

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
November 15, 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 Keltz; Adam Fyall, Community Development Coordinator; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Ed Thornbrugh, Human Services; DPA Ryan Brown; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; RJ Lott, Planning; Nick Kooiker, Treasurer's Office.

Workshop Agenda

WSAC Conference

Commissioner Bowman reported on his attendance at the WSAC Conference and briefly discussed the following: WSAC Scholarship, Board of Director's Meeting; reduction of fees for Benton County; Legislative Steering Committee objectives; WACO legislative agenda; Joint Transportation Committee agenda. Commissioner Bowman also wanted to know if Benton County endorsed the "Traffic Violations Bureau" and said he would give the information to David Sparks and Ryan Brown for review.

Watershed Process

Commissioner Benitz said the committee was looking for direction to approve the integrated plan for Yakima River Basin and to look at viable water projects and requested the Board provide direction to take back to the committee.

Commissioner Bowman commented that it appeared Commissioner Benitz supported an integrated plan, but not this plan because it did not appear to meet the goals or provide water supply and flow. He asked if the Board should we have a tri-county meeting because if Benton County wanted or needed something that was not acceptable by the other groups, it would be "dead in the water".

Chairman Beaver said he was not opposed to that kind of meeting or anything the Board could do to move this program forward.

ECA Conference

Chairman Beaver said that he and Adam would provide a full report next Monday but essentially, they had a series of meetings with DOE and they were still arguing about Yucca Mountain.

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

Approval of Minutes

The Minutes of November 8, 2010 were approved.

Review Agenda

Chairman Beaver requested the Fairgrounds Lease Agreement item “gg” be added to the consent agenda.

Consent Agenda

MOTION: Commissioner Benitz moved to approve the consent agenda items “a” through “gg”. Commissioner Bowman seconded.

Discussion

Commissioner Bowman said he had asked for minor adjustments to the agreement and requested the Board authorize the agreement to be signed after the changes were made.

Upon vote, the Board approved the following:

Central Services

- a. Authorization to Purchase Network Storage

Commissioners

- b. Lease Agreement w/Benton-Franklin Human Services

Fairgrounds

- c. Line Item Transfer, Fund No. 0124-101, Dept. 000

Human Services

- d. Contract Amendment, #MHPIHP-NECC-01, w/Nueva Esperanza Counseling Center
- e. Contract Amendment, #MH-NONPIHP-NECC-01 w/Nueva Esperanza Counseling Center
- f. Contract Amendment, #DIV-NECC-04, w/Nueva Esperanza Counseling Center
- g. Compensation to Lourdes Counseling Center – Residential substance Abuse Treatment
- h. Compensation to Knowledge Counseling Services – Two-County Prevention Program

- i. Salary Request Statement

Office of Public Defense

- j. Uniform Method of Enforcing Indigent Defense Professional Services Agreements
- k. Amendment to Professional Services Agreement for E Riley
- l. Amendment to Professional Services Agreement for R Hui
- m. Amendment to Professional Services Agreement for P Younesi
- n. Amendment to Professional Services Agreement for A McKinley
- o. Amendment to Professional Services Agreement for S Nacarrato
- p. Amendment to Professional Services Agreement for S Johnson
- q. Amendment to Professional Services Agreement for L Swinney
- r. Amendment to Professional Services Agreement for T Orosco
- s. Amendment to Professional Services Agreement for D Kathren
- t. Amendment to Professional Services Agreement for M Poland
- u. Amendment to Professional Services Agreement for D Hickman

Sheriff

- v. Line Item Transfer, Fund No. 0000-101, Dept. 118
- w. Line Item Transfer, Fund No. 0000-101, Dept. 119
- x. Line Item Transfer, Fund No. 0000-101, Dept. 119
- y. Line Item Transfer, Fund No. 0000-101, Dept. 121
- z. Line Item Transfer, Fund No. 0000-101, Dept. 125

Treasurer

- aa. Obtaining Professional Services for Arbitrage Calculations and Compliance

Workforce Development Council

- bb. Service Provider Contract Modification w/Career Path Services – Dislocated Worker
- cc. Service Provider Contract Modification w/Career Path Services – ARRA Dislocated Worker
- dd. Service Provider Contract Modification w/Career Path Services – Adult Program
- ee. Service Provider Contract Modification w/Career Path Services – ARRA Adult Program
- ff. Service Provider Contract Modification w/Career Path Services – Youth Services

Fairgrounds

- gg. Lease Agreement with Sundowns Training Center

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

Human Services Update

Ed Thornbrugh said the Greater Columbia Behavioral Health (GCBH) received word there would be reductions in funding for state only funds starting immediately and Benton County's share was \$600,000 (\$75,000/month in state only funding). He said this was a significant reduction and he had been working with the directors from different agencies to work out the reduction in services. Mr. Thornbrugh said as these services were reduced, he expected to see a shift in the jail system and would see costs for mental health in the jail go up and jail based services would be reduced as well. He said the significant reduction would create waiting lists and he expected the Commissioners would receive complaints, however, they would do the best they could on the front lines. Additionally, they would likely see more cuts mid-year and as the

crisis services were withdrawn, the hospital services would go up. Mr. Thornbrugh said that even if the sales tax increase was approved, it would be restricted for current programs and would only be a short-term fix.

Commissioner Benitz said it was time to update the business plans and goals and objectives and get those in front of the Board and GCBH. He said he was not in favor of committing reserves to delay the inevitable.

Commissioners Bowman and Beaver said they would generally concur with Commissioner Benitz' recommendations.

Emergency Management – CSEPP Letter of Intent

Bob Spencer, Manager of Benton County Emergency Management said that CSEPP would be finished in about a year and they had millions of dollars worth of equipment to deal with. He said that FEMA saw Benton County as the owner but they had to ask for it by providing a letter of intent. He said they wanted to start with the VHF Paging radio system and have it be transferred to the City of Richland to be solely maintained by the City of Richland.

Jeremy Beck, logistician (handling inventory) said they could deal with each piece of equipment individually or the Board could give them approval to deal with all the property.

Commissioner Benitz asked whether there would be any costs to the County. Mr. Beck said that anything left over after the liquidation became the responsibility of the County and would no longer be maintained by FEMA.

Commissioner Benitz said he believed it was the right approach, but there was not a cost estimate or value assigned to the property and the County's surplus property policy had to be addressed.

Commissioner Bowman said he had not yet seen the county take possession of anything that didn't end up costing something. Mr. Beck said that Benton County already owned the property and CSEP maintained it and that was the reason they wanted to take care of it before the end of that period.

The Board suggested Emergency Management work with legal staff and Mr. Sparks also suggested they talk to Pat Powell (personal property manager) in the Auditor's office. Ryan Brown also suggested a meeting with him and Tom Lampson.

Public Hearing – Short Plat Vacation – SPV 10-11

RJ Lott said the Planning Department received a request to vacate a portion of the 30-foot access easement within Lot 3 of Short Plat 2854 and that based on the testimony received, recommended the proposed vacation in conjunction with the recording of the documentation adding an additional 15-foot access easement.

Proponents

Earl Norman, applicant, said he was in favor of the vacation.

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

MOTION: Commissioner Bowman moved to approve the vacation of the portion of the 30-foot access easement located within Lot 3 of Short Plat 2854, and South of the 50-foot radius turnaround access easement in the Northeast Quarter of Section 36, Township 10 North, Range 26 East, W.M. conditioned on the applicant recording a 15-foot access easement over the East 15 feet of the West 30 feet of Lot 2, located South of the 50-foot radius turnaround easement, to be approved and recorded within one year of this date or approval would be null and void. Commissioner Benitz seconded and upon vote, the motion carried unanimously.

Public Hearing - Short Plat Appeal – SPHPA 10-03

Mr. Shuttleworth said the Planning Department received a letter of appeal from the applicant requesting the Board grant his appeal to the Short Plat Administrator's decision that a 40-foot private road easement be provided to serve his proposed short plat. He said that Planning staff recommend elimination of the requirement of a 40-foot private road easement and approve the appeal.

Proponent

Charles Macrae, applicant, said there was not enough room to provide for a 40-foot easement. He said there was currently a 30-foot easement and he requested the Board grant the appeal and allow him to continue to use the 30-foot easement.

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

The Board agreed to take a three-minute recess and reconvened at 9:47 a.m.

Commissioner Benitz said the request was to eliminate the requirement of a 40-foot easement but the Comprehensive Plan required a 40-foot private road access easement. He said he understood the concern because it was not physically possible, but this issue would need to be rectified at some point and the Board should be consistent.

Commissioner Bowman said it was his understanding they were trying to exempt that requirement because of extenuating circumstances.

MOTION: Commissioner Bowman moved to approve Charles Macrae's request to eliminate the requirement of a 40-foot private road and approve his appeal. Commissioner Benitz seconded.

Discussion

Chairman Beaver asked whether there was a variance process in place. Mr. Brown questioned whether they might need a variance or if it could be done with this process.

Mr. Shuttleworth said this was the correct process at this time and it was written in the appeal policy that was currently in place.

Upon vote, the motion carried unanimously.

Claim for Damages

CC 2010-17: Received on November 12, 2010 from Cody Hopkins

Vouchers

Check Date: 11/12/2010
Warrant #: 22274-22495
Total all funds: \$548,289.04

Check Date: 11/15/2010
Payroll Draw Taxes
Taxes #: 10110114
Total all funds: \$33,859.08

Check Date: 11/15/2010
Warrant #: 231496-231517
Direct Deposit #: 59160-59365
Total all funds: \$112,096.61

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

Resolutions

- 10.666 Authorization to Purchase Network Storage
- 10.667 Lease Agreement w/Benton-Franklin Human Services
- 10.668 Line Item Transfer, Fund No. 0124-101, Dept. 000
- 10.669 Contract Amendment, #MHPIHP-NECC-01, w/Nueva Esperanza Counseling Center
- 10.670 Contract Amendment, #MH-NONPIHP-NECC-01 w/Nueva Esperanza Counseling Center
- 10.671 Contract Amendment, #DIV-NECC-04, w/Nueva Esperanza Counseling Center
- 10.672 Compensation to Lourdes Counseling Center – Residential substance Abuse Treatment
- 10.673 Compensation to Knowledge Counseling Services – Two-County Prevention Program

- 10.674 Uniform Method of Enforcing Indigent Defense Professional Services Agreements
- 10.675 Amendment to Professional Services Agreement for E Riley
- 10.676 Amendment to Professional Services Agreement for R Hui
- 10.677 Amendment to Professional Services Agreement for P Younesi
- 10.678 Amendment to Professional Services Agreement for A McKinley
- 10.679 Amendment to Professional Services Agreement for S Nacarrato
- 10.680 Amendment to Professional Services Agreement for S Johnson
- 10.681 Amendment to Professional Services Agreement for L Swinney
- 10.682 Amendment to Professional Services Agreement for T Orosco
- 10.683 Amendment to Professional Services Agreement for D Kathren
- 10.684 Amendment to Professional Services Agreement for M Poland
- 10.685 Amendment to Professional Services Agreement for D Hickman
- 10.686 Line Item Transfer, Fund No. 0000-101, Dept. 118
- 10.687 Line Item Transfer, Fund No. 0000-101, Dept. 119
- 10.688 Line Item Transfer, Fund No. 0000-101, Dept. 119
- 10.689 Line Item Transfer, Fund No. 0000-101, Dept. 121
- 10.690 Line Item Transfer, Fund No. 0000-101, Dept. 125
- 10.691 Obtaining Professional Services for Arbitrage Calculations and Compliance
- 10.692 Service Provider Contract Modification w/Career Path Services – Dislocated Worker
- 10.693 Service Provider Contract Modification w/Career Path Services – Adult Program
- 10.694 Service Provider Contract Modification w/Career Path Services – ARRA Dislocated Worker
- 10.695 Service Provider Contract Modification w/Career Path Services – ARRA Adult Program
- 10.696 Service Provider Contract Modification w/Career Path Services – Youth Services
- 10.697 Lease Agreement Between Benton County and Sundowns Training Center
- 10.698 Approval of Appeal – SHPA 10-03 and SHP 10-18

With no further business before the Board, the meeting adjourned at approximately 10:00 a.m.

Clerk of the Board

Chairman