

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
May 10, 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, Interim Human Services Manager; Auditor Brenda Chilton; Planning Manager Mike Shuttleworth; Deputy Treasurer Erhiza Rivera; DPA Ryan Brown; Malcolm Bowie, Sue Schuetze, Steve Becken, Norm Childress, and Bryan Thorp, Public Works.

Workshop Agenda

Annual Yakima Fish & Wildlife Recovery Board Meeting

Commissioner Bowman provided an adopted work plan for review. Additionally, he said that Benton County had the obligation to appoint four people on a committee to review applications for projects and so far they only had one person. He asked the Board if it would concur with running an ad in the newspaper for citizens to sit on that committee. The Board agreed.

Legislative Session

Commissioner Bowman provided information on the final budget from the legislative session.

RFQ – Study for Moving the County Seat

David Sparks said the RFQ closed on Friday and the Board needed to decide how it wanted to go about selecting the consultant. Additionally, he said the Board also needed to decide what it wanted to do with the Commissioners office and departments reporting to the Commissioners if the county seat were moved to Kennewick.

Commissioner Bowman suggested a five-person interview committee comprised of David Sparks, Loretta Smith Kelty, two people from Prosser, and one person from the Tri-City Herald Editorial Board.

Commissioner Benitz suggested that David Sparks could select the consultant. However, recommended an advisory committee that included someone from the Prosser Record Bulletin and the Tri-City Herald.

Chairman Beaver said how Mr. Sparks used the advisory committee would be up to him and he was agreeable it should be a broad group.

The Board agreed to have Mr. Sparks put together a committee from the suggested individuals. Additionally, it said it would discuss later the location of the Commissioners' office if the County seat were moved.

Elected Officials Salaries

Mr. Sparks said the Board would need to pass a resolution setting the salaries for the elected officials before filing week (June 7). Chairman Beaver said he was in favor of freezing the salaries. Commissioner Benitz said the Board would need to talk to the other officials but did not see a problem with freezing them. Commissioner Bowman said that was fine.

Private Road Access Easements

Mr. Sparks said he was looking at setting a workshop to discuss the private road access easements on May 19 at 9:00 a.m. The Board agreed.

Board Appointments – Human Services Administrator

Mr. Sparks asked the Board if it wanted to change the resolution to remove Ms. Huie-Pascua's name or wait to change the resolution after the new person was selected. The Board agreed to wait until a new person was selected.

Regular Bi-County Meetings

Chairman Beaver suggested a regular bi-county meeting be convened after the monthly bi-county health board meetings so the Board could regularly discuss bi-county issues.

The Board agreed to try it.

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

Approval of Minutes

The Minutes of May 3, 2010 were approved as corrected.

Review Agenda

Commissioner Benitz requested item "d" (Professional Services Agreement w/National Alliance for the Mentally Ill) be pulled from the consent agenda for further discussion.

Consent Agenda

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

Assessor

- a. Salary Request Statement

Auditor

- b. Authorization to Purchase Election Equipment & Services from Hart Intercivic

Human Services

- c. Professional Services Agreement w/Kennewick Police Department
- e. Travel Expense Reimbursement

Office of Public Defense

- f. 2009 Excess Cases Compensation for P Younesi

Parks

- g. Rattlesnake Mountain Shooting Facility Patent Transfer

Prosecuting Attorney

- h. Personal Services Agreement w/P Fleming

Public Works

- i. Public Hearing Authorization for WSU Irrigation Water System Franchise

Sheriff

- j. Psychological Consultant Professional Services Contract w/Psychological Consultants, Inc.

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

Public Hearing – Sundown Estates Franchise

Sue Schuetze stated that Sundown Estates had filed a petition to continue a nonexclusive franchise for water lines within Benton County road right of way. Ms. Schuetze said a correction was needed to change condition #1 from a 5-year to a 10-year period. She said the recommendation was to approve the franchise with the listed conditions, as corrected.

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

MOTION: Commissioner Bowman moved to approve the application for franchise for Sundown Estates with the conditions as amended. Commissioner Benitz seconded and upon vote, the motion carried unanimously.

The Board briefly recessed, reconvening at 9:15 a.m.

Public Hearing – Short Plat Appeal for SHPA 10-02

Mike Shuttleworth summarized the staff report stating the applicant was requesting the Board grant his appeal to the Short Plat Administrator’s decision that a 30-foot private road easement

serving this short plat be separate from the 10-foot utility easement. Mr. Shuttleworth said that based on the facts presented, the Planning Department recommended the Board approve the proposed short plat and grant the appeal.

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

MOTION: Commissioner Benitz moved to approve Anton Heintz's request to serve the short plat SHP 10-04 with a 30-foot combined private road and utility easement as shown on the short plat map and remand the application to the Short Plat Administrator with instructions to eliminate item #5 and to allow the access as a 30-foot combined private road and utility easement to Old Inland Empire as shown on the short plat map. Commissioner Bowman seconded and upon vote, the motion carried unanimously.

The Board briefly recessed, reconvening at 9:15 a.m.

WSU – Insect Monitoring Project; 10th Anniversary – Demonstration Garden

Marianne Ophardt invited the Board to the 10th anniversary of the demonstration garden and also provided statistics on agriculture in Benton County.

Tim Waters briefly discussed the following items regarding commercial vegetables:

- International Carrot Conference being held locally
- Grant for insect monitoring project for potato producers in the Columbia Basin
- Insect control in bulb onions

The Board briefly recessed, reconvening at 9:30 a.m.

Certificate of Good Practice - CRAB

Chairman Beaver presented a certificate of good practice to the county engineer from the County Road Administration Board. Malcolm Bowie, county engineer, said it was a group effort by Public Works staff and included a series of up to 14 reports generated each year.

The Board briefly recessed, reconvening at 9:35 a.m.

Hanks Road Discussion

Steve Becken, Malcolm Bowie, and Larry Moser came before the Board and asked for direction on proceeding with Hanks Road. Mr. Becken said there was approximately \$400,000 remaining in RAP funds and the estimate for right of way appraisals totaled \$581,000. Mr. Becken said that \$700,000 to \$750,000 was a better estimate. He said if the County proceeded to purchase right of way, there would be opportunity for additional funding, however it would take 3 bienniums to complete with full funding. He said the money had been sitting out there for about 15 years (it was the oldest funded state project) and the State wanted it off their books.

Mr. Bowie said if the Board moved ahead, it would get them closer to “shovel ready” in case there was another form of funding. Mr. Becken added that if they could only get part of the right of ways, they would need to get more appraisals in a couple of years because they would no longer be valid.

Commissioner Bowman recommended they go as far as they could with the money available.

Commissioner Benitz stated the importance of getting the three miles fixed on Hanks Road for safety issues. He said it was time to move forward to get necessary funding for right of way purchase and construction.

Chairman Beaver said that if it was a viable project then it should be done. He added that the Roza study wasn't done for nothing and the Board had made a commitment to the folks in that area. He said he was in favor of getting the process started although he didn't know where they would find the other funds.

The Board briefly recessed, reconvening at 9:50 am.

Letter to Franklin County – Health District/Human Services

David Sparks presented a draft letter to Franklin County regarding space needs of the Health District and Human Services. Commissioner Bowman suggested the lease in paragraph 3 be more fully described as “administration”.

Commissioner Benitz said the current month-to-month lease payment increased in July so it was important to move ahead and he was in favor of sending the letter out. He also said he was in favor of moving forward with discussions regarding combining Health District and Human Services Departments and hiring one administrator and that he wanted to cancel the interviews for a Human Services Administrator scheduled for Thursday. He said he was in favor of keeping on the current interim Human Services Administrator until a decision regarding the bi-county agencies could be decided.

Commissioner Bowman said he was in favor of finding out the best way to serve Benton County residents.

Chairman Beaver said the Board should send the proposed letter to Franklin County because ultimately it saved money. However, the bigger question was how the Counties would continue to do business.

The Board agreed to postpone the interviews until it could make a decision as to what kind of administrator it wanted to hire and that it would workshop the issue at the next board meeting.

MOTION: Commissioner Benitz moved to approve the letter to Franklin County Commissioners. Commissioner Bowman seconded, with the modification to the third paragraph. Upon vote, the motion carried unanimously.

Unscheduled Visitors

Kathleen Utz, League of Women Voters, via videoconference, said the League of Women Voters had spent a lot of time and energy into researching the county seat issue and had been following it closely. She asked about the extension of deadline for the RFQ from May 7 to May 14.

Ms. Smith Kelty said there were a lot of questions regarding the RFQ so it was extended to give the applicants more time to submit a proposal. She said they had received three proposals and three more applicants had indicated they would be submitting.

Ms. Utz asked if it was advertised regionally or locally and Ms. Smith Kelty stated it was advertised in the Tri-City Herald, the Yakima Paper, Spokane Paper, and Seattle Times.

Ms. Utz asked if the County had made a decision on whether there were enough signatures for a ballot. Mr. Sparks said the Auditor's office had determined there were enough signatures and the Board had until August 10 to develop a ballot title.

Ms. Utz also asked if completion of the financial impact statement might be an obstacle to the vote and who would measure the quality of the report. Mr. Sparks said the RFQ clearly indicated the study had to be complete 60 days prior to the election so he did not see it as a problem. He also stated the Board had directed an Advisory Committee be convened to assist with the process.

Ms. Utz also discussed a letter that was written approximately three weeks prior and they were looking for a response. Commissioner Bowman said he had personally received a draft letter, to which he responded, but had not seen a letter to the Board.

Item "d" (Professional Services Agreement w/National Alliance for the Mentally Ill)

Commissioner Benitz said the contract that was presented had been "lined-out" without initials or sign-off by Franklin County and/or the NAMI and he wanted to send it back to Human Services to have it resolved prior to the Board signing. The Board agreed.

Vouchers

Check Date: 05/05/2010
Warrant #: 230346-230470
Direct Deposit #: 53645-54227
Total all funds: \$2,009,626.43

Check Date: 05/05/2010
Taxes #10110051-10110053
Warrant #: 9463-9500
Total all funds: \$1,759,754.21

Check Date: 05/07/2010
Warrant #: 9501-9639
Total all funds: \$637,953.14`

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

Resolutions

- 10.271 Authorization to Purchase Election Equipment & Services from Hart Intercivic
- 10.272 Professional Services Agreement w/Kennewick Police Department
- 10.273 2009 Excess Cases Compensation for P Younesi
- 10.274 Rattlesnake Mountain Shooting Facility Patent Transfer
- 10.275 Personal Services Agreement w/P Fleming
- 10.276 Public Hearing Authorization for WSU Irrigation Water System Franchise
- 10.277 Psychological Consultant Professional Services Contract w/Psychological Consultants, Inc.
- 10.278 Approval of Appeal of Short Plat Administrator's Decision – SHPA 10-02 and SPH 10-04; Applicant Anton Heintz

There being no further business before the Board, the meeting adjourned at approximately 10:26 a.m.

Clerk of the Board

Chairman