

May 24, 2010

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

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
May 17, 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; Auditor Brenda Chilton; Treasurer Duane Davidson; Deputy Treasurer Erhiza Rivera; Planning Manager Mike Shuttleworth; DPA Ryan Brown; Steve Becken, Malcolm Bowie, and Sue Schuetze, Public Works; Susan Walker and Valerie Smith, Planning; Pat Powell, Auditor's Office.

Workshop Agenda

RFQ – County Seat

Mr. Sparks stated that acceptance of the proposals closed on Friday and he was looking for direction on the next step. Also, he indicated the Tri-City Herald was not interested in sitting on the Advisory Committee. Mr. Sparks suggested the Finance Committee review and select a consulting firm and the Board agreed.

The Board discussed the selection of an advisory committee to assist the consultant with the financial impact statement. Commissioner Benitz suggested the consultant could decide if a committee was necessary. Commissioner Bowman believed it would be necessary to make sure the process was done fairly and suggested a representative from each of the cities. Chairman Beaver said he agreed the process should be open and allow citizen input and the Board members had each suggested possible committee members. Mr. Sparks also suggested a series of public meetings the consultant could steer to allow citizen input.

Mr. Sparks reminded the Board it would need to decide what moving the county seat would mean to its departments. The Board briefly discussed looking at the open space on the 2nd floor of the Justice Center and since the Board would be required to hold meetings in Kennewick, it would make sense to have staff in Kennewick.

Fairgrounds -Workshop

Chairman Beaver said he wanted to have a joint meeting with the Fair Association and other user groups about the vision and future of the facilities and asked for concurrence from the Board to have that meeting.

Commissioner Bowman said that a vision meeting would be fine, but he had not seen anything to indicate that it would be productive to turn over the responsibility of the Fairgrounds.

Commissioner Benitz said the Board should listen to all user groups to hear their vision and how the County could provide the best use of the facility. He said if they wanted to meet, that was fine.

Editorial Board

Chairman Beaver asked the Board if it was agreeable for him to schedule a monthly meeting with the Tri-City Editorial Board to summarize the Board's vision and elevate the level of communication. Commissioner Bowman said it was the Chairman's prerogative to meet with the Editorial Board. Commissioner Benitz agreed.

Miscellaneous

Commissioner Bowman noted an article he read in the Spokesman Review about a new county jail and comments made by the public that it was interested in more prevention and alternatives to jail. Additionally, Commissioner Bowman provided an article on beaver dams.

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

Approval of Minutes

The Minutes of May 10, 2010 were approved as corrected.

Consent Agenda

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

Facilities

- a. Invitation to Bid for Janitorial Services

Juvenile

- b. Contract Amendment w/The Office of Juvenile Justice

Parks

- c. Personal Services Contract w/Apollo Inc. for the Installation of Flagpoles

Public Works

- d. Granting a Franchise to Badger Mountain Irrigation District
- e. Examination of Financial Activities for Drainage Improvement District No. 10

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

Continued Public Hearing – Right of Way Vacation - Hunts Plat

Sue Schuetze said the public hearing was continued to allow the petitioner time to work out some issues. She said the petitioner provided Public Works with the documentation required to complete granting an easement as required by the Fire Marshal. Additionally, the Petitioner continued to work with the City of West Richland to provide the required easement.

Testimony

Thomas and Terry Heath said they were working on getting the requested agreement with the neighbors and that during his first conversation with Mr. Shealey he was requesting, in exchange for his signature, that they deed him the north 20 feet of their property so he could be put in a road there instead. Mr. Heath said that would invalidate his mortgage so he was not willing to do that. During his second discussion with Mr. Shealey had had requested to put a lien on the property, and he was not willing to do that either. Also, they were told to find out what was required of the Fire Marshal for the turnaround, which they had complied with, and to speak to the neighbor on the south about granting an easement, of which was signed and complete. Additionally, the City of West Richland was requesting a survey of the sewer line and they wanted to know if the vacation was viable before moving forward since the survey would cost some money.

Chuck Shealey, neighbor, said he did not ask for a lien, but that at whatever point and time the mortgage was clear, to pay for that deed to be recorded and the 20-foot easement deeded to him. He said if that easement were recorded, there was not a need for a turnaround.

Thomas Heath said there appeared to be a difference in opinion on the conversations. He said if he agreed to deed the north side of the property, then there would be a road owned by Mr. Shealey going all the way around the property for him to use equipment, which was not feasible to him. He said if Mr. Shealey agreed to the easement, once it was there, it would remain and Mr. Shealey would not lose access.

Chuck Shealey discussed the Heaths' previous complaints about noise and dust and that it would be cumbersome for the horse trailers to access the property and it would be nice for them to come in and circle out the other side. Additionally, he said the other easement would be used by the person that leased the property to grow a garden.

MOTION: Commissioner Bowman moved to continue the public hearing out approximately 45 days to June 28, 2010 at 9:05 a.m. Commissioner Benitz seconded and upon vote, the motion carried.

Public Hearing – Comprehensive Plan Amendment – 07-02 – Eastern Washington Growth Management Hearings Board Remand

Susan Walker stated that several parties had appealed the action taken by Resolution 09-162 and the Growth Management Hearings Board had ruled the actions out of compliance and remanded back to the County for modification. The Planning Commission held a public hearing to rescind Resolution 09-162, however, could not reach a majority vote and was forwarded to the Board of Commissioners without a recommendation.

Ms. Walker said that Planning Staff recommended approval of the proposed resolution rescinding Resolution 09-162.

Testimony

Vince Panesko, encouraged the Board to rescind resolution 09-162 based on the remand by the Growth Management Hearings Board. He said it was important to bring the area back to five-acre plats, as approved in the Comprehensive Plan, and was decided by a citizens group that the area would be a rural lifestyle.

Curtis Wiser said they were waiting for a settlement with Futurewise, Panesko, and the State and if they could reach a settlement, would not go forward with their appeal. He said the County had the final say, and if it agreed to one-acre plats, then why wasn't the Comprehensive Plan amended to fit this when it was approved. He said the local circumstance was a demand for one-acre plats and the County should be allowed to develop at a higher density when there was a school and lots were sold out.

Marilyn Taylor said she wrote a letter and wanted to state she was in favor of rescinding the resolution.

The public hearing was closed for further comment.

Mike Shuttleworth entered the Exhibit list into the record. Additionally, he said the deadline to respond to the Growth Hearings Board was May 24, 2010.

Ryan Brown said their argument was that density was not consistent with the Comprehensive Plan, and even if it was consistent, it was not consistent with the Growth Hearings Board.

Commissioner Bowman asked about the status of the settlements. Mr. Brown said their initial response was to wait to see if they settled, but he had not heard about any further settlements.

Commissioner Bowman said the County's hands were tied by the State, even though he still thought it was the right thing to do. He said it was wrong for the County to rescind this because it was the vision of the community, however, he took an oath to uphold the laws and statutes and even though it pained him, he would comply.

MOTION: Commissioner Bowman moved to approve the resolution rescinding Resolution 09-162, better known as Sullins/Wiser. Chairman Beaver seconded.

Discussion

Commissioner Benitz said he didn't approve the original motion and agreed that land use decisions should be made locally, however, they needed to get in compliance with the State.

Chairman Beaver said the idea was to support economic development but they couldn't because they were being told what to do. He said the Growth Management Act might be great in other areas, but it didn't work over here.

Upon vote, the motion carried unanimously.

2010 Justice Assistance Grant

Lt. Vanoy said the Sheriff's office wanted to pursue the replacement of weapons on the SWAT team that were past life expectancy through the 2010 JAG Grant.

The Board concurred. Lt. Vanoy said a resolution would be on the next agenda authorizing the Chairman to sign an interlocal agreement.

Unscheduled Visitors

Veterans' Assistance Fund

Pat Powell requested the Board authorize a petition for waiver of income threshold.

MOTION: Commissioner Benitz moved to approve the petition for waiver of income threshold for Michael Yarpe. Commissioner Bowman seconded and upon vote, the motion carried.

The Board recessed, reconvening at 10:00 a.m.

Health District/Human Services Workshop

The Board discussed the following issues regarding the bi-county Health District and Human Services Department.

Moving Human Services Administration to Health District Building

Commissioner Benitz said he was in favor of moving the Human Services Administration into the new Health District building because it would save money and he wanted to keep the current interim Human Services Director on board so the employees had someone to report to. Additionally, he wanted Prevention and Benton County Housing to be included in the classification description for the Human Services Director.

Canal Building/CCRC

The Board discussed whether it should sell the building on Canal since it was owed money by the Health District, or whether it should remodel the building to serve Crisis Response and Detox.

Chairman Beaver asked Ed Thornbrugh whether the Canal Building would serve the needs of Crisis Response and Detox. Mr. Thornbrugh said the building was 10,000 square feet and they currently used a combined 9,000 square feet in two buildings. He said the building could fit the needs and the next step would be to meet with the Department of Health regarding a technical assistance application to see if it was a feasible plan. Additionally, he said it would allow evaluations to be done more efficiently and would provide a more secure facility. When asked if consolidation would save money and offer more protection from state funding cuts, Mr. Thornbrugh said it would allow an additional four beds and would provide further funding for the additional beds.

Roy Rogers said the building could be remodeled to fit the needs of the departments. Mr. Thornbrugh also stated that Crisis and Detox beds and delivery of these outpatient services were funded in an approved budget for 2010 and money saved in administration could be used for Crisis.

The Board unanimously agreed it was in favor of moving Human Services Administration into the new Health District building.

The Board agreed the issue of combining the positions of Human Services Administrator and Health District Administrator should be discussed further.

On the issue of ownership of the Canal Building, Commissioner Benitz and Chairman Beaver agreed that Benton County should own the building. Commissioner Bowman said he had no reason to oppose it at this time.

Vouchers

Check Date: 04/30/2010
Warrant #: 9153-9402
Taxes #: 01010410
Total all funds: \$1,891,414.66

Check Date: 5/14/2010
Warrant #: 9844-10121
Taxes #: 01160510
Total all funds: \$394,508.97

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

Resolutions

- 10-279: Soliciting Bids for the Provision of Janitorial Services
- 10-280: Juvenile Detention Alternatives Initiative (JDAI) Contract Amendment Between Office of Juvenile Justice and Benton-Franklin Juvenile Justice
- 10-281: Contract with Apollo, Inc. for Installation of Flagpoles at the Rattlesnake Mountain Shooting Facility
- 10-282: Granting a Franchise to Badger Mountain Irrigation District
- 10-283: Examination of Financial Activities by the State Auditor's Office – Drainage Improvement District No. 10
- 10-284: Amending the Benton County Comprehensive Plan to Resolve an Appeal to the Eastern Washington Growth Management Hearings Board – Rescinding Resolution 09-162

There being no further business before the Board, the meeting adjourned at approximately 10:48 a.m.

Clerk of the Board

Chairman

a

RESOLUTION

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:
IN THE MATTER OF ALTERNATE DATES FOR BUDGET HEARINGS,
2011/2012 BIENNIUM BENTON COUNTY BUDGETS;**

WHEREAS, RCW 36.40.071 allows the county commissioners to set alternate dates for budget hearings; and

BE IT RESOLVED that the following dates are hereby adopted for the 2011/2012 biennium budget preparation:

- August 6 Auditor's Office budget call letter to departments for estimates of revenues and expenditures, goals, objectives, milestones, and performance activity measures;
- August 27 Departments return final estimates of revenues and expenditures, goals, objectives, milestones, and performance activity measures to the Auditor's Office;
- October 1 Auditor's Office submits the preliminary biennium budget to Board of commissioners;
- October 12 Budget workshop;
- October 19-22 Budget workshops;
- November 7 First publication of notice of county budget hearings for final biennium budgets;
- November 14 Second publication of notice of county budget hearings for final biennium budgets;
- November 22 Public hearing and adoption of final biennium budgets.

Dated this day of, 20

Chairman of the Board

Chairman Pro-Tem

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

Attest:
Clerk of the Board

b

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN
CURRENT EXPENSE FUND NUMBER 0000-101, DEPARTMENT NUMBER 115.

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: Dept., Auditor, File, LSK

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Non-Departmental

Dept Nbr: 115

Fund Name: Current Expense

Fund Nbr: 0000-101

TRANSFER FROM:

TRANSFER TO:

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
519.900	4931	Fenced Item Contingency	\$10,000	519.900	4103	Professional Services	\$10,000
TOTAL			\$10,000	TOTAL			\$10,000

Explanation:

Transferring money in order to pay for the County seat move consultant RFQ advertisement and other professional service expenses related to the County seat move.

Prepared by: Keith Mercer

Date: 12-May-2010

Approved

Denied

Date: _____

Chairman

Member

Member

C

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN
CURRENT EXPENSE FUND NUMBER 0000-101, DEPARTMENT NUMBER 111.

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: Dept., Auditor, File, LSK

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: District Court

Dept Nbr: 111

Fund Name: Current Expense

Fund Nbr: 0000-101

TRANSFER FROM:

TRANSFER TO:

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
512.400	1288	Court Recorder Clerk	\$4,000	512.400	1922	Judge Pro Tem	\$4,000
TOTAL			\$4,000	TOTAL			\$4,000

Explanation:

Transfer funds for Judge Pro Tem payments

Prepared by: Jacki Lahtinen

Date: 07-May-2010

Approved

Denied

Date: _____

Chairman

Member

Member

d

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF TERMINATING THE LEASE AGREEMENT BETWEEN BENTON COUNTY AND EVENTS WEST, LLC AND RESCINDING RESOLUTION 08-639

WHEREAS, Benton County and Events West, LLC entered into a lease agreement on July 7, 2008 via Resolution 08-639; and

WHEREAS, the dates on the Lease Agreement are November 21-23, 2008; November 20-22, 2009; November 19-21, 2010; November 18-20, 2011; and November 16-18, 2012; and

WHEREAS, on May 3, 2010, the Benton County Fairgrounds Office Manager received a letter from Events West, LLC informing Benton County that Events West, LLC will not be renting the Fairgrounds buildings this year or in the future because they went out of business at the end of January 2010; and

WHEREAS, Events West, LLC has breached the lease agreement set forth via Resolution 08-639 causing the lease agreement to be terminated; and

WHEREAS, the Finance Manager recommends rescinding Resolution 08-639; **NOW THEREFORE**

BE IT RESOLVED, by the Board of Benton County Commissioners, Benton County, Washington, the Board concurs with the Finance Manager's recommendation and hereby rescinds Resolution 08-639; and

BE IT FURTHER RESOLVED, the termination of the lease agreement was caused by Events West, LLC breaching the lease agreement.

Dated this _____ day of _____, 2010.

Chairman of the Board

Member

Member

Constituting the Board of Commissioners
of Benton County, Washington.

Attest.....
Clerk of the Board

**BENTON AND FRANKLIN COUNTIES
ACTION SUMMARY COVER SHEET**

COPY 

AGENDA ITEM	TYPE OF ACTION NEEDED	
Professional Services Agreement #PSA-2010-PPD-00	<input checked="" type="checkbox"/> Execute Contract	<input checked="" type="checkbox"/> Consent Agenda
	<input checked="" type="checkbox"/> Pass Resolution	<input type="checkbox"/> Public Hearing
Prepared By: Carol Carey	<input type="checkbox"/> Pass Ordinance	<input type="checkbox"/> 1 st Discussion
	<input type="checkbox"/> Pass Motion	<input type="checkbox"/> 2 nd discussion
	<input type="checkbox"/> Other	<input type="checkbox"/> Other

BACKGROUND INFORMATION

The Department of Human Services (DHS) would like to enter into a personal services agreement with the Pasco Police Department to provide funding for police officers to attend the International Crisis Intervention Team Training.

SUMMARY

Award: Consideration shall be \$2,500
Period: May 1, 2010 through July 31, 2010
Funding Source: Mental Health funding

RECOMMENDATION

- Sign the resolution to accept the proposed professional services agreement.
- Approve the proposed agreement by signing all the copies where indicated.

FISCAL IMPACT

Funding for the services described in this Agreement is provided by mental health funding. **There is no impact on the current expense budget.** All revenues and expenditures are from the Fund 0108-101 Human Services Budget.

MOTION

To approve the Professional Services Agreement with Pasco Police Department and authorize the Chair to sign on behalf of the signing Board.

JOINT RESOLUTION

Benton County Resolution No. _____

Franklin County Resolution No. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES,
WASHINGTON:

IN THE MATTER OF EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT #PSA-2010-PPD-00 BETWEEN PASCO POLICE DEPARTMENT AND BENTON AND FRANKLIN COUNTIES' DEPARTMENT OF HUMAN SERVICES, and

WHEREAS, this Professional Services Agreement with Pasco Police Department is to provide funding for police officers to attend the International Crisis Intervention Team Training in San Antonio, Texas; and

WHEREAS, Consideration will be a maximum of \$2,500, and

WHEREAS, the agreement is effective May 1, 2010 and remains effective until July 31, 2010,
NOW THEREFORE,

BE IT RESOLVED that the Boards of Benton and Franklin County Commissioners hereby accept the proposed professional services agreement; and

BE IT FURTHER RESOLVED that the Chairs of Benton and Franklin County Commissioners are hereby authorized to sign Professional Services Agreement #PSA-2010-PPD-00 on behalf of the Board of Benton and Franklin County Commissioners.

Dated this . . . day of, 2010

Dated this . . . day of, 2010

Chair, Benton County Commissioners

Chair, Franklin County Commissioners

Chair, Pro Tem

Chair, Pro Tem

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

Carey

COPY

BENTON AND FRANKLIN COUNTIES
ACTION SUMMARY COVER SHEET

f

AGENDA ITEM	TYPE OF ACTION NEEDED	
Amendment #09/MH/NONPIHP-LCS-01 with Lutheran Community Services	<input checked="" type="checkbox"/> Execute Contract	<input checked="" type="checkbox"/> Consent Agenda
	<input checked="" type="checkbox"/> Pass Resolution	<input type="checkbox"/> Public Hearing
Prepared By: Carol Carey	<input type="checkbox"/> Pass Ordinance	<input type="checkbox"/> 1 st Discussion
	<input type="checkbox"/> Pass Motion	<input type="checkbox"/> 2 nd discussion
	<input type="checkbox"/> Other	<input type="checkbox"/> Other

BACKGROUND INFORMATION

The Department of Human Services would like to amend the NON-PIHP agreement with Lutheran Social Services. The purpose of this amendment is to amend Section 4.5.1 and to replace Sections 4.7.2.8, 4.7.3.2, 4.7.5.2, and 4.7.6.1.

SUMMARY

Award: Remains the same

Period: December 1, 2009 through September 30, 2011.

Funding Source: Greater Columbia Behavioral Health

RECOMMENDATION

- Sign the resolution to accept the proposed Amendment.
- Approve the proposed agreement by signing all the copies where indicated.

FISCAL IMPACT

Funding for the services described in this Agreement is provided by the Greater Columbia Behavioral Health contract. **There is no impact on the current expense budget.** All revenues and expenditures are from the Fund 0108-101 Human Services Budget.

MOTION

To approve signing Amendment #09/11-MH-NONPIHP-LCS-01 with Lutheran Community Services and to authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

**BEFORE THE BOARDS OF THE COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES,
WASHINGTON:**

**IN THE MATTER OF THE REQUEST FOR SIGNATURE FROM THE BOARDS OF
BENTON AND FRANKLIN COUNTY COMMISSIONERS FOR AN AMENDMENT
BETWEEN THE BENTON AND FRANKLIN COUNTIES DEPARTMENT OF
HUMAN SERVICES AND LUTHERAN COMMUNITY SERVICES NW FOR
MENTAL HEALTH SERVICES, and**

WHEREAS, five sections of the underlying agreement needs to be amended or replaced: Section 4.5.1, Co-Occurring Disorder Screening and Assessment; Section 4.7.2.8, Compensation; Section 4.7.3.2, Children’s Crisis Stabilization Beds; Section 4.7.5.2, Family Support/Parent Partner/Dad Partner Project and Section 4.7.6.1 Youth Partner Project,

WHEREAS, consideration will be reimbursed through funding with the Greater Columbia Behavioral Health,

NOW, THEREFORE, BE IT RESOLVED, that the Chairs of the Boards of Benton and Franklin County Commissioners be hereby authorized to sign, on behalf of their respective county, Amendment #09/11-MH-NONPIHP-LCS-01

Dated this day of 2010.

Dated this day of2010.

Benton County Board of Commissioners

Franklin County Board of Commissioners

Chair, Benton Co. Commissioners

Chair, Franklin Co. Commissioners

Chair Pro Tem

Chair Pro Tem

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

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

Attest:

Attest:

Clerk of the Board

Clerk of the Board

Originals: Benton County Commissioners
Franklin County Commissioners
Human Services

Carey

AGENDA ITEM: Consent	TYPE OF ACTION NEEDED	CONSENT AGENDA <u>xx</u> PUBLIC HEARING 1ST DISCUSSION 2ND DISCUSSION OTHER
MEETING DATE: B/C 05-24-10 F/C 06-02-10	Executive Contract <u>xx</u>	
SUBJECT: Setting leaves for Non-Bargaining employees of the Benton and Franklin Counties Superior Court Administration, Superior Court-Juvenile Division and Human Services.	Pass Resolution <u>xx</u>	
	Pass Ordinance	
	Pass Motion	
	Other	
Prepared By: Donna A. Lee		
Reviewed By: Sharon A. Paradis		

BACKGROUND INFORMATION

The Board of Benton County Commissioners and the Board of Franklin County Commissioners have resolved that Benton County Non-Bargaining Policies will apply to Bi-County Non-bargaining employees. Leave accrual for Bi-County Non-Bargaining employees is established by a resolution separate from the Benton County Non-Bargaining Policy passed in by both Boards of County Commissioners in 1993. This new resolution rescinds the 1993 resolutions and establishes leave for Bi-County Non Bargaining employees consistent with the current Benton County Non-Bargaining policies and with the current collective bargaining agreements of Bi-County Juvenile Justice Center and Human Services Employees who are members of AFSCME.

SUMMARY

The Boards of Commissioners of Benton and Franklin Counties have deemed it appropriate to establish leave for Bi-County Non Bargaining employees that is consistent with current Benton County policies for Non-Bargaining employees.

RECOMMENDATION

I recommend that the Boards of Commissioners of Benton and Franklin Counties sign the Joint Resolution establishing leave for Bi-County Non Bargaining employees.

FISCAL IMPACT

The increases set forth in this Joint Resolution have the following fiscal impact:

Superior Court Administration: None, though one current employee will be affected by the increased annual leave accrual for employees with 16 or more years of services.

Superior Court - Juvenile Division: None

Human Services: None, though three current employees will be affected by the increased annual leave accrual for employees with 16 or more years of services, two of whom anticipate retiring in June and November, respectively.

MOTION

I move that the Board of Benton County Commissioners and the Board of Franklin County Commissioners sign the Joint Resolution setting leaves for Bi County Non-bargaining employees and rescinding Benton County Resolution 93-159 and Franklin County Resolution 93-079.

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

BEFORE THE BOARDS OF COUNTY COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES, WASHINGTON

IN THE MATTER OF SETTING LEAVES FOR NON-BARGAINING EMPLOYEES OF THE BENTON AND FRANKLIN COUNTIES SUPERIOR COURT ADMINISTRATION, SUPERIOR COURT – JUVENILE DIVISION AND HUMAN SERVICES; RESCINDING BENTON COUNTY RESOLUTION NO. 93-159 AND FRANKLIN COUNTY RESOLUTION NO. 93-079

BE IT RESOLVED that policies and procedures for Bi-County nonbargaining employees regarding accrual and use of annual leave, accrual and cash-out of sick leave, and holidays are in accordance with the Benton County Personnel Policies and Procedures for Non-Bargaining Employees (attached for reference), Resolution No. 09-618, section 8.1; paragraph 8.3; section 8.3.A.5; and section 8.6; and

BE IT FURTHER RESOLVED that Benton County Resolution No. 93-159 and Franklin County Resolution No. 93-079 are hereby rescinded.

BOARD OF BENTON COUNTY COMMISSIONERS

BOARD OF FRANKLIN COUNTY COMMISSIONERS

Chairman of the Board
Date:

Chairman of the Board
Date:

Member

Member

Member

Member

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

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

Attest:

Attest:

Clerk of the Board

Clerk of the Board

RESOLUTION

h

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 EXECUTING A PROFESSIONAL SERVICES AGREEMENT WITH G/T
INVESTIGATIONS OF SPOKANE, WA TO PROVIDE INVESTIGATIVE SERVICES ON SERIOUS
AND SENSITIVE CASES ESPECIALLY INVOLVE SEXUAL ABUSE CRIMES.

WHEREAS, despite the existence of four contracted defense investigators for Superior Court criminal
appointed cases in Benton and Franklin Counties there still exists an occasional need for the appointment of an
investigator with greater experience in serious and sensitive cases especially involving sexual abuse crimes
where a female investigator would be appropriate to serve in an investigative capacity;

WHEREAS, G/T Investigations, LLC, an investigations firm located in Spokane, WA has the necessary depth
of experience to handle serious and sensitive cases involving sexual abuse crimes and also has a female
investigator that can be assigned for this purpose;

WHEREAS; G/T Investigations, LLC has agreed to match the full rate sheet of current contracted criminal
defense investigators including their \$55/hr investigative rate and has further agreed not to charge mileage for
the distance between Spokane and the Tri-Cities for any necessary investigations;

WHEREAS, for the reasons stated above it therefore appears to be in the best interests of Benton & Franklin
Counties to execute the attached agreement with G/T Investigations, LLC for "as needed" investigative
services.

NOW THEREFORE, BE IT RESOLVED THAT the professional services agreement between Benton &
Franklin Counties and G/T Investigations, LLC attached to this resolution, for an agreement term starting
September 1, 2009 and ending December 31, 2011, be executed as presented.

Dated this day of, 20

Dated this day of, 20

Chairman of the Board

Chairman of the Board

Chairman Pro-Tem

Chairman Pro-Tem

Member

Member

Constituting the Board of County
Commissioners, Benton County
Washington

Constituting the Board of County
Commissioners, Franklin County
Washington

Attest:
Clerk of the Board

Attest:
Clerk of the Board

PROFESSIONAL SERVICES AGREEMENT TO PROVIDE INVESTIGATIVE SERVICES FOR INDIGENT PERSONS CHARGED WITH CRIMES IN BENTON AND FRANKLIN COUNTIES DISTRICT AND SUPERIOR COURTS

THIS AGREEMENT is entered into by and between Joe Griffin, investigator, Washington State Investigator's License #949 ("Investigator") dba G/T Investigations, LLC and THE COUNTIES OF BENTON AND FRANKLIN, both State of Washington political subdivision ("Counties"), for and on behalf of the Benton and Franklin Counties District and Superior Courts ("Courts").

THIS AGREEMENT IS ENTERED INTO BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

- A. The Counties have the legal responsibility to provide investigative services to support the public-provided legal defense of indigent persons charged with criminal offenses alleged to have been committed within the jurisdictional boundaries of the Counties.
- B. Investigator is licensed in the state of Washington to engage in the business of providing private investigative services, has direct experience in investigating cases involving persons charged with criminal offenses, and desires to contract with the Counties to provide such services to indigent persons subject to criminal charges in the Courts.
- C. Investigator has in his employ a female investigator who has particular training and experience in investigating serious and sensitive cases involving sexual abuse allegations and who is therefore suitable for assignment in cases where there is a need for an experienced female investigator to assist in the investigation, particularly where there are young alleged victims involved.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Counties and Investigator hereby agree as follows:

1. AGREEMENT TERM. This Agreement shall be deemed effective for all purposes as of September 1, 2009, and shall continue thereafter through and including the 31st day of December, 2011, unless earlier terminated pursuant to the applicable terms and provisions of this Agreement.

2. INVESTIGATOR'S OFFICE LOCATION.

a. Investigator presently and regularly maintains an office adequate and appropriate for the business of providing private investigative services at 222 W Mission St, Suite 109, Spokane, WA 99201. Investigator's current local office telephone and fax numbers are (509) 838-1421 and (509)838-7915 respectively;

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: May 24, 2010 Subject: Contract Amendment Prepared by: <u>Melina Wenner</u>	Execute Contract Pass Resolution <u> X </u> Pass Ordinance Pass Motion Other	Consent Agenda <u> X </u> Public Hearing 1st Discussion 2nd Discussion Other

BACKGROUND INFORMATION

Please see the attached Services Contract Amendment with Inter-City Legal Processing & Messenger services to include service to the Kennewick and Richland Auditor's Office.

SUMMARY

See above.

RECOMMENDATION

Pass resolution.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF AUTHORIZING THE CHAIRMAN TO SIGN THE SERVICE CONTRACT AMENDMENT TO THE SERVICES CONTRACT BETWEEN INTER-CITY LEGAL PROCESSING & MESSENGER SERVICE AND BENTON COUNTY APPROVED BY RESOLUTION 10-247.

BE IT RESOLVED that the Chairman of the Board of Benton County Commissioners is hereby authorized to sign the attached service contract amendment.

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

CONTRACT AMENDMENT

THIS AGREEMENT AMENDMENT is made and entered into this ____ day of _____, 2010 by and between Benton County, Washington hereinafter called "COUNTY" and Inter-City Legal Processing & Messenger Service hereinafter called "CONTRACTOR".

WHEREAS, per Resolution 10-247 the parties entered into a Contract for process service and delivery of documents to attorneys, businesses, and individuals in Benton County for 2010; and

WHEREAS, the parties wish to amend the contract terms and conditions to include legal messenger services to the Auditor's Office; and

NOW, THEREFORE, in consideration of the payments, provisions, and agreements set forth in the Contract Documents, the parties agree as follows:

1. The following shall be added to Exhibit A – Scope of Work section 1.2:

f. Kennewick Auditor's Office
5600-B W. Canal Dr., A103
Kennewick, WA 99336

Richland Auditor's Office
101 Wellsian Way, Ste. E
Richland, WA 99352

Contact person: Brenda Chilton
(509) 786-5620

2. The following shall be added to Exhibit B – Compensation section 1.1:

Department	Monthly Fee
Auditor's Office	\$50.00

3. All other terms and conditions remain the same.

IN WITNESS WHEREOF, the parties have caused this Contract to be signed by their duly constituted legal representatives and is effective on the last date signed.

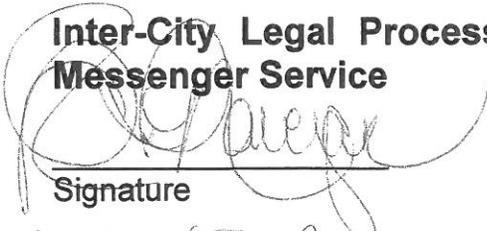
Date: _____

Date: 5/19/2010

Benton County

Inter-City Legal Processing & Messenger Service

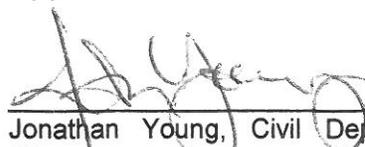
Chairman


Signature

Approved as to Form

DONAVON JAR
Print Name

Title


Jonathan Young, Civil Deputy Prosecuting Attorney

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: 05/24/10 Subject: Bomb Threat Policy Prepared by: B.Perry	Execute Contract Pass Resolution <u> X </u> Pass Ordinance Pass Motion Other	Consent Agenda <u> X </u> Public Hearing 1st Discussion 2nd Discussion Other

BACKGROUND INFORMATION

See attached Bomb Threat Policy. Policy includes procedures for reporting and responding to a bomb threat within a Benton County facility.

RECOMMENDATION

Having been reviewed by Melina Wenner, Personnel/Risk Manager I recommend the agreement be signed.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD OF BENTON COUNTY COMMISSIONERS TO SIGN THE BENTON COUNTY BOMB THREAT POLICY.

WHEREAS, other County Elected Officials have signed and approved the attached Benton County Bomb Threat Policy; **NOW THEREFORE**

BE IT RESOLVED that the Chairman of the Board of Benton County Commissioners is hereby authorized to sign the attached Bomb Threat Policy.

Dated this day of, 20

Chairman of the Board

Chairman Pro-Tem

Member

Constituting the Board of County
Commissioners of Benton County,
Washington

Attest:
Clerk of the Board

Benton County Bomb Threat Policy

Scope

This policy applies to all Benton County facilities except the Sheriff's Office, the Benton County Corrections facility, and the Juvenile Detention facility.

Purpose

To establish procedures and responsibilities to be used in the event of a bomb threat directed towards any Benton County facility or personnel.

Policy

It is the policy of Benton County to consider all bomb threats as real and evacuate according to outlined procedures, unless credible intelligence from law enforcement or juvenile operations staff might indicate evacuation would put personnel or the public in greater danger or the threat is known to be a hoax.

Procedures

- Threat received by a phone call
 - Keep the caller on the line as long as possible.
 - Utilize the Bomb Data Card to obtain as much detail as possible.
 - Notify law enforcement:
 - **Justice Center**
 - Dial extension 3411 (Master Control).
 - Wait for evacuation signal (fire alarm).
 - Evacuate to designated areas.
 - Department Heads:
 - Ensure personnel are evacuated.
 - Gather with Risk Manager/Building Incident Commander for situation update.
 - **Prosser Courthouse**
 - Dial 9-911 to report bomb threat emergency.
 - Pull fire alarm to initiate evacuation.
 - Evacuate to designated areas.
 - Department Heads:
 - Ensure personnel are evacuated.
 - Gather with the Building Incident Commander for situation update.
 - The individual receiving the threat should report to the Building Incident Commander the reason for evacuation.
 - **Richland Auditors Office**
 - Dial 9-911 to report bomb threat emergency.
 - Provide office supervisor with details of bomb threat

- Notify other business managers within building of threat and intent to evacuate.
 - Evacuate to designated area.
 - Office supervisor should be contact person for responding agency.
 - **All Other Benton County Facilities**
 - Dial 9-911 to report bomb threat emergency.
 - Evacuate to designated areas.
 - The individual receiving the threat shall report to the Building Incident Commander the reason for evacuation.
- Bomb threat received by other means
- Threat made by personal contact
 - Take note of identity and description of individual if possible.
 - Report threat to Law Enforcement:
 - Justice Center dial ext. 3411.
 - All other facilities dial 9-911.
 - After business hours or outside of work dial 9-911.
 - Threat by mail
 - Handle document by edges to preserve evidence.
 - Notify Law Enforcement:
 - Justice Center dial ext. 3411
 - All other facilities dial 9-911
 - Initiate Evacuation.

Roles and Responsibilities

- Employee
- Should maintain awareness of workplace settings and be aware of out of place objects that may resemble an explosive device.
 - Shall communicate bomb threat only to supervisor and law enforcement.
 - Shall evacuate in accordance with building-specific procedures unless information from law enforcement or juvenile operations staff indicate otherwise.
 - Shall not re-enter the facility until an “all clear” is given by law enforcement, or is needed to assist law enforcement in search or with access.
 - Shall cooperate with all requests from law enforcement during bomb threat emergency or during investigation.
- Supervisor
- Shall be familiar with evacuation procedures and designated staging areas.
 - Shall ensure employees are familiar with evacuation route and staging areas.
 - Should ensure employees have a copy of the Bomb Data Card under or near their phone, and who to contact in an emergency.

- Shall communicate to the Department Head (if the Department Head is not in the affected building) the current emergency and employees who are unaccounted for.
- Shall notify Risk Management of bomb threat emergency.
- Shall complete an incident report of the threat.
- Department Head
 - Shall be responsible for determining employee activities during any extended business interruption due to a bomb threat, search for a bomb, or any other emergency that will require employee evacuation of a building.
- Risk Management
 - Shall provide training on evacuation and emergency action procedures during new employee orientation, and when procedures for emergency actions change.
 - Shall notify County Administrator and Benton County Board of Commissioners of bomb threat emergency.

Approved and accepted by the undersigned Benton County Elected Officials:

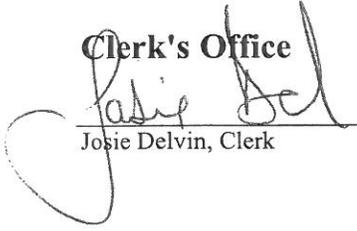
**Benton County
Board of Commissioners**

James Beaver, Chairmen

Leo M. Bowman, Member

Max E. Benitz, Member

Clerk's Office



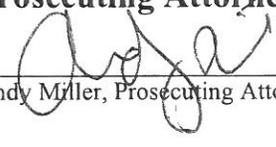
Josie Delvin, Clerk

Coroners Office



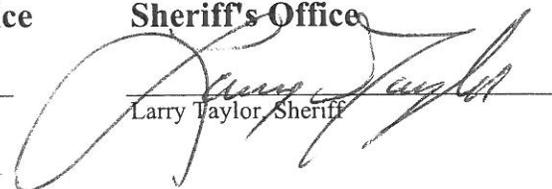
Rick Corson, Coroner

Prosecuting Attorney's Office



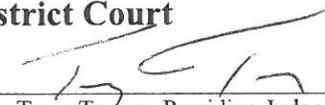
Andy Miller, Prosecuting Attorney

Sheriff's Office



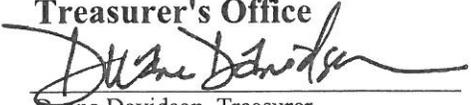
Larry Taylor, Sheriff

District Court



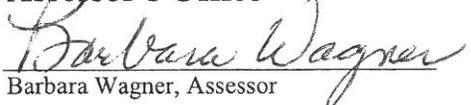
Hon. Terry Tanner, Presiding Judge

Treasurer's Office



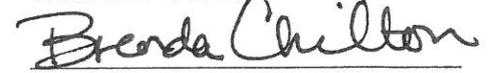
Duane Davidson, Treasurer

Assessor's Office



Barbara Wagner, Assessor

Auditor's Office



Brenda Chilton, Auditor

K

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 1-1088-400-0025-000, defined as: The Southeast $\frac{1}{4}$ of the South 1,006.25 feet of the Southeast 1.4 of Section 10, Township 8 North, Range 28 East, W.M. EXCEPT the West 1,760.03 feet thereof. Also EXCEPT Road Right of Way described as follows: A strip of land 30.00 feet in width lying Westerly of and measured normally to the following described line in Section 10, Township 8 North, Range 28 East, W.M., more particularly described as follows: Beginning at the Southeast corner of said Section 10, said point being the True Point Of Beginning, thence North $00^{\circ} 33' 19''$ West along the East line of said Section 10 a distance of 503.125 feet to the North line of the South $\frac{1}{2}$ of the South 1,006.25 of said Section 10 and the terminus of said described line.

Containing 4.72 acres more or less.

had an original assessment of \$3,568.33 and now has an outstanding assessment of \$2,676.23 and has been subdivided into two parcels identified as Assessor's Parcel Numbers 1-1088-401-3245-001 and 1-1088-401-3245-002, and

WHEREAS, Parcel Number 1-1088-400-0024-000, defined as: The Northeast $\frac{1}{4}$ of South 1,006.25 feet of the Southeast $\frac{1}{4}$ of Section 10, Township 8 North, Range 28 East, W.M. EXCEPT the West 1,760.03 feet thereof. Also EXCEPT Road Right of Way described as follows: A strip of land 30.00 feet in width lying Westerly of and measured normally to the following described line in Section 10, Township 8 North, Range 28 East, W.M., More particularly described as follows: Beginning at the Southeast corner of said section 10, said point being the True Point Of Beginning, thence North $00^{\circ} 33' 19''$ West along the East line of said

Section 10, a distance of 503.125 feet to the North line of the South ½ of the South 1,006.25 of said Section 10 and the terminus of said described line.

Containing 4.73 acres more or less.

had an original assessment of \$3,559.05 and now has an outstanding assessment of \$2,669.30 and has been subdivided into two parcels identified as Assessor's Parcel Numbers 1-1088-401-3245-003 and 1-1088-401-3245-004, and

WHEREAS, Parcel Number 1-1088-400-0026-000, defined as: The Southwest ¼ of the South 1,006.25 feet of the Southeast ¼ Section 10, Township 8 North, Range 28 East, W.M. EXCEPT the West 1,760.03 feet thereof.

Containing 5.08 acres more or less.

had an original assessment of \$4,713.82 and now has an outstanding assessment of \$3,535.37 and has been subdivided into two parcels identified as Assessor's Parcel Numbers 1-1088-401-3246-001 and 1-1088-401-3246-002, and

WHEREAS, Parcel Number 1-1088-400-0023-000, defined as: The Northwest ¼ of the South 1,006.25 feet of the Southeast ¼ of Section 10, Township 8 North, Range 28 East, W.M. EXCEPT the West 1760.03 feet thereof.

Containing 5.08 acres more or less.

had an original assessment of \$4,713.82 and now has an outstanding assessment of \$3,535.37 and has been subdivided into two parcels identified as Assessor's Parcel Numbers 1-1088-401-3246-003 and 1-1088-401-3246-004, and

WHEREAS, Parcel Number 1-1088-400-0027-000, defined as: The Southeast ¼ of the South 1,006.25 feet of the Southeast ¼ Section 10, Township 8 North, Range 28 East, W.M. EXCEPT the East 880.02 feet and EXCEPT the West 880.1 feet thereof.

Containing 5.09 acres more or less.

had an original assessment of \$2,382.11 and now has an outstanding assessment of \$0.00 and has been subdivided into two parcels identified as Assessor's Parcel Numbers 1-1088-401-3249-001 and 1-1088-401-3249-002, and

WHEREAS, Parcel Number 1-1088-400-0022-000, defined as: The Northeast ¼ of the South 1,006.25 feet of the Southeast ¼ Section 10, Township 8 North, Range 28 East, W.M. EXCEPT the East 880.02 feet and EXCEPT the West 880.1 feet thereof.

Containing 5.08 acres more or less.

had an original assessment of \$4,713.82 and now has an outstanding assessment of \$3,535.37 and has been subdivided into two parcels identified as Assessor's Parcel Numbers 1-1088-401-3249-003 and 1-1088-401-3249-004, and

WHEREAS, Parcel Number 1-1088-400-0008-000, defined as: The Northeast $\frac{1}{4}$ of the North 1,006.06 feet of the South 2,012.12 feet of the Southeast $\frac{1}{4}$ of Section 10, Township 8 North, Range 28 East, W.M. EXCEPT the East 1,759.70 feet thereof and EXCEPT the Kennewick Irrigation District Right of Way.

Containing 5.14 acres more or less.

had an original assessment of \$4,769.50 and now has an outstanding assessment of \$3,815.60 and has been subdivided into two parcels identified as Assessor's Parcel Numbers 1-1088-401-3252-001 and 1-1088-401-3252-002, and

WHEREAS, Parcel Number 1-1088-400-0017-000, defined as: The Southeast $\frac{1}{4}$ of the North 1,006.06 feet of the South 2,012.12 feet of the Southeast $\frac{1}{4}$ of Section 10, Township 8 North, Range 28 East, W.M. EXCEPT the East 1,759.70 feet thereof and EXCEPT the Kennewick Irrigation District Right of Way.

Containing 5.14 acres more or less.

had an original assessment of \$4,769.50 and now has an outstanding assessment of \$3,815.60 and has been subdivided into two parcels identified as Assessor's Parcel Numbers 1-1088-401-3252-003 and 1-1088-401-3252-004, and

WHEREAS, Parcel Number 1-1088-400-0007-000, defined as: The Northwest $\frac{1}{4}$ of the North 1,006.06 feet of the South 2,012.12 feet of the Southeast $\frac{1}{4}$ of Section 10, Township 8 North, Range 28 East, W.M. EXCEPT the East 1,759.70 feet thereof and EXCEPT the Kennewick Irrigation District Right of Way.

Containing 5.14 acres more or less.

had an original assessment of \$4,769.50 and now has an outstanding assessment of \$3,815.60 and has been subdivided into two parcels identified as Assessor's Parcel Numbers 1-1088-401-3253-001 and 1-1088-401-3253-002, and

WHEREAS, Parcel Number 1-1088-400-0018-000, defined as: The Southwest $\frac{1}{4}$ of the North 1,006.06 feet of the South 2,012.12 feet of the Southeast $\frac{1}{4}$ of Section 10, Township 8 North, Range 28 East, W.M. EXCEPT the East 1,759.70 feet thereof and EXCEPT the Kennewick Irrigation District Right of Way.

Containing 5.14 acres more or less.

had an original assessment of \$4,769.50 and now has an outstanding assessment of \$3,815.60

and has been subdivided into two parcels identified as Assessor's Parcel Numbers 1-1088-401-3253-003 and 1-1088-401-3253-004, 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
1-1088-400-0025-000	1-1088-401-3245-001	\$1,336.61
	1-1088-401-3245-002	\$1,336.62
1-1088-400-0024-000	1-1088-401-3245-003	\$1,334.65
	1-1088-401-3245-004	\$1,334.65
1-1088-400-0026-000	1-1088-401-3246-001	\$1,767.68
	1-1088-401-3246-002	\$1,767.69
1-1088-400-0023-000	1-1088-401-3246-003	\$1,767.68
	1-1088-401-3246-004	\$1,767.69
1-1088-400-0027-000	1-1088-401-3249-001	\$0.00
	1-1088-401-3249-002	\$0.00
1-1088-400-0022-000	1-1088-401-3249-003	\$1,767.68
	1-1088-401-3249-004	\$1,767.69
1-1088-400-0008-000	1-1088-401-3252-001	\$1,911.50
	1-1088-401-3252-002	\$1,904.10
1-1088-400-0017-000	1-1088-401-3252-003	\$1,911.52
	1-1088-401-3252-004	\$1,904.08
1-1088-400-0007-000	1-1088-401-3253-001	\$1,925.35
	1-1088-401-3253-002	\$1,915.25
1-1088-400-0018-000	1-1088-401-3253-003	\$1,911.52
	1-1088-401-3253-004	\$1,904.08

Dated this 24th day of May 2010.

Chairman

Chairman Pro-Tem

Member

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON :

IN THE MATTER OF TRAFFIC CONTROL ON CERTAIN COUNTY ROADS RE:

Establish speed limit on Hanks Road from Crosby Road to Aller Road.

WHEREAS, The Board of County Commissioners of Benton County, Washington in the exercise of a governmental function for and on behalf of said Benton County in the protection of life, health, safety, welfare and convenience of the inhabitants of said County, is desirous of making certain restrictions on the traffic using the County Roads designated below; NOW, THEREFORE,

BE IT RESOLVED by the Board of County Commissioners of Benton County, Washington, that the traffic control on County Roads designated below shall be as follows:

That it shall be unlawful for the operator of any vehicle to exceed 40 MPH on Hanks Road from Crosby Road to Aller Road. (Approx. 3 miles.)

This resolution shall be effective May 24, 2010 .

Dated this 24th day of May , 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:NWC:nwc

<u>AGENDA ITEM</u>		<u>TYPE OF ACTION</u>			
Meeting Date :	May 24, 2010	Execute Contract :		Consent Agenda :	x
Subject :	Hanks Road Speed	Pass Resolution :	x	Public Hearing :	
Prepared by :	NWC	Pass Ordinance :		1st Discussion :	
Reviewed by :	SWB	Pass Motion :		2 nd Discussion :	
		Other :		Other :	

BACKGROUND INFORMATION

Benton County hired HDR Consultants to conduct a traffic safety study in the Roza Area of Benton County. The study was completed with input from Benton County staff and a Citizen’s Advisory Committee. The study included recommendations for actions to help improve traffic safety. The study was accepted and approved by the BOCC. The Public Works Staff is in the process of implementing the recommendations in the study. One recommendation was to reduce the speed limit from 50 MPH to 40 MPH on Hanks Road from Crosby to Aller.

SUMMARY

RCW 46.61.415 (1) (b) permits counties "local authority" (the BOCC) to alter speed limits.

See attached recommendation from the HDR Roza Traffic Safety Study.

RECOMMENDATION

Establish a speed limit of 40 MPH on Hanks Road from Crosby Road to Aller Road.

FISCAL IMPACT

None now.

MOTION

N/A

ROZA AREA TRAFFIC SAFETY STUDY

Hanks Road - Crosby Road to Aller Road

This three-mile section of roadway received the most non-intersection related comments at the public meetings. This section runs in an east-west direction and carries around 1030 vehicles per day. This section traverses rolling terrain, which limits the sight distances in both the sags and crests of the vertical curves. Also, the sight distances at a number of the private road approaches are unsatisfactory. The roadway is considered narrow (the existing paved width varies from 22' to 24' with gravel shoulders varying from 1' to 3'), and the paved surface shows signs of failure throughout the length of the section.

In the ten-year study period, there were a total of thirteen non-intersection related crashes reported:

- 5- Run-off Road
- 2- Sideswipe
- 3- Driveways
- 1- Animal
- 2- Rear-End

Although the frequency of crashes on this section is relatively low with a crash rate of 1.14 crashes/MVMT, the number of crashes reported may be reduced if this section of road was improved. The County has recognized the need to improve this section of road for a number of years and began formal efforts to improve this section in early 2006. Design efforts were started and the limits of right-of-way needed for the improvement were determined. Efforts are currently underway to secure the right-of-way needed to improve the section. Unfortunately, with an estimated total cost approaching \$4,000,000 no funding has been identified at this time to re-construct the section.

Recommendation

If the improvement project must be delayed for an extended period of time, it is recommended the County consider lowering the posted speed to 40 MPH in this section. In making this recommendation, it is recognized obtaining driver compliance to a lower speed limit will be difficult to achieve but the safer speed is less than the general county speed limit set by state law of 50 mph.

M

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF COUNTY ROADS RE: EQUIPMENT RENTAL AND REVOLVING (E. R. & R) FUND PROPERTY - COATS PIT SITE - PARCEL #134053000000000 & #134051000002000

WHEREAS, Benton County wishes to lease a pit site in Section 34, Township 10 North, Range 25 East, W.M., commonly known as Coats Quarry; and

WHEREAS, the owners, Jan & Gail Blair, have signed a Lease Agreement for a period of five (5) years; and

WHEREAS, the County Engineer recommends approval of the Lease Agreement; NOW, THEREFORE,

BE IT RESOLVED that the Lease Agreement for the Coats Pit Site, Parcel #134053000000000 & #134051000002000, be and hereby is approved, and the Board is hereby authorized to sign said Lease on behalf of Benton County.

Dated this 24th day of May 2010.

Chairman

Chairman Pro-Tem

Member

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington
MJB:MJG:slc

Filed for Record at Request of:

Benton County Engineer
P.O. Box 1001
Prosser, WA 99350

Document Title: Lease Agreement

Reference Number of Related Documents:

Grantor(s): Jan W. Blair & Gail Blair

Grantee(s): Benton County

Legal Description: A portion of the SE ¼ of the NW ¼ and a portion of the NE ¼ of the SW ¼ of Section 34, Township 10 North, Range 25 East, W.M.

Assessor's Tax Parcel Numbers: 1-3405-300-0000-000 & 1-3405-100-0002-000

LEASE AGREEMENT

THIS AGREEMENT entered into this _____ day of _____, 2010, by and between JAN W. BLAIR & GAIL BLAIR, husband and wife, and BENTON COUNTY, a Political Subdivision of the State of Washington, is made for the purpose of permitting Benton County Public Works Department to crush and stockpile road surfacing materials on the following described parcel of land commonly known as the Coats Quarry:

Beginning at the center of Section 34, Township 10 North, Range 25 East, W.M.; thence North 89°53'00" West along the East-West centerline of said Section 34, 489.14 feet to the True Point of Beginning; thence South 15°59'31" West 496.89 feet; thence North 89°53'00" West 416.08 feet; thence North 0°41'00" West 1,222.13 feet; thence North 89°30'30" East 783.08 feet; thence South 15°59'31" West 782.22 feet to the True Point of Beginning.

Contains 16.86 acres more or less.

Together with the right to construct, maintain and use an access road 25 feet wide following along an existing graveled road located generally along the East-West centerline of said Section 34 from Case Road (East line of said Section 34) westerly to the hereinbefore described quarry site, said quarry site and access road both being shown on the attached parcel map.

The following is agreed upon by both parties:

1. The period of this agreement shall be five (5) years beginning June 1, 2010, and ending May 31, 2015. At the end of such period, this agreement may be renewed if agreeable to both parties.
2. The Benton County Public Works Department is permitted to crush and stockpile road surfacing materials within the quarry and stockpile area described for that purpose.
3. The Benton County Public Works Department will obtain a surface mining permit from the Department of Natural Resources and comply with the conditions thereof.
4. The consideration for the privilege to crush surfacing materials on said land is \$0.40 per ton of rock produced, said consideration to be paid upon completion of each crushing contract on said land. In lieu thereof, the owners herein may obtain the same value in crushed surfacing materials. Measurement of rock will be made in the processed state; that is, pay quantities shall be the amount of crushed rock produced. If removal of objectionable material from the quarry rock is required to produce a product which will meet State of Washington Standard Specifications for Road, Bridge, and Municipal Construction, the removed material will not be a pay item in this agreement unless such removed materials or shot rock is actually

used, and payment for shot rock or objectionable material will be \$0.60 per cubic yard as measured in the truck. The consideration for the privilege to stockpile crushed surfacing materials on said land is \$3,500.00 for the period of the lease, said consideration to be paid in a lump sum. In lieu thereof, the owners herein may obtain the same value in crushed surfacing materials.

5. The County Road Department or its contractors may enter in or upon said quarry at any time via the access road for the purpose of crushing, stockpiling, and removing crushed rock and for other operations connected with the normal operations of a quarry and stockpile site.
6. Benton County shall hold Jan W. Blair & Gail Blair harmless from any claims or actions arising out of Benton County's use of said premises, including the cost of defending said claims.
7. Benton County shall maintain a steel gate at the point of access to the site. The steel gate at this access will remain closed when access to the site is not in use. Upon the expiration of this agreement, all materials owned by Benton County will be removed from the lease premises and reclamation work will proceed as per the surface mining permit.

SIGNED this 14th day of May, 2010.

OWNERS:

JAN W. BLAIR

Jan W Blair

GAIL BLAIR

Gail Blair

SIGNED this _____ day of _____, 2010.

BENTON COUNTY:

Chairman, Board of County Commissioners

Chairman, Pro-Tem

Member

APPROVED AS TO FORM:

[Signature]
Benton County Prosecuting Attorney

05/11/2010
Date

STATE OF WASHINGTON,)
) ss.
COUNTY OF BENTON)

On this 14th day of MAY, 2010, before me, the undersigned, a Notary in and for the State of Washington, duly commissioned and sworn, personally appeared Jan W Blair,
And, Gail Blair husband and wife, to me known to be the individuals, that executed the foregoing instrument, and acknowledged the said instrument to be their free and voluntary act and deed, for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed the day an year first above written.

[Signature]

Notary Public in and for the State of Washington,
Residing at Passet, WA
My Commission expires: 1-15-13



STATE OF WASHINGTON,)
) ss.
COUNTY OF _____)

On this _____ day of _____, 2010, before me, the undersigned, a Notary in and for the State of Washington, duly commissioned and sworn, personally appeared _____,
_____, and _____ to me known to be the Chairman and Members, respectively, of the Board of County Commissioners of Benton County, Washington, the political subdivision that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said subdivision, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed is the corporate seal of said subdivision.

Witness my hand and official seal hereto affixed the day an year first above written.

Notary Public in and for the State of Washington,
Residing at _____
My Commission expires: _____

RESOLUTION

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

IN THE MATTER OF COUNTY ROADS, RE: SUMMIT VIEW PHASE 7 CE 1934 CRP,

WHEREAS, plans and specifications for the above referenced project, having been signed by the County Engineer, are hereby presented for approval to the Board of County Commissioners;
NOW, THEREFORE

BE IT RESOLVED that the plans be and hereby are approved and that the Chairman is authorized to sign Sheet One of Summit View Phase 7 with the roads named Summit View Drive and Calico Court, CE 1934 CRP.

Dated this 24th day of May 2010.

Chairman

Chairman Pro-Tem

Member

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

SWB;MJB:lss



RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF THE CANINE/BOAT PATROL FUND NUMBER 0127-101 RE: AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN LAW ENFORCEMENT CONTRACT BETWEEN THE U.S. ARMY CORPS OF ENGINEERS AND THE BENTON COUNTY SHERIFF'S OFFICE.

WHEREAS, the Benton County Sheriff's Office has agreed to be contracted by the U. S. Army Corps of Engineers to provide additional law enforcement services within the areas of the Ice Harbor - McNary Project within Benton County; and

WHEREAS, the U. S Army Corps of Engineers has agreed to contract with the Benton County Sheriff's Office for law enforcement from May 14, 2010 through September 12, 2010; and

WHEREAS, The U. S. Army Corps of Engineers has agreed to pay for law enforcement services not to exceed \$23,056.94 **NOW THEREFORE**,

BE IT RESOLVED, the Board of Benton County Commissioners approve and hereby authorize the Chairman of the Board to sign the contract between Benton County and the U. S. Army Corps of Engineers Contract Number W912EF-10-P-5045 to allow the Benton County Sheriff's Office to furnish law enforcement from May 14, 2010 through September 12, 2010 for the Ice Harbor - McNary Project.

Dated this 24 day of May, 2010.

Chairman of the Board

Member

Member

Constituting the Board of County Commissioners
of Benton County, Washington

Attest: _____

J.Thompson

CC: orig. - Sheriff's Office, Prosecutor (Rosemary), U. S. Army Corps of Engineers

SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, AND 30				1. REQUISITION NUMBER W68SBV00920113		PAGE 1 OF 16					
2. CONTRACT NO. W912EF-10-P-5045		3. AWARD/EFFECTIVE DATE 14-May-2010		4. ORDER NUMBER		5. SOLICITATION NUMBER W912EF-10-Q-0069		6. SOLICITATION ISSUE DATE 10-May-2010			
7. FOR SOLICITATION INFORMATION CALL:		a. NAME LANA J MURRY				b. TELEPHONE NUMBER (No Collect Calls) 509-527-7217		8. OFFER DUE DATE/LOCAL TIME 11:00 AM 24 May 2010			
9. ISSUED BY USAED, WALLA WALLA - CONTRACTING DIV. LANA J. MURRY 201 N. THIRD AVENUE WALLA WALLA WA 99362-1876 TEL: 509-527-7217 FAX: 509-527-7802			CODE W912EF		10. THIS ACQUISITION IS <input checked="" type="checkbox"/> UNRESTRICTED <input type="checkbox"/> SET ASIDE: % FOR <input type="checkbox"/> SB <input type="checkbox"/> HUBZONE SB <input type="checkbox"/> 8(A) <input type="checkbox"/> SVC-DISABLED VET-OWNED SB <input type="checkbox"/> EMERGING SB SIZE STD: NAICS:			11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED <input type="checkbox"/> SEE SCHEDULE <input type="checkbox"/> 13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700) 13b. RATING 14. METHOD OF SOLICITATION <input checked="" type="checkbox"/> RFQ <input type="checkbox"/> IFB <input type="checkbox"/> RFP		12. DISCOUNT TERMS Net 30 Days	
15. DELIVER TO ICE HARBOR PROJECT NATURAL RESOURCES MANAGER 2339 MONUMENT DRIVE BURBANK WA 99323			CODE G4R0Q10		16. ADMINISTERED BY SEE ITEM 9					CODE	
17a. CONTRACTOR/OFFEROR BENTON, COUNTY OF 620 MARKET ST PROSSER WA 99350-1610 TEL. 509-735-6555			CODE 371G3		18a. PAYMENT WILL BE MADE BY USAED, NATIONAL FINANCE CENTER 5722 INTEGRITY DRIVE MILLINGTON TN 38054-5005			CODE 964145			
<input type="checkbox"/> 17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER			<input type="checkbox"/> 18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a. UNLESS BLOCK BELOW IS CHECKED <input type="checkbox"/> SEE ADDENDUM								
19. ITEM NO.	20. SCHEDULE OF SUPPLIES/ SERVICES				21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT			
SEE SCHEDULE											
25. ACCOUNTING AND APPROPRIATION DATA See Schedule							26. TOTAL AWARD AMOUNT (For Govt. Use Only) \$23,056.94				
<input type="checkbox"/> 27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-4, FAR 52.212-3, 52.212-5 ARE ATTACHED.						ADDENDA <input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED					
<input checked="" type="checkbox"/> 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4, FAR 52.212-5 IS ATTACHED.						ADDENDA <input checked="" type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED					
28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN COPIES <input type="checkbox"/> TO ISSUING OFFICE. CONTRACTOR AGREES TO FURNISH AND DELIVER ALL ITEMS SET FORTH OR OTHERWISE IDENTIFIED ABOVE AND ON ANY ADDITIONAL SHEETS SUBJECT TO THE TERMS AND CONDITIONS SPECIFIED HEREIN.					29. AWARD OF CONTRACT: REFERENCE <input type="checkbox"/> OFFER DATED . YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HEREIN, IS ACCEPTED AS TO ITEMS:						
30a. SIGNATURE OF OFFEROR/CONTRACTOR				31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER) 				31c. DATE SIGNED 14-May-2010			
30b. NAME AND TITLE OF SIGNER (TYPE OR PRINT)			30c. DATE SIGNED		31b. NAME OF CONTRACTING OFFICER (TYPE OR PRINT) WENDY A SWAILS / Contracting Officer TEL: 509-527-7207 EMAIL: Wendy.A.Swails@usace.army.mil						

P

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF KENNEWICK, WA; RICHLAND, WA, AND COUNTY OF BENTON, WA FOR THE 2010 BYRNE JUSTICE ASSISTANCE GRANT (JAG), CURRENT EXPENSE FUND NO. 0000-101, SHERIFF PATROL DEPARTMENT 121.

WHEREAS, the Benton County Sheriff's Office came before the Board on May 17, 2010 to inform the Board about the 2010 JAG Grant that the City of Kennewick was applying for on behalf of the City of Kennewick, City of Richland, and Benton County; and

WHEREAS, the Board agreed with the usage of the grant funding and directed the Sheriff's Office to move forward with the grant paperwork; and

WHEREAS, an Interlocal Agreement between the City of Kennewick, City of Richland, and Benton County is part of the 2010 JAG application packet; and

WHEREAS, the Benton County Sheriff's Office will receive the Interlocal Agreement at a later date; and

WHEREAS, to assist in meeting the deadline for the 2010 JAG application, the Benton County Sheriff's Office request approval for the Chairman of the Board of the Benton County Commissioners to sign the Interlocal Agreement to be submitted by the City of Kennewick as part of the application; **NOW, THEREFORE**,

BE IT RESOLVED by the Board of Benton County Commissioners, Benton County, Washington, the Board hereby authorizes the Chairman to sign on the Interlocal Agreement for the 2010 Byrne Justice Assistance Grant (JAG); and

BE IT FURTHER RESOLVED Benton County's portion of the 2010 JAG award is \$8,317.

Dated this _____ day of _____, 2010.

Chairman of the Board

Member

Member

Constituting the Board of Commissioners
of Benton County, Washington.

Attest.....
Clerk of the Board

Orig: Sheriff's Office
cc: Auditor, City of Kennewick

Prepared by: J.Thompson

9:05

CPA 08-02
West Richland
EWGMHB Remand

**EXHIBIT LIST FOR AMENDED CPA 08-02-WEST RICHLAND UGA
HEARING FOR COMPLIANCE WITH REMAND ORDER**

Application Exhibit List-Amended UGA	
PCR 1 Includes:	<p>PCR 1.1 Letter from City of West Richland dated 2/25/2010</p> <hr/> <p>PCR 1.2 Amended Application from City of W. Richland dated 2/26/2010 includes City <u>Attachment 1</u> - Map-2010 Modified UGA Expansion, <u>Attachment 2</u> - Acreage Allocation by Land Use Type (memo & Table) and <u>Attachment 3</u> - Land Use Capacity Analysis Tables "UGA Information Spreadsheet"</p> <hr/> <p>PCR 1.3 City of West Richland Proposed Zoning Map for UGA Expansion dated 3/9/2010</p> <hr/> <p>PCR 1.4 West Richland Municipal Code Section 17 dated 3/9/2010</p> <hr/> <p>PCR 1.5 Letter from City of W. Richland dated 3/9/2010 re: adequacy of 2007 CFP</p>
PCR 2 Includes:	<p>PCR 2.1 Supplemental Information - Draft Red Mtn. AVA Master Site Plan & Red Mountain Conceptual Plan dated 3/9/2010 submitted by the City of W. Richland</p> <hr/> <p>PCR 2.2 Supplemental Information - Draft Wine Business Incubator Feasibility Study for the Port of Kennewick & CTED Funding Information dated 3/9/ 2010 submitted the City of W. Richland</p> <hr/> <p>PCR 2.3 Supplemental Information - Innovation Zone Report dated 3/9/2010 submitted by the City of W. Richland</p> <hr/> <p>PCR 2.4 Supplemental Information -Mapping Showing Location of Expansion Area, Interchange & Red Mountain AVA with Supplemental Economic Development Materials dated 3/9/2010 submitted by the City of W. Richland</p> <hr/> <p>PCR 2.5 Supplemental Information -New Reports Ranking West Richland Area and Third Best Place to do Business dated 3/9/2010 submitted by the City of W. Richland</p> <hr/> <p>PCR 2.6 Supplemental Information -Information on Funding Request for Interchange dated 3/9/2010 submitted by the City of W. Richland</p> <hr/> <p>PCR 2.7 Supplemental Information - Public Works Memo on Utility Infrastructure dated 3/9/2010 submitted by the City of W. Richland</p> <hr/> <p>PCR 2.8 Supplemental Information - Economic Development Memo on City Growth and Economic Issues dated 3/9/2010 submitted by the City of W. Richland</p> <hr/> <p>PCR 2.9 Supplemental Information - Overview of Red Mtn. Access Improvements: Economic Impact Analysis dated 3/11/2010 submitted by the City of W. Richland</p> <hr/> <p>PCR 2.10 Supplemental Information - City of W. Richland Economic Development Plan dated 3/11/2010 submitted by the City of W. Richland</p>
Staff Memo Exhibit List for CPA 08-02 Compliance Record	
PCM	Planning Staff Memo dated 3/30/2010
PCM 1	Resolution 09-143 dated 2/23/2009
PCM 2	Final Decision and Order (FDO) from the Growth Management Hearings Board for

AGENDA ITEM MTG DATE: May 24, 2010 SUBJECT: EWGMHB Remand of Resolution 09-143 CPA 08-02 MEMO DATE: 05-19-2010 Prepared By: Susan M. Walker Reviewed By: Michael Shuttleworth	TYPE OF ACTION NEEDED Execute Contract Pass Resolution X Pass Ordinance Pass Motion X Other	Consent Agenda Public Hearing X 1st Discussion 2nd Discussion Other
--	--	--

BACKGROUND INFORMATION

The City of West Richland submitted a proposal during Benton County's Comprehensive Plan 2008 amendment process to include an additional 747 acres of land into its Urban Growth Boundary (UGA). According to the City, the purpose for the UGA expansion is not to add land to the UGA in order to accommodate projected population growth, but rather to include within its UGA an additional 747 acres that surrounds the alignment of a proposed I-82 interchange. The amendment was approved by the Board of County Commissioners and adopted by Resolution 09-143 on February 23rd, 2009. The action was later appealed by several parties to the Eastern Washington Growth Management Hearings Board (EWGMHB) who found the County's action failed to comply with the Growth Management Act and was clearly erroneous in view of the entire record and issued an order of remand under RCW 36.70A.300, and the County ordered to bring its Comprehensive Plan into compliance with the Growth Management Act. The issues of the remand required supplemental information from the City of West Richland and further review and amendment of Resolution 09-143 by Benton County.

In response, the City of West Richland revised its UGA proposal to include 545¹ acres. The boundary of the originally proposed 747 acres was reduced in size by approximately 200 acres, and all lands proposed within the Red Mountain AVA area were removed. The City also submitted the required UGA Information Sheet, which is a land use capacity analysis, and other supporting economic development documents.

The Benton County Planning Commission held a public hearing on April 20th, 2010 on the revised UGA and supplemental information. The Planning Commission received public comment at the hearing and entertained several motions on the proposal, however no motion achieved a majority vote of the attending four-member quorum. The hearing was continued to May 11th in an effort to garner a recommendation to the Board. The Planning Commission was unable to achieve a majority vote and has forwarded the revised UGA and supplemental information to the Board of Commissioners without a recommendation.

A public hearing is scheduled for May 24th, 2010, at 9:05 a.m., to review and receive public comment on the proposed resolution to address the EWGMHB remand.

¹ Calculation based on Benton County assessors parcel information & GeoMedia computer calculations.

Steven W. Becken
Public Works Manager

Malcolm Bowie
County Engineer

9:35
Area Code 509
Prosser 786-5611
Tri-Cities 736-3084
Ext. 5664
Fax 786-5627

Benton County

Department of Public Works

Post Office Box 1001 - Courthouse
Prosser, Washington 99350-0954

May 19, 2010

BOARD OF COUNTY COMMISSIONERS
Benton County Courthouse
Prosser, WA 99350

RE: Application for Franchise: Oasis Water Corporation

Commissioners:

Oasis Water Corporation has filed a petition to continue a nonexclusive franchise for water lines system and facilities within all of unincorporated Benton County road right of way.

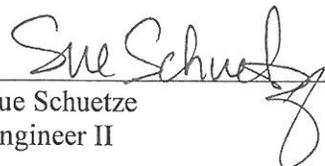
This office has reviewed the request and based upon our current franchise requirements recommends approval of the request subject to the following conditions:

1. The term of the franchise continue for a ten (10) year period with a cost of \$500.
2. The Grantee is to carry liability insurance with Benton County named as an insured with a minimum limit of \$500,000.00. A copy of the proof of insurance is to be provided to Benton County.
3. Placement of facilities within the right of way shall meet all requirements of Benton County as to location and repair of roads and right of way.
4. Should Benton County require utility relocation work because of road reconstruction or maintenance, said work shall be at the Grantee's expense.
5. The franchise is nonexclusive.
6. The Grantee sign the Order and Agreement for Nonexclusive Franchise, which will be prepared based upon the requirements set forth at the public hearing.

If you have any questions, please contact this office.

Sincerely,

Malcolm Bowie
County Engineer


Sue Schuetze
Engineer II

Steven W. Becken
Public Works Manager

Malcolm Bowie
County Engineer

Benton County

Department of Public Works

Post Office Box 1001 - Courthouse
Prosser, Washington 99350-0954

Area Code 509
Prosser 786-5611
Tri-Cities 736-3084
Ext. 5664
Fax 786-5627

May 19, 2010

BOARD OF COUNTY COMMISSIONERS
Benton County Courthouse
Prosser, WA 99350

RE: Application for Franchise: PUD No. 1 of Klickitat County

Commissioners:

PUD No. 1 of Klickitat County has filed a petition to continue a nonexclusive franchise for an electrical system and facilities within all of unincorporated Benton County road right of way.

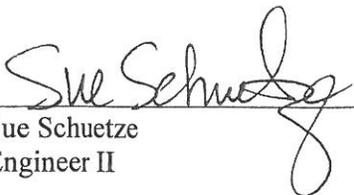
This office has reviewed the request and based upon our current franchise requirements recommends approval of the request subject to the following conditions:

1. The term of the franchise continue for a ten (10) year period with a cost of \$500.
2. The Grantee is to carry liability insurance with Benton County named as an insured with a minimum limit of \$500,000.00. A copy of the proof of insurance is to be provided to Benton County.
3. Placement of facilities within the right of way shall meet all requirements of Benton County as to location and repair of roads and right of way.
4. Should Benton County require utility relocation work because of road reconstruction or maintenance, said work shall be at the Grantee's expense.
5. The franchise is nonexclusive.
6. The Grantee sign the Order and Agreement for Nonexclusive Franchise, which will be prepared based upon the requirements set forth at the public hearing.

If you have any questions, please contact this office.

Sincerely,

Malcolm Bowie
County Engineer


Sue Schuetze
Engineer II

Steven W. Becken
Public Works Manager

Malcolm Bowie
County Engineer

Benton County

Department of Public Works

Post Office Box 1001 - Courthouse
Prosser, Washington 99350-0954

9:45
Area Code 509
Prosser 786-5611
Tri-Cities 736-3084
Ext. 5664
Fax 786-5627

May 19, 2010

BOARD OF COUNTY COMMISSIONERS
Benton County Courthouse
Prosser, WA 99350

RE: Application for Franchise: Ormiston Orchards Inc.

Commissioners:

Ormiston Orchards Inc. has filed a petition to continue a nonexclusive franchise for an irrigation water system and facilities within all of unincorporated Benton County road right of way.

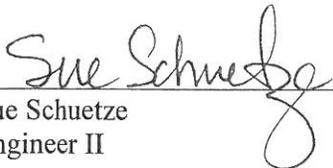
This office has reviewed the request and based upon our current franchise requirements recommends approval of the request subject to the following conditions:

1. The term of the franchise continue for a ten (10) year period with a cost of \$500.
2. The Grantee is to carry liability insurance with Benton County named as an insured with a minimum limit of \$500,000.00. A copy of the proof of insurance is to be provided to Benton County.
3. Placement of facilities within the right of way shall meet all requirements of Benton County as to location and repair of roads and right of way.
4. Should Benton County require utility relocation work because of road reconstruction or maintenance, said work shall be at the Grantee's expense.
5. The franchise is nonexclusive.
6. The Grantee sign the Order and Agreement for Nonexclusive Franchise, which will be prepared based upon the requirements set forth at the public hearing.

If you have any questions, please contact this office.

Sincerely,

Malcolm Bowie
County Engineer


Sue Schuetze
Engineer II

Steven W. Becken
Public Works Manager

Malcolm Bowie
County Engineer

Benton County

Area Code 509
Prosser 786-5611
Tri-Cities 736-3084
Ext. 5664
Fax 786-5627

Department of Public Works

Post Office Box 1001 - Courthouse
Prosser, Washington 99350-0954

May 19, 2010

Board of County Commissioners
Benton County Courthouse
Prosser, WA 99350

RE: Proposed Right of Way Vacation
Unimproved Right of Way for Beers Road
Sections 21 and 22, Township 9 North, Range 25 East, W.M.
CE 1933 VAC

Commissioners:

In accordance with Resolution #10-269, dated May 3, 2010, setting a public hearing for May 24, 2010, for a proposed road right of way vacation of unimproved right of way for Beers Road, the following report is submitted:

We have reviewed and examined the right of way proposed for vacation and abandonment. The attached print depicts said right of way proposed for vacation. The right of way requested for vacation and abandonment is a strip of land 40 feet in width, lying north of the quarter corner of Sections 21 and 22, T 9 N, R 25 E, WM.

There is 20 feet of right of way along the East side of Section 21 and 20 feet of right of way along the West side of Section 22. This right of way originated by Order of Establishment dated April 5, 1920 and was originally named Good Road.

The 1934 Metskers Map shows a dirt road along the entire mile for both Section 21 and Section 22.

The 1943 Metskers Map shows no road along either side of Section 21 and Section 22.

The 1960 and 1976 Metskers Maps show a gravel road up to the quarter corner, which is where the end of the county road is currently located.

In 1982 Short Plat 1303 created an ingress egress 30 feet wide along the West side of the parcel marked 3.

In 1995 Short Plat 2223 was recorded by Ronald Cole, the petitioner. It created a 30 feet wide ingress egress easement along the east side of the parcel marked 2 to serve

the parcels marked 1 and 4, filed under Auditor Fee #870150. It also created a cul-de-sac at the south side of the parcel marked 4. These existing easements serve all the lots involved so that if the right of way were vacated, no parcel would be landlocked.

In 1996 the Benton County Maintenance performed a chip seal, which widened the existing gravel road, and changed the surfacing from gravel to BST-or a paved road. It did not change the length of the road.

Public Comments have been received by the following:

- 1) Sunnyside Valley Irrigation District -SVID: Have no facilities and need no easements
- 2) Benton County Planning Department wanted to make sure there were no landlocked parcels.
- 3) The Benton County Fire Marshall determined that the existing easements were sufficient and had no other comments.
- 4) Benton REA has an existing power line running northerly from the end of Beers Road to McCreadie Road. Benton REA has requested that they be granted an easement along the alignment of the existing power line.

In conclusion, it is the opinion of Benton County Public Works that it is not in the interest of the County to retain the right of way shown on the attached map and the public will be benefited by the vacation and abandonment of said right of way. It is also our opinion that it is not advisable to retain the right of way for the County road system of the future.

All parcels affected by the vacation have a valid access easement if the vacation was approved.

The Benton County Engineer recommends the right of way be vacated, subject to the following conditions:

That an easement be retained for Benton REA.

Sincerely,



Steven W. Becken,
Public Works Manager



Sue Schuetze
Engineer II

10:00

From: Marilu Flores
To: Hewitt, Eileen
Subject: Re: Sign up for Commissioner Meetings

RECEIVED
APR 27 2010
BENTON COUNTY
COMMISSIONERS

Times have been scheduled before the board as follows:

- May 10th @ 9:15 am
- May 24th @ 10 am
- Aug 2nd @ 9:05 am
- Nov 8th @ 9:05 am

>>> Eileen Hewitt 4/23/2010 3:33 PM >>>

They will need about 15 minutes of time on the schedule for each date requested.

May 10th - Tim Waters will speak about:

- Insect monitoring project for Potato Producers in the Columbia Basin
- Thrips insect control in bulb onions
- The International Carrot conference being hosted by Tim and others in Kennewick this summer.

May 10th - Marianne Ophardt will speak about the upcoming 10th Anniversary of the Demonstration Garden.

May 24th - Natalie Kinion will speak about 4-H Programs: Gear Up for Fair; Future All Community Service Project; Dust Devil's Night at the Stadium

August 2nd - Laurie Sherfey will speak about the Pathways Project: Literacy and Educational Pathways for Latino Childcare Providers

November 8th - Lizann Powers-Hammond will speak about Food Safety Programming.

Let me know if you need any additional information.

Eileen Hewitt
eileen.hewitt@co.benton.wa.us

WSU Benton County Extension - Kennewick
5600-E West Canal Drive
Kennewick, WA 99336
(509) 735-3551

WSU Extension programs and employment are available to all without discriminaion. Evidence of non-compliance may be reported through your local extension office.

>>> Marilu Flores 4/20/2010 11:01 AM >>>
Eileen:

Before I schedule time as requested, please identify what programs are being discussed with the specific date. I would also need to know how much time to schedule.

Marilu Flores
Administrative Secretary
Benton County Commissioners Office
PO Box 190

10:15 am

**EXECUTIVE SESSION
PENDING LITIGATION**

R BROWN

10:25 am

**PRIVATE ROAD ACCESS
EASEMENTS**

FOLLOW UP DISCUSSION

D SPARKS

10:35 am

**ANIMAL CONTROL
FACILITIES**

BID DISCUSSION

R ROGERS