 99350 (hereinafter "COUNTY"), and **FRONTIER FENCE, INC.**, a corporation authorized to do business in the State of Washington with its principal offices at 2516 N. Commercial Avenue, Pasco, WA 99301 (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 A - Contractor's Hourly Rate Sheet dated 11/30/09
- b. Exhibit B - Washington State Prevailing Wage Rates

2. DURATION OF CONTRACT

The term of this Contract shall begin January 1, 2010 and shall expire on December 31, 2010. 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. The CONTRACTOR agrees to provide "as needed" fence installation and repair for all Benton County locations to include the Benton County Fairgrounds all in accordance with the CONTRACTORS price list proposal attached hereto as Exhibit A. In the event that requested work requires, under State or local law, the issuance of a building permit, CONTRACTOR shall be responsible for procuring such building permit and arranging for inspection and certification of the work. CONTRACTOR may bill COUNTY for the full cost of the permit and any labor time for any of its employees involved in the permitting process, but may not charge any additional processing or other fees that it does not actually incur. Individual jobs or work orders for electrical repair services shall be initiated by the COUNTY representative or his designee by way of a telephone call. Thereafter, upon completion of services, Contractor shall ensure that a

JOINT RESOLUTION

COPY f

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 AN APPOINTMENT TO THE BENTON-FRANKLIN COUNTIES SUBSTANCE ABUSE ADMINISTRATIVE BOARD

WHEREAS, Benton County Resolution #82-479 and Franklin County Resolution #82-110 created the Benton-Franklin Counties Substance Abuse Administrative Board; and,

WHEREAS, said resolutions provided for Board composition of nine members appointed by the Boards of Commissioners of Benton and Franklin Counties; and,

WHEREAS, there is currently one vacant position on this Board with the resignation of Ketra Stumpf, and Charles Eaton has expressed interest and willingness to accept appointment to the Substance Abuse Administrative Board, and,

WHEREAS, the term of this vacant position will expire on December 31, 2011, and,

WHEREAS, the Substance Abuse Administrative Board recommends this appointment; NOW, THEREFORE,

BE IT RESOLVED that Charles Eaton, _____, WA be hereby appointed to the Benton-Franklin Counties Substance Abuse Administrative Board to a term that will expire on December 31, 2011.

DATED: _____

DATED: _____

Chairman of Board

Chairman of Board

Member

Member

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

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

Attest: _____
Clerk of the Board

Attest: _____
Clerk of the Board

Originals: Human Services
Franklin County Commissioners
Charles Eaton

Carey

R E S O L U T I O N

9

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF BENTON COUNTY ROADS RE: CERTIFICATION OF ROAD FUND EXPENDITURES FOR FISH PASSAGE BARRIER REMOVAL 2009

WHEREAS, in accordance with RCW 36.82.070 and RCW 36.79.140, and WAC 136-150 the County Road Administration Board (CRAB) must annually ascertain that County Road fund revenue is expended only for legitimate road fund purposes, including removal of barriers to fish passage; and

WHEREAS, CRAB has requested that Benton County complete a Certification of Road Fund Expenditures for Fish Passage Barrier Removal for 2009; and

WHEREAS, the Certification of Road Fund Expenditures for Fish Passage Barrier Removal for 2009 will be submitted digitally; and

WHEREAS, the County Engineer has prepared the Certification of Road Fund Expenditures for Fish Passage Barrier Removal for 2009; NOW, THEREFORE,

BE IT HEREBY RESOLVED, that the Certification of Road Fund Expenditures for Fish Passage Barrier Removal for 2009 be and hereby is approved, and the Chairman is authorized to sign the Digital Submittal Certification for the Certification of Road Fund Expenditures for Fish Passage Barrier Removal for 2009 on behalf of Benton County.

Dated this 29th day of March, 2010.

Chairman of the Board.

Chairman Pro-Tem.

Member.

Attest: _____
Clerk of the Board

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

DIGITAL SUBMITTAL CERTIFICATION- COUNTY ROAD ADMINISTRATION BOARD
REPORTS FOR 2009

County # 3 County Name BENTON

Required Submittal Date: **April 1, 2010**

The County Engineer checks each box, confirming the forms have been certified by the listed signatures and submitted to and accepted by the County Road Administration Board, then sends this completed form to CRAB via regular mail.

Traffic Law Enforcement Certification 2009
 (Engineer Check)

I hereby certify that the above report is true and accurate and that I have reviewed and approved the report for submission to the County Road Administration Board in accordance with WAC 136

[Signature]
 County Sheriff
[Signature]
 Brenda Chilton
 County Auditor

3-19-2010
 Date
03/22/2010
 Date

 Chair / Executive

 Date

Fish Passage Barrier Removal Certification 2009
 (Engineer Check)

I hereby certify that the above report is true and accurate and that I have reviewed and approved the report for submission to the County Road Administration Board in accordance with WAC 136

 Chair / Executive

 Date

 County Engineer

 Date

Annual Certification 2009
 (Engineer Check)

I hereby certify that the above report is true and accurate and that I have reviewed and approved the report for submission to the County Road Administration Board in accordance with WAC 136.

 Chair / Executive:

 Date

 County Engineer:

 Date

Annual Construction Report for 2009
 (Engineer Check)

County Arterial Preservation Report for 2009
 (Engineer Check)

Maintenance Management Cert. for 2009
 (Engineer Check)

I hereby certify that the Annual Construction and CAPP Reports are true and accurate and that I have reviewed and approved the report for submission to the County Road Administration Board in accordance with WAC 136.

 County Engineer:

 Date

R E S O L U T I O N

h

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY ROAD PURCHASES RE: CERTIFICATION OF ROAD FUND EXPENDITURES FOR TRAFFIC LAW ENFORCEMENT 2009

WHEREAS, in accordance with RCW 36.79.140, the County Road Administration Board (CRAB) must annually ascertain that County Road fund revenue is expended only for legitimate road fund purposes, including traffic law enforcement; and

WHEREAS, CRAB has requested that Benton County complete a Certification of Road Fund Expenditures for Traffic Law Enforcement for 2009; and

WHEREAS, Certification of Road Fund Expenditures for Traffic Law Enforcement for 2009 will be submitted digitally; and

WHEREAS, the Benton County Sheriff and the Benton County Auditor have signed the digital submittal certification for said Certification as required by CRAB; NOW, THEREFORE,

BE IT RESOLVED that the Chairman be authorized to sign the Digital Submittal Certification for Traffic Law Enforcement for 2009 on behalf of Benton County.

Dated this 29th day of March, 2010.

Chairman of the Board.

Chairman Pro-Tem.

Member.

Attest: _____
Clerk of the Board

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

MJB:LJM:slc

DIGITAL SUBMITTAL CERTIFICATION- COUNTY ROAD ADMINISTRATION BOARD
REPORTS FOR 2009

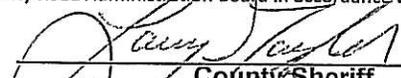
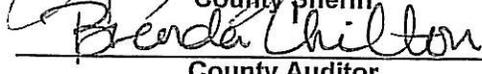
County # 3 County Name BENTON

Required Submittal Date: **April 1, 2010**

The County Engineer checks each box, confirming the forms have been certified by the listed signatures and submitted to and accepted by the County Road Administration Board, then sends this completed form to CRAB via regular mail.

Traffic Law Enforcement Certification 2009
 (Engineer Check)

I hereby certify that the above report is true and accurate and that I have reviewed and approved the report for submission to the County Road Administration Board in accordance with WAC 136

	<u>3-19-2010</u>
County Sheriff	Date
	<u>03/22/2010</u>
Brenda Chilton	Date
_____	_____
Chair / Executive	Date

Fish Passage Barrier Removal Certification 2009
 (Engineer Check)

I hereby certify that the above report is true and accurate and that I have reviewed and approved the report for submission to the County Road Administration Board in accordance with WAC 136

_____	_____
Chair / Executive	Date
_____	_____
County Engineer	Date

Annual Certification 2009
 (Engineer Check)

I hereby certify that the above report is true and accurate and that I have reviewed and approved the report for submission to the County Road Administration Board in accordance with WAC 136.

_____	_____
Chair / Executive:	Date
_____	_____
County Engineer:	Date

Annual Construction Report for 2009
 (Engineer Check)

County Arterial Preservation Report for 2009
 (Engineer Check)

Maintenance Management Cert. for 2009
 (Engineer Check)

I hereby certify that the Annual Construction and CAPP Reports are true and accurate and that I have reviewed and approved the report for submission to the County Road Administration Board in accordance with WAC 136.

_____	_____
County Engineer:	Date

R E S O L U T I O N

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF BENTON COUNTY ROADS RE: APPROVAL OF ANNUAL CERTIFICATION FOR 2009

WHEREAS, as required by WAC 136-04, the Annual Certification for Calendar Year 2009 has been prepared; and

WHEREAS, the Annual Certification for 2009 will be submitted digitally; NOW, THEREFORE,

BE IT HEREBY RESOLVED, that the Annual Certification for Calendar Year 2009 be and hereby is approved, and the Chairman is authorized to sign the Digital Submittal Certification for the Annual Certification for 2009 on behalf of Benton County.

Dated this 29th day of March, 2010.

Chairman of the Board.

Chairman Pro-Tem.

Member.

Attest: _____
Clerk of the Board

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

**DIGITAL SUBMITTAL CERTIFICATION- COUNTY ROAD ADMINISTRATION BOARD
REPORTS FOR 2009**

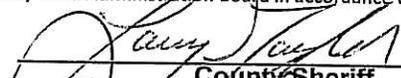
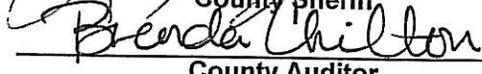
County # 3 County Name BENTON

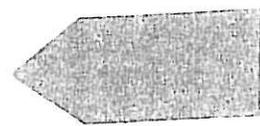
Required Submittal Date: **April 1, 2010**

The County Engineer checks each box, confirming the forms have been certified by the listed signatures and submitted to and accepted by the County Road Administration Board, then sends this completed form to CRAB via regular mail.

Traffic Law Enforcement Certification 2009
(Engineer Check)

I hereby certify that the above report is true and accurate and that I have reviewed and approved the report for submission to the County Road Administration Board in accordance with WAC 136

 _____ County Sheriff	<u>3-19-2010</u> _____ Date
 _____ County Auditor	<u>03/22/2010</u> _____ Date
_____ Chair / Executive	_____ Date



Fish Passage Barrier Removal Certification 2009
(Engineer Check)

I hereby certify that the above report is true and accurate and that I have reviewed and approved the report for submission to the County Road Administration Board in accordance with WAC 136

_____ Chair / Executive	_____ Date
_____ County Engineer	_____ Date



Annual Certification 2009
(Engineer Check)

I hereby certify that the above report is true and accurate and that I have reviewed and approved the report for submission to the County Road Administration Board in accordance with WAC 136.

_____ Chair / Executive:	_____ Date
_____ County Engineer:	_____ Date



Annual Construction Report for 2009
(Engineer Check)

County Arterial Preservation Report for 2009
(Engineer Check)

Maintenance Management Cert. for 2009
(Engineer Check)

I hereby certify that the Annual Construction and CAPP Reports are true and accurate and that I have reviewed and approved the report for submission to the County Road Administration Board in accordance with WAC 136.

_____ County Engineer:	_____ Date
---------------------------	---------------

RESOLUTION

J

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

IN THE MATTER OF COUNTY ROADS, RE: ESTABLISHING THE COUNTY ROAD
IMPROVEMENT MATCHING PROGRAM FUND, FUND NO: 0101-102

WHEREAS, the United States Department of Energy has issued Payment in Lieu of Taxes
(PILT) for the Hanford Site to the County of Benton; and

WHEREAS, the Road District portion of those PILT funds are to be utilized by the Public Works
Department to gain funding through state and federal highway programs and to alleviate funding
shortfalls for the purpose of improving the County Road System; NOW, THEREFORE,

BE IT RESOLVED, that the Road District portion of the PILT funds issued by the United States
Department of Energy for the Hanford Site, to be utilized by the Public Works Department to
gain funding through state and federal highway programs and to alleviate funding shortfalls for
the purpose of improving the County Road System, be placed into the County Road
Improvement Matching Program Fund No. 0101-102; and

BE IT FURTHER RESOLVED, that said funds be invested by the Benton County Treasurer
with interest accruing to such fund until time of disbursement.

Dated this 29th day of March, 2010

Chairman of the Board.

Chairman Pro-Tem.

Member.

Attest: _____
Clerk of the Board

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

SWB:LJM:slc

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: <u>03/29/10</u>	Execute Contract _____	Consent Agenda <u>XXX</u>
Subject: <u>Establishing Fund</u>	Pass Resolution <u>XXX</u>	Public Hearing _____
<u>#0101-102</u>	Pass Ordinance _____	1st Discussion _____
Prepared by: <u>Larry Moser</u>	Pass Motion _____	2nd Discussion _____
Reviewed by: <u>Dave Sparks</u>	Other _____	Other _____

BACKGROUND INFORMATION

The costs associated with road improvements and construction have risen sharply in the past few years which in turn has greatly effected the number of county road projects to receive improvement and/or re-construction funding.

Each year the United States Department of Energy issues a Payment in Lieu of Taxes (PILT) for the Hanford Site to the County of Benton. At this point in time, the County Road District portion of the PILT funds are deposited to the County Capital Projects Fund.

It is requested that the County Road District portion of the PILT funds be used to gain funding through state and federal highway programs and also used to alleviate funding shortfalls for the purpose of improving the County Road System. A new fund should be established for that portion of the PILT funds.

RECOMMENDATION

The Public Works Manager and the County Engineer recommend that the Board of County Commissioners establish a fund for the placement of the road district portion of the PILT funds. The PILT funds are to be used to gain funding through state and federal highway programs and also used to alleviate funding shortfalls for the purpose of improving the County Road System. The new fund should be titled COUNTY ROAD IMPROVEMENT MATCHING PROGRAM FUND, Fund No. 0101-102.

FISCAL IMPACT

Estimated at \$691,000.00 for 2010.

MOTION

Motion to approve the consent agenda.

K

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY ROADS RE: BITUMINOUS SURFACE TREATMENT
2010- CE 1923 PRES

WHEREAS, by resolution dated January 25, 2010, the County Engineer was authorized to schedule a bid call for Bituminous Surface Treatment 2010 - CE 1923 PRES; and

WHEREAS, bids were received and opened on March 16, 2010; and

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

WHEREAS, the low bid was submitted by Granite Northwest, Inc., Yakima, Washington; and

WHEREAS, the County Engineer recommends award of the bid to Granite Northwest, Inc.,
NOW, THEREFORE,

BE IT RESOLVED that the contract for Bituminous Surface Treatment 2010 - CE 1923 PRES be awarded to Granite Northwest, Inc., Yakima, Washington in the amount of \$2,188,188.00.

Dated this 29th day of March, 2010.

Chairman.

Chairman Pro-Tem.

Attest: _____
Clerk of the Board

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

NORTHWEST, INC. ad 98901		CENTRAL OREGON PAVERS, INC. P O Box 728 Redmond, OR 97756		CENTRAL WASHING ASPHALT, INC. P O Box 939 Moses Lake, WA 98837		KERR CONTRACTORS, INC. P O Box 1060 Woodburn, OR 97071		COLUMBIA ASPHALT & GRAVEL, INC. P O Box 9337 Yakima, WA 98909		ENGINEER'S ESTIMATE	
BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	
Y ROADS											
1,475,100.00	609.40	1,362,009.00	650.00	1,452,750.00	610.00	1,363,350.00	660.00	1,475,100.00	650.00	1,452,750.00	
140,163.00	21.77	214,129.72	19.00	186,884.00	24.00	236,064.00	20.00	196,720.00	19.00	186,884.00	
78,232.50	21.77	119,517.30	19.00	104,310.00	21.50	118,035.00	20.00	109,800.00	20.00	109,800.00	
11,737.25	130.65	8,762.70	165.00	11,066.55	160.00	10,731.20	160.00	10,731.20	130.00	8,719.10	
16,051.80	357.87	18,530.51	300.00	15,534.00	287.00	14,860.86	300.00	15,534.00	380.00	19,676.40	
26,123.50	357.87	28,765.59	300.00	24,114.00	297.00	23,872.66	300.00	24,114.00	380.00	30,544.40	
44,615.50	Lump Sum	85,562.37	Lump Sum	65,000.00	Lump Sum	192,000.00	Lump Sum	125,000.00	Lump Sum	52,000.00	
500.00	Lump Sum	500.00	Lump Sum	500.00	Lump Sum	500.00	Lump Sum	500.00	Lump Sum	500.00	
1,792,523.55		1,837,777.19		1,860,158.55		1,959,413.92		1,957,499.20		1,860,873.90	
WALK STREETS											
287,500.00	612.76	281,869.60	700.00	322,000.00	610.00	280,600.00	685.00	315,100.00	670.00	308,200.00	
62,799.00	29.30	101,378.00	32.00	110,720.00	30.00	103,800.00	28.00	96,880.00	20.00	69,200.00	
3,977.85	279.89	3,227.13	350.00	4,035.50	345.00	3,977.85	348.00	4,012.44	150.00	1,729.50	
6,697.50	662.59	9,441.91	470.00	6,697.50	470.00	6,697.50	474.00	6,754.50	410.00	5,842.50	
2,656.50	279.89	2,155.15	350.00	2,695.00	345.00	2,656.50	348.00	2,679.60	410.00	3,157.00	
4,929.60	662.59	6,804.80	500.00	5,135.00	480.00	4,929.60	484.00	4,970.68	410.00	4,210.70	
864.00	971.04	1,398.30	600.00	864.00	600.00	864.00	605.00	871.20	500.00	720.00	
9,690.00	310.81	26,418.85	115.00	9,775.00	143.00	12,155.00	144.00	12,240.00	110.00	9,350.00	
550.00	19.20	3,840.00	2.75	550.00	2.75	550.00	3.00	600.00	15.00	3,000.00	
16,000.00	Lump Sum	30,700.00	Lump Sum	25,000.00	Lump Sum	65,000.00	Lump Sum	41,000.00	Lump Sum	20,000.00	
395,664.45		467,233.74		487,472.00		481,230.45		485,108.42		425,409.70	
2,188,188.00		2,305,010.93		2,347,630.55		2,440,644.37		2,442,607.62		2,286,283.60	

Return to: Benton County Commissioners
P.O. Box 190
Prosser, WA 99350-0954

RESOLUTION

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

IN THE MATTER OF COUNTY ROADS IMPROVEMENT DISTRICT (C.R.I.D.) #15,
COTTONWOOD DRIVE, PROPERTY SEGREGATION

WHEREAS, the amended final assessment roll for C.R.I.D. #15, Cottonwood Drive was approved by Resolution Number 05-750 on November 28, 2005, and

WHEREAS, Parcel Number 1-1088-100-0017-000, defined as: The Northeast $\frac{1}{4}$ of the North 1,006.06 feet of the South 3,018.18 feet of the East $\frac{1}{2}$ of Section 10, Township 8 North, Range 28 East, W.M; except the East 1,759.70 feet and except Kennewick Irrigation District Canal right of way.

Containing 3.80 acres more or less

had an original assessment of \$3,526.09 and now has an outstanding assessment of \$2,820.88 and has been subdivided into two parcels identified as Assessor's Parcel Numbers 1-1088-101-3231-001 and 1-1088-101-3231-002, and

WHEREAS, Parcel Number 1-1088-400-0005-000, defined as: The Southeast $\frac{1}{4}$ of the North 1,006.06 feet of the South 3,018.18 feet of the East $\frac{1}{2}$ of Section 10, Township 8 North, Range 28 East, W.M; except the East 1,759.70 feet thereof and except Kennewick Irrigation District Canal right of way.

Containing 5.18 acres more or less

had an original assessment of \$4,806.61 and now has an outstanding assessment of \$3845.29 and has been subdivided into two parcels identified as Assessor's Parcel Numbers 1-1088-101-3231-003 and 1-1088-101-3231-004, NOW, THEREFORE

BE IT RESOLVED that the final assessment roll be amended and that each parcel and assessment is defined as follows:

Old Number	New Number	New Assessment
1-1088-100-0017-000	1-1088-101-3231-001	\$1,395.51
	1-1088-101-3231-002	\$1,425.37
1-1088-400-0005-000	1-1088-101-3231-003	\$1,926.36
	1-1088-101-3231-004	\$1,918.93

Dated this 29th day of March 2010.

Chairman

Chairman Pro-Tem

Member

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

m

BENTON COUNTY AGENDA ITEM

AGENDA ITEM: _____	Type of Action		
MEETING DATE: 03/29/10	Execute Contract	_____	CONSENT AGENDA <u>X</u>
SUBJECT: Line Item Transfer	Pass Resolution	<u>X</u>	PUBLIC HEARING _____
_____	Pass Ordinance	_____	1 ST DISCUSSION _____
_____	Pass Motion	_____	2 ND DISCUSSION _____
Prepared By: Pat Austin	Other	_____	OTHER _____
Reviewed By: L. Smith-Kelty	Approve for Hearing	_____	_____

BACKGROUND INFORMATION

In January, 2010 the Office of Public Defense took over management of the civil commitment/sexually violent predator cases. The Superior Court requests a line item transfer from "Superior Court Professional Services" line item No. 0000101.123.00000.512.219.4103 in the amount of \$80,000 to "Office of Public Defense Professional Services" line item No. 0000101.136.00000.512.819.4103 for expenditures related to civil commitment cases. Most expenditures under this case type are reimbursed to the County by the State Department of Health and Social Services.

SUMMARY

Line item transfers:

AMOUNT: \$80,000.00
FROM: 0000101.123.00000.512.219.4103 (Superior Court Professional Services)
TO: 0000101.136.00000.512.819.4103 (OPD Professional Services)

RECOMMENDATION

Recommend approval.

FISCAL IMPACT

No impact at this time.

MOTION

I move to approve Resolution No. _____ authorizing line item transfers in the amount of \$80,000.00 as outlined on Exhibit "A" of the Resolution.

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS FROM
CURRENT EXPENSE FUND NUMBER 0000101, DEPARTMENT NUMBER 123
TO DEPARTMENT NUMBER 136.

BE IT RESOLVED, by the Board of Benton County Commissioners, that funds
shall be transferred as outlined in Exhibit "A", attached hereto.

Dated this _____ day of _____, _____

Chairman of the Board

Member

Member

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

Attest: _____
Clerk of the Board

cc: BC Comm; Auditor; File, Superior Court, OPD



<u>AGENDA ITEM</u>		<u>TYPE OF ACTION NEEDED</u>			
Meeting Date:	<u>03/29/2010</u>	Execute Contract	<u>X</u>	Consent Agenda	<u>X</u>
Subject:	<u>Nutrition Ed.</u>	Pass Resolution	<u>X</u>	Public Hearing	<u> </u>
Prepared by:	<u> </u>	Pass Ordinance	<u> </u>	1st Discussion	<u> </u>
Reviewed by:	<u> </u>	Pass Motion	<u> </u>	2nd Discussion	<u> </u>
				Other Business	<u> </u>

BACKGROUND INFORMATION

This is a renewal of contract originally signed in 2008.
Resolution No. 08 459 dated April 14, 2008

SUMMARY

WSU Extension forms partnerships with multiple community agencies to provide nutrition education each year for people who are eligible for the Supplemental Nutrition Assistance Program (SNAP) through the WSU Food \$ense program. WSU Extension would like to continue providing these services to the public.

MOTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF AUTHORIZING THE CHAIRMAN TO SIGN THE WSU INTRODUCTORY LETTER, AGREEMENT AND LETTER OF SUPPORT REGARDING FOOD STAMP NUTRITION EDUCATION.

WHEREAS, the Board desires to enter into an agreement with Washington State University to provide support for the delivery of nutrition education and services; and

WHEREAS, the board confirms the intent to provide non-federal public funds in the form of allocation of secretary time as matching funds for the Food Sense Nutrition Education;

NOW THEREFORE

BE IT RESOLVED the Board of Benton County Commissioners hereby authorizes the Chairman to sign Letter and Agreement with Washington State University for the Food Stamp Nutrition Education Program.

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

**Introductory Letter and Agreement
for COUNTY GOVERNMENTS
Supplemental Nutrition Assistance Program Nutrition Education**



WSU Extension forms partnerships with multiple community agencies to provide nutrition education each year for thousands of people who are eligible for the Supplemental Nutrition Assistance Program. Supplemental Nutrition Assistance Program Nutrition Education (SNAP-Ed), part of WSU *Food Sense*, is funded as an administrative expense of the Supplemental Nutrition Assistance Program (SNAP). WSU contracts with DSHS, the state SNAP agency, and is reimbursed for 50 percent of actual costs, including costs documented by third party partners. The reimbursement is the federal share that covers WSU's costs to provide the program. Third party cost share partners do not receive reimbursements.

Partners enter into an agreement with WSU and are responsible for claimed cost share. Local cost share must adhere to the same cost policies and requirements as those under the federal share. Regulations for SNAP require that all administrative expenses be cost shared with *state or local government funds*. The government funds must not be from federal sources and must not be matched to other federal funds. Government funds are those raised by taxes, levies and enterprises of governments and appropriated for the public good. For the purpose of this program, federal funds never lose their identity.

Federal requirements must be met for both the federal share of expenses and the matching funds. Local WSU faculty and staff assist community partners in meeting the fiscal requirements by providing instructions and worksheets and answering questions. The cost principles are specified under OMB Circulars A-87, A-21, and A-122. Allowable costs are also defined by Food and Nutrition Service (FNS) departmental rules at 7 CFR 3016 and SNAP rules at 7 CFR Part 277, and the SNAP Guidance.

Extension's community partners document the value of their matching public funds as a best estimate on the Letter of Support, using provided worksheets for details. Community partners document actual, after-the-fact contributions quarterly with a Letter of Verification and supporting details.

Partner agencies agree to maintain records of their SNAP-Ed cost share funds for audit for six years. WSU programs are subject to federal, state, and internal audits.

LETTER OF AGREEMENT FOR NUTRITION EDUCATION

Contingent on the award of federal funds, WSU *Food Sense* will provide education and other services as outlined in the SNAP-Ed State Plan. In consideration of those services and the opportunity to participate in the program, the county/agency named below is agreeing to enter into Letter of Support (attached) and to keep and provide the records and services outlined in this Introductory Letter and Agreement.

I. PURPOSE & SCOPE

This is an agreement between Washington State University Extension and Benton County County to provide support for the delivery of nutrition education for the residents of Benton County County who are SNAP eligible.

This agreement:

1. Identifies the roles and responsibilities of each party for this activity.
2. Confirms the intent of WSU to provide nutrition education services to residents of Benton County County who are SNAP eligible.
3. Confirms the intent of Benton County County to provide non-federal public funds as matching funds detailed in the Letter of Support to increase nutrition education for eligible county residents.
4. Supports WSU's contract with the Department of Social and Health Services to deliver nutrition education for Basic Food (SNAP) eligible persons, including adults and youth.

II. UNDER THIS AGREEMENT WASHINGTON STATE UNIVERSITY WILL:

1. Develop a plan for the delivery of the nutrition education.
2. Hire, supervise and train staff to deliver the nutrition education program.
3. Provide travel costs, demonstration supplies and printed materials for nutrition education classes.
4. Provide technical assistance in preparing required documentation.
5. Maintain enrollment records of clients reached, and evaluate the impacts of the nutrition education intervention.
6. Report to Benton County County officials regarding the outcomes and impacts of its programs.

III. UNDER THIS AGREEMENT Benton County COUNTY WILL:

1. Maintain records of matching fund contributions for audit for 6 years.
2. Provide the following as detailed in the Letter of Support (check all that apply):
 - Provide County Extension staff to support the delivery of nutrition education classes.
 - Provide space for WSU faculty and staff who work in the nutrition education program.
 - Provide other goods and services for use by the nutrition education program.
 - Other (describe) _____

IV. IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES THAT:

1. Modification: This agreement may be amended by mutual agreement of the Parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the Parties.
2. Termination: This agreement may be terminated by either party hereto upon written notice delivered to the other party at least thirty (30) days prior to the intended date of termination. By such termination, neither party may nullify obligations already incurred prior to the date of termination.
3. Each party to this agreement shall be responsible for its own acts or omissions and those of its officers, employees, and agents. No party to this agreement shall be responsible for the acts and omissions of those not a party to this agreement and each party shall indemnify and hold the others harmless for any and all claims, injuries, damages, losses or suits, including attorneys' fees, arising out of its own acts or omissions and those of its officers, employees and agents.

V. FUNDING

This agreement is contingent on the award of federal funds. This agreement does not include the reimbursement of funds between the two parties.

VI. EFFECTIVE DATE AND SIGNATURE

This agreement shall be effective upon the signature of Washington State University and a Benton County County authorized official. It shall be in force from October 1, 2010 to September 30, 2011.

Washington State University and Benton County County indicate agreement by their signatures.

Daniel G. Nordquist, Director, OGRD

Name/title: James Beaver, Chair

Washington State University

County: Benton County Commissioners

Signature

Date

Signature

Date

FOR PROGRAM and STATE OFFICE STAFF USE ONLY; LOA Request:

Hard Copy of Signed Original Letter _____ (# of copies)
Copy(ies) of Signed Letter _____ (# of copies)
Requested copy of LOA mailed/e-mailed to _____
Name Date Initials

This material was funded by USDA's Supplemental Nutrition Assistance Program. The Supplemental Nutrition Assistance Program provides nutrition assistance to people with low income. It can help you buy nutritious foods for a better diet. To find out more, contact your local Department of Health and Human Services office.

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, religion, political beliefs or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800)795-3272 (voice) or (202)720-6382 (TTY). USDA is an equal opportunity provider and employer.

Letter of Support for FY 2011

Washington State University

Food \$ense (SNAP-Ed)*

County/Agency: Benton County

Food \$ense Program: Walla Walla/Benton/Franklin

Must be attached to Letter of Agreement.

Program Year: 2010-2011

PROPOSED IN-KIND CONTRIBUTIONS

BUDGET CATEGORY Attach worksheets with details.		Contribution - \$ Amount	For Administrative use only
SALARIES AND WAGES - include FTE % or hourly rate			
Use attached Detail Worksheet or list below	\$		
Eileen Hewitt 3% of 34,728	1,042		
	\$		
	\$		
SUBTOTAL SALARIES & WAGES		\$ 1,042.00	
BENEFITS - state rate as % of salary			
Eileen Hewitt Benefits at 30%	312.60		
	\$		
	\$		
SUBTOTAL BENEFITS		\$ 313.00	
GOODS & SERVICES (list by category)			
Use attached Detail Worksheet or list below	\$		
Space Use (Worksheet C or E)	1,217		
Maintenance & Operations (Worksheet D or E)	1,947		
Office Supplies	200		
Office Copies for classrooms	500		
Data Admin (phones, network)	1,656		
Computer support services	392		
Computer equipment	1,036		
E-mail box maintenance	170		
	\$		
SUBTOTAL GOODS & SERVICES		\$ 7,118.00	
TRAVEL			
	0.00		
SUBTOTAL TRAVEL		\$ -	
SUBTOTAL DIRECT COSTS		\$ 8,473.00	
FACILITIES & ADMINISTR. (INDIRECT COST) *		% \$ -	
TOTAL PROPOSED CONTRIBUTION		\$ 8,473.00	

* Attach a copy of the current negotiated rate.

Please complete:

- Source(s) of government (state, county, city) funds for above expenses: _____
- I attest that the intended contributions of support are government, non-federal funds that have not been used to match other federally-funded programs.
- I certify that I am a fiscal authority authorized to sign this Letter of Support

James Beaver	Chair	
Name of Fiscal Authority (type or print)	Title	Signature
Benton County Commissioners		
Organization		Date
620 Market Street Prosser, WA 99350		509-786-5600
Address (Street, City, State, ZIP code)		Phone Number

*Supplemental Nutrition Assistance Program - Nutrition Education