

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
May 18, 2009, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Max E. Benitz, Jr. Chairman
Commissioner Leo Bowman
Commissioner James Beaver
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 Linda Ivey; Personnel Manager Melina Wenner; Facilities Manager Roy Rogers; Steve Brown, Building Department; Mike Shuttleworth, Planning Manager; Treasurer Duane Davidson; Bryan Thorp, Steve Becken, and Larry Moser, Public Works; DPA Ryan Brown; Bryan Perry, Safety/Training Coordinator; Auditor Bobbie Gagner; Deputy Auditor Brenda Chilton; and Deputy Treasurer Erhiza Rivera.

Approval of Minutes

The Minutes of May 11, 2009 were approved.

Consent Agenda

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

Building Department

- a. Lease Agreement for Copier

Clerk

- b. Trial Court Improvement Fund Expenditures

Commissioners

- c. Contract for Official County Newspaper
- d. Contract w/Chamberlin & Association for Appraisal Services

Facilities

- e. Contracting with Perfection Glass – Installation of Sunscreens

Fairgrounds

- f. Lease Agreement with Boy Scouts of America

Human Services

- g. Amendment to Agreement w/Nueva Esperanza Counseling

- h. Amendment #2 to Agreement with Lourdes Counseling Center
- i. Amendment to Agreement with Community Action Committee
- j. Appointing County Designated Mental Health Professionals
- k. Professional Services Agreement with James Bell for Involuntary Commitment Proceedings

Office of Public Defense

- l. Approval of Payment to Shelley Ajax

Parks

- m. Purchase for Two Rivers Park Disc Golf Course
- n. Approval of Contract for Badger Mountain Master Plan

Personnel

- o. Line Item Transfer

Prosecuting Attorney

- p. Line Item Transfer

Public Works

- q. Local Agency Agreement – Webber Canyon Road Railroad Undercrossing
- r. Road and Bridge Specifications – Horse Heaven Vista Improvements
- s. Surplus of Personal Property (Traffic Signs)

Sheriff

- t. Authorization to Purchase Vehicles

Sustainable Development

- u. Contract for Red Mountain AVA Master Site Plan Updates

Treasurer

- v. Correction and Creation of a Fund Number
- w. Line Item Transfer

Workforce Development Council

- x. Appointing Pablo Villarreal to the WDC

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

Piert Road Update

Steve Becken reviewed his memo dated May 12, 2009 regarding the status of Piert Road. He requested the Board make a decision on whether it wanted to continue with Alternate 6 or choose the previously approved Alternate 7.

Commissioner Bowman said it would appear that reconsideration back to Alternate 7 would be the most appropriate and see if the Board could pick up the shortfall in the amount of \$1.5 million. Commissioner Beaver said he agreed and wanted to attempt to keep the money granted from the TIB Board. Chairman Benitz said he also agreed with Alternate 7 and to keep the project moving.

Crow Butte & Vinters Village Phase 2 – Port of Benton

Crow Butte

Kitty Thomas, Port of Benton, discussed the following improvements made at Crow Butte with the Benton County contribution: roofs, outbuildings, irrigation pump, and electrical upgrades. Additionally, she said the restroom remodel in the RV area and day use area was scheduled for later in the year. Ms. Thomas said the website for online reservations was up and running and very successful.

Scott Keller thanked the Board for its \$50,000 contribution for 2009 and asked the Board to consider extending the contribution for additional years. In response to a question by Chairman Benitz, Mr. Keller said they were working with Benton mosquito control and looking at options with partners across the river to address the mosquito problem in the area.

Vinters Village Phase 2

Mr. Keller described the Vinters Village Phase 1 in the north area that was developed with partners. He said the Port had purchased land to the south (including a house that would become a bed and breakfast) and they were looking at Phase 2 to develop that area. He said the Port was asking for financial help and asked the Board to consider the request during its budget preparation.

Mr. Keller said the Port of Benton would be hosting a picnic open to the public on June 6 from 12:00 to 3:00 p.m. and invited the Board to attend.

District Court Districting Plan and Draft Interlocal Agreement

DPA Ryan Brown said they had the initial meeting of the districting committee and that Judge Ingvalson had worked up a new districting plan with proposed changes. Mr. Brown proposed sending out the draft to the cities.

The Board discussed changing the number of judges to “up to five” to allow for flexibility. Mr. Brown said the plan would establish how many judicial positions there were and if the Board wanted to change the number, it would redo the districting plan by reconvening the committee. Mr. Brown said the flexibility was in the statute that governed the districting plan. Commissioner Bowman asked if a copy of the statute could be included in the plan as a reference and Mr. Brown said it could.

Mr. Brown stated that if the districting plan were approved, there was nothing that stated the Board would have to fill the positions right away. However, if the Board were looking at flexibility between judges and commissioners, it would be out of luck once it was approved. He said the plan had to state how many judges and how many commissioners were approved.

Commissioner Bowman said he didn't see a need for five judges and he recommended one new judge (four judges and one commissioner). Both Commissioner Beaver and Chairman Benitz

said they were in favor of including five judges. The Board agreed to send out the plan for review.

Mr. Brown said the interlocal agreement addressed both the cities' and county's concerns. Additionally, he said he would have an answer next week on the issue of the City of Kennewick using 29% of the judges' time and what it might want to do in that regard. Mr. Brown said the agreement addressed the issue of a city opting out of the District Court system and forming its own municipal court, allowing the County to reduce the number of judges. Mr. Brown said he would forward the draft interlocal to the cities as well.

Debt Policy

Duane Davidson and Bobbie Gagner presented the debt policy adopted by the Finance Committee and requested the Board adopt the policy so it would require the departments to comply with the procedures.

Commissioner Bowman asked about memorializing the budget award document in the debt policy. After some discussion, Mr. Davidson said he had no problem with adding that language.

MOTION: Commissioner Bowman moved to approve the debt policy as amended. Commissioner Beaver seconded and upon vote, the motion carried.

Pension Bond

Melina Wenner presented a General Contract of Indemnity to establish a pension bond for an employee who sustained an industrial injury while employed at Benton County.

MOTION: Commissioner Bowman moved to approve the resolution authorizing the Chairman and Ms. Wenner to sign the General Contract for Indemnity. Commissioner Beaver seconded and upon vote, the motion carried.

GCBH Funding Formula

Chairman Benitz presented the preliminary budget and current funding formula based on population base that was changed a few months ago. He said based on the new formula, the smaller counties would be taking large reductions and they were now looking at forming regional districts for Eastern, Central, and Western Districts and having regional support services to be administered from that regional district. This would ensure that each county had the support and services it needed.

The Board approved the formula.

Other Business

Animal Cruelty Issue in Finley

Commissioner Bowman asked if there was anything the Board could be doing to prepare for what might happen with the animal issue in Finley. Commissioner Beaver said he would be evaluating the situation with Sheriff Taylor on Wednesday and would report back to the Board.

District Court Districting Plan – Continued

Ryan Brown stated that Eric Hsu and Loretta Smith Kelty were working with the cities on a separate agreement for indigent costs and recommended the Board exclude the public defense costs. The Board agreed.

Vouchers

Check Date: 05/15/2009
Taxes #: 10109054-10109055
Total all funds: \$36,264.21

Check Date: 05/15/2009
Warrant #: 223523-223762
Total all funds: \$112,169.22

Check Date: 05/15/2009
Warrant #: 924986-925251
Total all funds: \$1,759,069.38

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

Resolutions

- 9.311 Lease Agreement for Copier
- 9.312 Trial Court Improvement Fund Expenditures
- 9.313 Contract for Official County Newspaper
- 9.314 Contract w/Chamberlin & Association for Appraisal Services
- 9.315 Contracting with Perfection Glass – Installation of Sunscreens
- 9.316 Lease Agreement with Boy Scouts of America
- 9.317 Amendment to Agreement w/Nueva Esperanza Counseling
- 9.318 Amendment #2 to Agreement with Lourdes Counseling Center
- 9.319 Amendment to Agreement with Community Action Committee
- 9.320 Appointing County Designated Mental Health Professionals
- 9.321 Professional Services Agreement with James Bell for Involuntary Commitment Proceedings
- 9.322 Approval of Payment to Shelley Ajax
- 9.323 Purchase for Two Rivers Park Disc Golf Course

- 9.324 Approval of Contract for Badger Mountain Master Plan
- 9.325 Line Item Transfer – Insurance Management Fund
- 9.326 Line Item Transfer – PA’s office
- 9.327 Local Agency Agreement – Webber Canyon Road Railroad Undercrossing
- 9.328 Road and Bridge Specifications – Horse Heaven Vista Improvements
- 9.329 Surplus of Personal Property (Traffic Signs)
- 9.330 Authorization to Purchase Vehicles
- 9.331 Contract for Red Mountain AVA Master Site Plan Updates
- 9.332 Correction and Creation of a Fund Number
- 9.333 Line Item Transfer – Treasurer’s Office
- 9.334 Appointing Pablo Villarreal to the WDC
- 9.335 Adoption of County Debt Policy
- 9.336 Contract of Indemnity for Self-Insurer’s Pension Bond

There being no further business before the Board, the meeting adjourned at approximately 10:22 a.m.

Clerk of the Board

Chairman