November 16, 2009

THE BOARD OF BENTON COUNTY COMMISSIONERS AGENDA PACKET

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Budget Workshop Meeting
October 27, 2009, 8:15 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Max E. Benitz, Jr. Chairman
Commissioner Leo Bowman
Commissioner James Beaver
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Finance Manager Linda Ivey; Superior Court Judge Carrie Runge; Sharon Paradis and Jennifer Bowe, Juvenile; Assessor Barb Wagner, Auditor Bobbie Gagner; Rosie Sparks; Central Services Manager Randy Reid; Pat Powell, Auditor's Office; Superior Court Administrator Pat Austin; Jacki Lahtinen, Dixie Jameson, and Reva Kirby, District Court; District Court Judge Bob Ingvalson; PA Andy Miller and Margaret Ault; Carrie Huie-Pascua and Ed Thornbrugh, Human Services.

Assessor

Barb Wagner discussed her requests for increases including fuel, engineering services for vehicles that were not in the replacement program, and training and travel. She specifically discussed the training/travel budget and said that every year it was getting tighter and tighter. She indicated she had tried to stretch the money by requesting employees share rooms, denied requests for special classes, applied for scholarships, used on-line classes, personally stopped turning in receipts for meals for the last three years, and had her employees use credit cards, when possible, for meals so there would not be a refund if the per diem was higher than the meal. Additionally, she did a countywide comparison of the travel/training budgets and said she had a problem with the way the money was distributed to different departments. She stated she was asking for a 15% in that line item.

Juvenile

Sharon Paradis, Judge Runge, and Jennifer Bowe presented the proposed Juvenile budget. Ms. Paradis said that based upon the letter received from Franklin County regarding budget cuts, if Benton County cut its proportionate share, they would be looking at a 10% reduction.

Ms. Paradised outlined the proposed cuts as follows: elimination of drug court; elimination of three detention officers and capping at 35 youth (average daily population was currently 46 and was down from years past due to programs); reduction of 2 ½ probation counselors; $93,000

reduction in staff support; elimination of pre-employment polygraphs, urinalysis, and reduction in security. Ms. Paradise said they were requesting court ordered legal services in the amount of $3,000 and using some cash carry forward to purchase the same radio system as used in the Sheriff's office. Additionally, she discussed the food services contract and failing HVAC system (estimated at $250,000 to replace).

The Board briefly recessed, reconvening at 8:55 a.m.

Superior Court

Pat Austin and Judge Carrie Runge presented the Superior Court budget. Ms. Austin said the Court was aware of the budget situations in Benton & Franklin Counties, however, wanted to keep the Board aware of its needs. She discussed the following requests: increase in court commissioner; secretary/receptionist in Court administration office; funding for adult drug court program through 2010 to complete the participants through graduation; bailiff's clothing allowance; printing/bindery for the legal financial obligation docket; association dues; and Family Court services program. She said they were requesting the legal financial obligation docket be expanded to a weekly docket.

District Court/Probation Assessment

Jacki Lahtinen, Judge Ingvalson, and Reva Kirby discussed the District Court/Probation Assessment budget. Judge Ingvalson said the overall budget was down and they were consolidating the probation dockets and making other changes. Ms. Lahtinen said they were asking for an increase in postage and a reduction in other line items. Additionally, they were working on on-line payments, starting a pre-warrant docket to get the clients restarted on a payment plan and implementation of the e-ticketing system.

The Board briefly recessed, reconvening at 10:15 a.m.

Prosecuting Attorney

Andy Miller and Margaret Ault presented the budget and said they were requesting a new position in Child Support that was 100% paid by the State. Additionally, Mr. Miller said that when times got better, he might ask for more money for his chief civil deputies.

Commissioner Bowman asked what the chances were of losing the state funding for that position and Mr. Miller said he would be stunned if that ever happened.

The Board recessed, reconvening at 10:35 a.m.

Human Services

Carrie Huie-Pascua and Ed Thornbrugh presented their budget and said they were requesting a vehicle for the administration office. The Board said it was appropriate to look at purchasing a car.

There being no further business before the Board, the meeting adjourned at approximately 10:45 a.m.

Clerk of the Board

Chairman

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Budget Workshop Meeting
October 28, 2008, 8:15 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Max E. Benitz, Jr. Chairman
Commissioner Leo Bowman
Commissioner James Beaver
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Finance Manager Linda Ivey; Clerk Josie Delvin and Deputy Clerk Jacki Hill; Auditor Bobbie Gagner and Deputy Auditor Brenda Chilton; Rosie Sparks and Pat Powell, Auditor's Office; Central Services Manager Randy Reid; Treasurer Duane Davidson; Marianne Ophardt, WSU; Coroner Rick Corson; Nick Kooiker and Erhiza Rivera, Treasurer's Office; Sheriff Larry Taylor; Keith Mercer, Sheriff's Office.

Clerk Departments

Josie Delvin and Jackie Hill presented the Clerk Department budgets. Ms. Delvin discussed her increases in the Clerk Facilitator program and the Legal Financial Obligation docket. She said the State put the responsibility of collection from the Department of Corrections onto the Courts and they will now have thousands of more offenders to try and collect, which increased the need for the financial obligation docket.

WSU – Benton County Extension

Marianne Ophardt discussed the requested increases as follows: change a position from permanent to part-time, purchase a portable loud speaker; contract messenger service; increase of postage with a reduction of office supplies and training; a county vehicle for use by Gwen; and two county cell phones.

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

Coroner

Rick Corson said his increases included the cost of autopsies (based on 60 anticipated) and a one-time fee for computerized record keeping.

The Board recessed, reconvening at 9:25 a.m.

Treasurer

Duane Davidson, Erhiza Rivera, and Nick Kooiker presented the Treasurer's budget and discussed the following increases: office supplies, publications, bond admin fees, tax statement service (paper costs); postage, telephone service, and association dues. Ms. Rivera said they were all settled in at the Annex and felt they had a good ratio of employees between Kennewick and Prosser and expressed appreciation to the Board for the new space.

Mr. Davidson reported the taxpayers were visiting the Kennewick office in great frequency and it was greatly appreciated. He said they established a public access terminal and also installed a scanning station for use by the Treasurer, Auditor, and Clerk. Additionally, they were looking at armored car service to be paid out of the current budget and were in the midst of reviewing the banking services RFP.

The Board recessed, reconvening at 9:50 a.m.

Sheriff

Sheriff Taylor and Keith Mercer discussed the following Sheriff department budgets:

Dept. 118:	reduction of approximately $21,000
Dept. 119:	increase of background checks for WSP, with a reduction of approximately $47,000
Dept. 120:	increase in overtime (legal financial docket); indigent supplies and security (removed from inmate benevolence); increase of $17,000
Dept. 121:	wages/benefits reflect increase due to contract; uniforms moved to another line item that would be zeroed out in following years; professional services; increases offset by grant money with a bottom line increase of $11,000
Dept. 125:	only cola increases, $15,000
Dept. 137:	Animal Control – 9-month budget with two animal control officers and supplies, $160,000
Inmate Ben:	reductions: overtime, oil/lubricants, operating supplies, education and recreation, indigent supplies, contract services, security, repair and maintenance, training, print/bindery; overall $100,000
Investigative:	no changes
K-9/Boat:	COLA increase, travel reduction
Jail Deprec.:	projects – kitchen equipment and dishwasher
Work Crew:	two vans to be replaced

Auditor

Bobbie Gagner and Brenda Chilton presented the Auditor Department budgets with only interfund increases. Ms. Gagner said the Olympia DOL had closed its offices and they were trying to bring in revenue by soliciting those services.

Bobbie Gagner turned in a letter for resignation effective December 31, 2009.

There being no further business before the Board, the meeting adjourned at approximately 10:30 a.m.

Clerk of the Board

Chairman

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Budget Workshop Meeting
October 29, 2009, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Max E. Benitz, Jr. Chairman
Commissioner Leo Bowman
Commissioner James Beaver
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Finance Manager Linda Ivey; Superior Court Administrator Pat Austin; Superior Court Judge Carrie Runge; Sharon Paradis and Jennifer Bowe, Juvenile; Jacki Lahtinen and Reva Kirby, District Court; Auditor Bobbie Gagner; Brenda Chilton and Rosie Sparks, Auditor's Office; Assessor Barb Wager; Erhiza Rivera and Nick Kooiker, Treasurer's Office; Planning Manger Mike Shuttleworth; Central Services Manager Randy Reid; Clerk Josie Delvin and Jackie Hill; Treasurer Duane Davidson; Steve Brown, Building Dept.

Chairman Benitz made the following recommendations to balance the budget:

- All elected officials and departments under David Sparks (current expense) find a 2% reduction in overall baseline budget
- Reduction of $375,000 to Juvenile (Benton County's portion)
- Elimination of Family Services/Casa program
- Elimination of District Court judge pro tem
- Add the grant funded position in the PA's office (if the grant goes away, the position goes away)

Commissioner Bowman said the County had not taken cuts in the past, but the recommendations made sense and he wanted to be proactive and prepare for the biennial budget. He agreed with the proposed recommendations to be brought back to the Board.

Commissioner Beaver said he was in favor of a percentage cut across the board and it was appropriate to send that message to the elected officials. Additionally, he agreed with the grant position and reduction of the judge pro tem and wanted to see the changes brought back to the Board. He indicated it was important to change the planning process for the biennial budget and get some place that allowed the County to be protected from big layoffs and a big swing in the finances. He said he was not in favor of losing positions.

The Board requested Mr. Sparks to send out a letter outlining the requested budget reductions and request the information be returned by 1:00 p.m. on Tuesday, November 3.

The Board agreed to have another budget workshop meeting at 1:00 p.m. on Thursday, November 5, 2009.

The meeting adjourned at approximately at 9:20 a.m.

Clerk of the Board

Chairman

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
November 2, 2009, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Max E. Benitz, Jr. Chairman
Commissioner Leo Bowman
Commissioner James Beaver
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Adam Fyall, Community Development Coordinator; Finance Manager Linda Ivey; Personnel Manager Melina Wenner; Facilities Manager Roy Rogers; Mike Shuttleworth, Susan Walker, and Valerie Smith, Planning; Steve Becken, Malcolm Bowie, Larry Moser, Sue Schuetze, and Norm Childress, Public Works; DPA Ryan Brown; and Treasurer Duane Davidson.

Approval of Minutes

The Minutes of October 26, 2009 were approved.
The Bi-County Minutes of October 26, 2009 were approved.

Cancellation of Meeting

The meeting of November 9, 2009 was cancelled.

Review Agenda

Commissioner Bowman said that consent agenda "i" appeared to be loaning equipment without compensation and did not identify the source of the funds. Steve Becken said the resolution had been changed and presented to the Clerk of the Board.

Consent Agenda

MOTION: Commissioner Bowman moved to approve the consent agenda items "a" through "k", amending "i". Commissioner Beaver seconded and upon vote, the Board approved the following:

Commissioners

a. Adoption of 2010 - 2015 Capital Improvement Plan

Human Services

b. Amendment, #07/09-PIHP-CFCS-01, w/Catholic Family & Child Service of the Tri-Cities
c. Amendment, #07/09-CMH-CFCS-01, w/Catholic Family & Child Service of the Tri-Cities
d. Amendment, #07/09-CMH-LCS-02, w/Lutheran Community Services Northwest
e. Amendment, #07/09-PIHP-NECC-01, w/Nueva Esperanza Counseling Center
f. Amendment, #07/09-CMH-NECC-01, w/Nueva Esperanza Counseling Center
g. Amendment, #09/09-DIV-NECC-02, w/Nueva Esperanza Counseling Center

Office of Public Defense

h. Personal Service Agreement w/S Johnson for District Court Indigent Defense

Public Works

i. Interlocal Agreement w/City of Prosser to Use Solid Waste Brush Bandit

Treasurer

j. Petty Cash and Change Fund for Treasurer's Office
k. Contract Extension w/Master's Touch, Inc.

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

Public Hearing – Short Plat Vacation - 09-05

Mike Shuttleworth said that Benton County received an application requesting the vacation of a 50-foot Access Easement located on Lot 2 of Short Plat 2545. He said the Planning Department recommended vacation, however, it would not vacate the underlying easement created prior to the creation of the short plat.

Proponents

Kimberly Kennell spoke in favor and said they needed the vacation to continue building their home.

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

MOTION: Commissioner Beaver moved to approve the vacation of the 60-foot access easement, with the listed conditions. Commissioner Bowman seconded and upon vote, the motion carried.

Ordinance 466 Amendment – Sunset Clause

Mr. Shuttleworth said the Planning Department was proposing to extend the effective date until December 21, 2010, when the anticipated new zoning and development regulations would be in place. Ms. Walker said they were working very hard to get them in place prior to that deadline.

MOTION: Commissioner Bowman moved to adopt the Planning Commission's finding of fact and approve the resolution adopting the ordinance amendment. Commissioner Beaver seconded and upon vote, the motion carried.

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

Continued Public Hearing – 2009 Comprehensive Plan Amendments

Susan Walker summarized the 2009 amendment proposals as follows:

CPA 09-01

A proposal by William and Nancy Pace to change the land use designation from Heavy Industrial to Rural Lands Five on an 11-acre parcel, approved by the Board on September 28, 2009.

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

MOTION: Commissioner Beaver moved to approve the resolution adopting Comprehensive Plan Amendment application CPA 09-01. Commissioner Bowman seconded and upon vote, the motion carried.

CPA 09-02

A proposal by the City of Richland to include 178.36 acres of land into its Urban Growth Area boundary, approved by the Board on September 28, 2009.

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

MOTION: Commissioner Bowman moved to approve the resolution adopting Comprehensive Plan Amendment application CPA 09-02. Commissioner Beaver seconded and upon vote, the motion carried with Commissioner Benitz opposing.

CPA 09-03

A revised proposal by the City of Benton City to include New Area A and New Area B into its Urban Growth Area boundary, approved by the Board on September 28, 2009.

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

MOTION: Commissioner Beaver moved to approve the resolution adopting Comprehensive Plan Amendment application CPA 09-03. Commissioner Bowman seconded and upon vote, the motion carried with Commissioner Benitz opposing.

CPA 09-04

A proposal by Harold and Susan Bond to change the land use designation from Rural Lands Five to General Commercial, denied by the Board on September 28, 2009.

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

MOTION: Commissioner Bowman moved to deny Comprehensive Plan Amendment application CPA 09-05. Commissioner Beaver seconded and upon vote, the motion carried.

CPA 09-05

A proposal by Chuck Barnes of Kennewick General Hospital to change the land use designation from Heavy Industrial to Rural Lands Five on two parcels and one parcel owned by Paul Meier, approved by the Board on September 28, 2009.

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

MOTION: Commissioner Beaver moved to approve the Comprehensive Plan Amendment application CPA 09-05. Commissioner Bowman seconded and upon vote, the motion carried.

CPA 09-06

A proposal by staff to edit text regarding the completion of the Finley Intertie and related edits to road names on the transportation maps, approved by the Board on September 28, 2009.

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

MOTION: Commissioner Bowman moved to approve the Comprehensive Plan Amendment application CPA 09-06. Commissioner Beaver seconded and upon vote, the motion carried.

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

Railroad Crossing Update

Steve Becken updated the Board on the estimate for the Wiser Parkway and BNSF Railroad crossing. He said the Board had authorized payment of $500,000 and the Road Department had estimated $300,000 for the road and $200,000 for the railroad crossing. He said they had received additional information and the railroad estimate was now $500,000 with a total cost at $800,000. Additionally, the Road Department was now recommending concrete instead of asphalt because they believe the road would have to be rebuilt in 2-3 years due to wear and tear from large vehicles (total estimate $1,057,008).

Commissioner Bowman said he was in favor of approaching the school district and other owners on this issue, especially if the concrete was needed due to large vehicles.

Commissioner Beaver agreed the County should look for other partners because the Board gave direction to cap the contribution at a certain amount. He said there were landowners in the area that would benefit from the crossing.

Chairman Benitz said he agreed with the cap and wanted to go back and work with Burlington Northern to see if the cost could be readdressed and work with landowners to see if there were other options. He agreed that others using that loop road should participate in the cost.

Other Business

Columbia River Crossing Study

Commissioner Bowman said the Board received another letter asking the Board to increase its contribution from $10,000 to $12,500. Commissioner Beaver said he was on the executive board for the Council of Government and said he would bring it back to the Board.

Mayor Carnahan, Benton City, said he was also on the executive board with Commissioner Beaver and the recommendation was that everyone that paid into the study got one vote. He said he personally believed it would benefit Benton County and asked the Board to consider the increase.

The Board agreed to table the discussion until November 16.

Commissioner Beaver said this issue went away at the beginning of the year until they found $125,000 from the State and now there was a race to spend the money. He said he was not in agreement with COG deciding how the County should spend its money and that COG could find the additional money if they wanted to move forward with the study.

Yakima River Basin Water Enhancement Project

Commissioner Bowman requested an update on this project and the Board agreed to have a workshop on November 16.

Executive Session – Pending Litigation

The Board went into executive session at 9:55 a.m. for approximately 15 minutes with DPA Ryan Brown to discuss pending litigation. Also present were Mike Shuttleworth, Susan Walker, Melina Wenner, Loretta Smith Kelty, David Sparks, and Cami McKenzie. The Board came out at 10:05 a.m. Mr. Brown stated that no action was taken.

Claim for Damages

CC 09-23: Received on October 27, 2009 from Shawn Hugie

Resolutions

09-714 Adoption of 2010 - 2015 Capital Improvement Plan
09-715 Amendment, #07/09-PIHP-CFCS-01, w/Catholic Family & Child Service of the Tri-Cities

09-716	Amendment, #07/09-CMH-CFCS-01, w/Catholic Family & Child Service of the Tri-Cities
09-717	Amendment, #07/09-CMH-LCS-02, w/Lutheran Community Services Northwest
09-718	Amendment, #07/09-PIHP-NECC-01, w/Nueva Esperanza Counseling Center
09-719	Amendment, #07/09-CMH-NECC-01, w/Nueva Esperanza Counseling Center
09-720	Amendment, #09/09-DIV-NECC-02, w/Nueva Esperanza Counseling Center
09-721	Personal Service Agreement w/S Johnson for District Court Indigent Defense
09-722	Interlocal Agreement w/City of Prosser to Use Solid Waste Brush Bandit
09-723	Petty Cash and Change Fund for Treasurer's Office
09-724	Contract Extension w/Master's Touch, Inc.
09-725	Adoption of Ordinance No. 472 Relating to Interim Growth Management Regulations
09-726	Approval of Amendment to the Benton County Comprehensive Plan File CPA 09-01
09-727	Approval of Amendment to the Benton County Comprehensive Plan File CPA 09-02
09-728	Approval of Amendment to the Benton County Comprehensive Plan File CPA 09-03
09-729	Denial of Amendment to the Benton County Comprehensive Plan File CPA 09-04
09-730	Approval of Amendment to the Benton County Comprehensive Plan File CPA 09-05
09-731	Approval of Amendment to the Benton County Comprehensive Plan File CPA 09-06

There being no further business before the Board, the meeting adjourned at approximately 10:05 a.m.

Clerk of the Board

Chairman

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Special Board Meeting
November 4, 2009, 10:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Max E. Benitz, Jr. Chairman
Commissioner James Beaver
Clerk of the Board Cami McKenzie

Absent: Leo M. Bowman (excused)

Benton County Employees Present During All or a Portion of the Meeting: Adam Fyall, Community Development Coordinator.

Watershed Planning Update – WRIA 31

Dave McClure summarized the funding status for WRIA 31 watershed plan implementation and briefly discussed the following:

- Instream Habitat Assessment Grant - $125,000 (local match $0)
- Planning Unit Support Grant - $39,000 (local match $0)
- Water Storage Appraisal Study Grant - $170,000 (local match $0)
- Watershed Plan Implementation Grant - $100,000 (local match $11,111 in kind/cash)
- Water Quality Improvement Project Grant (pending) - $60,000 (local match $0)
- Tentative Schedule for WRIA 31 Detailed Implementation Plan
- Summary of recommended WRIA-Wide actions
- Summary of recommended actions for the Rock Creek planning area
- Summary of recommended actions for the Wood/Glade Creek planning area
- Summary of recommended actions for the Kennewick planning area

Tim Flynn, Aspect Consulting, gave a Powerpoint presentation on the storage study and discussed the following items:

- Sharing range of preliminary alternatives with advisory committee and storage committee
- Horse Heaven water storage pre-feasibility assessment
- Prior storage studies for Horse Heaven area
- Projected water demands
- Screening criteria for comparing storage alternatives
- Preliminary alternatives – devised 9 alternatives into eastern and western areas

- Surface reservoir capacity
- Aquafir Storage and Recovery Capacity
- Next steps
  - complete screening of alternatives
  - select preferred alternative; provide analysis
  - pursue funding for feasibility study

There being no further business before the Board, the meeting adjourned at approximately 11:46 a.m.

Clerk of the Board

Chairman

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Budget Workshop Meeting
November 5, 2009, 1:00 p.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Max E. Benitz, Jr. Chairman
Commissioner Leo Bowman
Commissioner James Beaver
County Administrator David Sparks
Alt. Clerk of the Board Lisa Small
Clerk of the Board Cami McKenzie (via videoconference)

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Finance Manager Linda Ivey; Assessor Barb Wagner; Erhiza Rivera, Treasurer's Office; Central Services Manager Randy Reid; Superior Court Administrator Pat Austin; Clerk Josie Delvin; Deputy Clerk Jackie Hill; Deputy Auditor Brenda Chilton; Auditor Bobbi Gagner; Rosie Sparks, Auditor's Office; Treasurer Duane Davidson; District Court Administrator Jacki Lahtinen; Juvenile Administrator Sharon Paradis; Jennifer Bowe, Juvenile.

David Sparks presented the revised budget reflecting the 2% reductions from the departments and the other requested changes that brought the budget to a net increase of $350,000 in the positive. Mr. Sparks said the revenue projections were very aggressive so the Board would need to evaluate the budget mid-year to see if the revenues were coming in as projected.

MOTION: Commissioner Beaver moved to accept the recommendations and proposed budget as presented and requested the Board add back $142,742 into the budget. Commissioner Bowman seconded.

Discussion

Commissioner Bowman wanted to clarify that the $142,742 was intended to go back into the Family Services program in Superior Court and Commissioner Beaver said that was his intent.

Upon vote, the motion carried unanimously.

The matter was approved to go to public hearing on November 23, 2009.

There being no further business before the Board, the meeting adjourned at approximately 1:09 p.m.

Clerk of the Board

Chairman

AGENDA/WORKSHOP ITEM		TYPE OF ACTION NEEDED			
Meeting Date:	16-November-2009	Execute Contract	___	Consent Agenda	x
Subject:	Approve Renewal of Software License	Pass Resolution	x	Public Hearing	___
		Pass Ordinance	___	1st Discussion	___
		Pass Motion	___	2nd Discussion	___
Prepared By:	J. Randall Reid	Other	___	Other	___
Reviewed By:	Loretta SmithKelty				

BACKGROUND INFORMATION

The county has a license for Websense. This software is used to maintain a list of malicious web sites that are then blocked from access by county Internet users, control protocols allowed as part of the county Internet traffic, and report on Internet usage. It has been partially implemented in the past. We plan to more fully implement it in the next few months.

SUMMARY

Attached is a resolution authorizing the license renewal for Websense.

RECOMMENDATION

1ST Pass resolution.

2nd

FISCAL IMPACT

None. Included in the 2009 budget.

MOTION

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF RENEWING ANNUAL LICENSING FOR WEBSENSE SOFTWARE.

WHEREAS, resolution 08-132 requires authorization by the Board of County Commissioners for purchases between $5,000 and $25,000; and

WHEREAS, the adopted 2009 budget included the renewal of the Websense network software license; and

WHEREAS, four (4) vendors on the Benton County Vendor List responded to a request for quote for one year renewal of Websense as follows:

Insight Public Sector	6820 South Harl Avenue Tempe AZ 85283-4318	$7,497
Unisoft Networks NuOz Corporation	15821 NE 8th Street Bellevue WA 98008	$7,644
Wasatch Software, Inc.	3856 West 5400 South Salt Lake City UT 84118	$7,700
TechDepot	6 Cambridge Drive Trumbull CT 06611	$16,618

of which Insight Public Sector, was the lowest quote; NOW THEREFORE,

BE IT RESOLVED, by the Board of Benton County Commissioners, that Central Services be authorized to purchase the annual license renewal of Websense from Insight Public Sector for the amount of $7,497 plus tax; and

BE IT FURTHER RESOLVED, that the total purchases with this award are not to exceed $7,800 plus tax.

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

REID

AGENDA ITEM		TYPE OF ACTION NEEDED			
Meeting Date:	11/09/09	Execute Contract	____	Consent Agenda	XXX
Subject:	Line Item Transfer	Pass Resolution	XXX	Public Hearing	____
Prepared by:	Marilu Flores	Pass Ordinance	____	1st Discussion	____
Reviewed by:	LSK	Pass Motion	____	2nd Discussion	____
		Other	____	Other	____

BACKGROUND INFORMATION

We have surpassed the yearly budgeted total for excess compensation (a Department of Retirement Systems' required invoice) for employees who retire under PERS 1. It is always uncertain when budgeting the previous year to determine exactly how many employees will be retiring the following year.

SUMMARY

RECOMMENDATION

That the Board approve the resolution authorizing the line item transfer.

FISCAL IMPACT

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MOTION

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, Ivey, M Flores

EXHIBIT "A"

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Commissioners' Office

Dept Nbr: 115

Fund Name: Current Expense

Fund Nbr: 0000-101

TRANSFER FROM:

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
519.900	4931	Fenced Item Contingency	$5,672
TOTAL			$5,672

TRANSFER TO:

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
519.900	2120	Excess Compensation - DRS	$5,672
TOTAL			$5,672

Explanation:

We have surpassed the budgeted yearly amount for total excess compensation amount for employees who retired under PERS 1 Plan thus far this year. It is always uncertain when budgeting how many employees will be retiring the following year.

Prepared by: Marilu Flores

Date: 09-Nov-2009

Approved ☐

Denied ☐

Date: _____

_____
Chairman

_____
Member

_____
Member

C

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. 2009 440

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

RE: REAPPOINTING SANDRA LEPAGE TO THE MID-COLUMBIA LIBRARY BOARD OF TRUSTEES, AS A FRANKLIN COUNTY REPRESENTATIVE, FOR A TERM EXPIRING DECEMBER 31, 2016

WHEREAS, the Benton and Franklin County Board of Commissioners received notification from the Mid-Columbia Library requesting authorization to reappoint Sandra LePage to the Mid-Columbia Library Board of Trustees; and

WHEREAS, Ms. LePage was appointed in January 2006 to fill the vacancy presented by Carol Harris' resignation and is eligible to serve up to two full terms; and

WHEREAS, the Library Board unanimously voted to recommend Ms. LePage's reappointment;

NOW, THEREFORE, BE IT RESOLVED the Benton and Franklin County Board of Commissioners hereby approves reappointing Sandra LePage, 60 Terrace Drive, Pasco, Washington, 99301, to the Mid-Columbia Library Board of Trustees, as a Franklin County representative, with said term expiring December 31, 2016.

Dated this _____ day of November, 2009

BOARD OF COUNTY COMMISSIONERS
BENTON COUNTY, WASHINGTON

_____
Max E. Benitz, Jr., Chairman

_____
Leo M. Bowman, Chairman Pro Tem

_____
James R. Beaver, Member

Attested to by:

_____
Clerk to the Board

Originals: BC Auditor
FC Auditor
Mid-Col. Library

Dated this 2 day of November, 2009

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

_____
Rick Miller, Chairman

_____
Robert E. Koch, Chairman Pro Tem

_____
Brad Peck, Member

Attested to by:

_____
Clerk to the Board

cc: Sandra LePage
Appointment File

(FC J:\Resol-2009\Appointment - Mid Col Library joint.doc)

RESOLUTION

d

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 110.

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, L. Ivey, P. Powell

EXHIBIT "A"

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Facilities

Dept Nbr: 110

Fund Name: Current Expense

Fund Nbr: 0000-101

TRANSFER FROM:

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
539-500	4102	Contract Services	$1,300
TOTAL			$1,300

TRANSFER TO:

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
539-500	9306	Supplies	$1,300
TOTAL			$1,300

Explanation:

Transfer to pay interfund expenditure to ER&R for purchase of surplus vehicle approved by Res. 09-704

Prepared by: Cami McKenzie

Date: 10-Nov-2009

Approved ☐

Denied ☐

Date: _____

_____

Chairman

_____

Member

_____

Member

AGENDA ITEM	TYPE OF ACTION NEEDED	
Meeting Date: 11/09/09	Execute Contract	Consent Agenda X
Subject: Folding Tables and Carts Purchase	Pass Resolution X	Public Hearing
Prepared by: cmb	Pass Ordinance	1st Discussion
Reviewed by: lsk	Pass Motion	2nd Discussion
	Board Direction	Workshop

BACKGROUND INFORMATION

Benton County Fairgrounds is in need of additional folding tables and carts for use with building rentals.

RECOMMENDATION

The Deputy County Administrator and the Fairgrounds Office Manager have reviewed the quotes and recommend purchase the folding tables and carts from Mity-Lite. Move to award Mity-Lite for the procuring of folding tables and chair carts.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF PURCHASING FOLDING TABLES AND TABLE CARTS FOR USE WITH BUILDING RENTALS AT THE BENTON COUNTY FAIRGROUNDS

WHEREAS, the cost of the folding tables and chair carts are greater than $5,000 and less than $25,000; and

WHEREAS, procurement of the folding tables and chair carts in the specified price range is addressed in Benton County Resolution 08-132 allowing for procurement to occur after three quotes; and,

WHEREAS, the Fairgrounds Office Manager has solicited a quote for the folding tables and table carts from Mity-Lite for 25 tables, $4,625.00 including free shipping and 2 free table carts, without WSST; from P.S. Furniture 25 tables, $4,500.00 without WSST, freight and table carts; and from Trident for 30 tables, $4,754.48 without WSST, freight and no table carts; and

WHEREAS, the Deputy County Administrator and the Fairgrounds Office Manager reviewed the quotes for completeness and recommend Benton County award the procuring of the folding tables and table carts to Mity-Lite; **NOW, THEREFORE**

BE IT RESOLVED, by the board of Benton County Commissioners that the Fairgrounds Office Manager is authorized to proceed with the purchase of the folding tables and chair carts from Mity-Lite in an amount not to exceed $5,200.00.

Dated this _____ day of _____ 2009.

_____
Chairman of the Board

_____
Member

_____
Member

Attest: _____
Clerk of the Board

Constituting the Board of County Commissioners of Benton County, Washington

Original – Fairgrounds, Mity-Lite
cc: Auditor; File

CUSTOMER ORDER FORM
THIS IS NOT AN INVOICE

MITY-LITE

Quote Number: 280323
Ordering Customer Number: 633552
Billing Customer Number: 633552
Customer P.O. Number:
Page: 1

ORDERED BY	INVOICE TO	SHIP TO
BENTON COUNTY FAIRGROUNDS 1500 S OAK ST BUILDING 20 KENNEWICK, WA 99337 USA Attn: CAROLINE BOWEN	BENTON COUNTY FAIRGROUNDS 1500 S OAK ST BUILDING 20 KENNEWICK, WA 99337 USA Attn: CAROLINE BOWEN	BENTON COUNTY FAIRGROUNDS 1500 S OAK ST BUILDING 20 KENNEWICK, WA 99337 USA Attn: CAROLINE BOWEN

Shipping Terms	SHIP VIA	ORDER TYPE
ORIGIN - PREPAID	BEST WAY POSSIBLE	Regular

RECEIVED DATE	SCHEDULED DATE	ORIGINAL DATE	SALES REP	TERMS
10/8/2009	10/8/2009	10/8/2009	Shaun Nimtz	NET 30

QUANTITY	ITEM	UNIT PRICE	TOTAL PRICE
25	RT3096BEG1 30 IN X 8 FT BEIGE TEXTURE RECT. TABLE; 29" TALL, BROWN TRIM; BROWN WISHBONE LEGS 08	$185.00	$4,625.00
2	CRT3096FBLK2 CART; HOLDS 3096 RECTANGULAR TABLE; FLAT; BLACK FRAME; NON MARRING 5" CASTERS		

SALES TAX	$0.00
ORDER TOTAL (USD)	**$4,625.00**

Order Notes:

Package deal # 2
Free carts!
free shipping!

**A Finance Charge of 2% per month (ANNUAL PERCENTAGE RATE 24%) may be charged on all overdue accounts.*
**Mity-Lite reserves the right to charge a 20% re-stocking fee plus freight charges on returned merchandise.*
**Mity-Lite also reserves the right to refuse the return of merchandise that is custom in nature.*
**All sales subject to current warranty.*
**Customer is responsible for offloading order at delivery time unless otherwise prearranged with the sales representative.*

Mity-Lite, Inc. 1301 West 400 North, Orem, UT 84057 USA Phone 801-224-0589 Fax 801-224-6191

Signature: _____ Date: _____

***** ATTENTION *****

Please Sign and return this form.

Your signature confirms items & quantities desired and agreement to payment terms as indicated. Orders cannot be scheduled for production & shipment without signed customer order form.

**A Finance Charge of 2% per month (ANNUAL PERCENTAGE RATE 24%) may be charged on all overdue accounts.*

**Mity-Lite reserves the right to charge a 20% re-stocking fee plus freight charges on returned merchandise.*

**Mity-Lite also reserves the right to refuse the return of merchandise that is custom in nature.*

**All sales subject to current warranty.*

**Customer is responsible for offloading order at delivery time unless otherwise prearranged with the sales representative.*

Mity-Lite, Inc. 1301 West 400 North, Orem, UT 84057 USA Phone 801-224-0589 Fax 801-224-6191

Pr ·red By: Vernon Murrell
Ph···e: 800.762.0415
Fax: 859.266.3473
vmurrell@palmersnyder.com
www.palmersnyder.com

PSF Product Quc

Date	Quote #
10/19/09	UNSAVED

Quoted price is valid for 30 days from **10/19/09**

Terms	Account Manager	P.O. Number	Ship Via
	vmurrell		

Sold To:
Washington State Fair
Caroline Bowen

Phone:
Fax:

Ship To:
Washington State Fair
Caroline Bowen
, WA 94533

Phone:
Fax:

Bill To:
Washington State Fair
Caroline Bowen

Phone:
Fax:

Ln #	Qty	Weight	Model Number	Product Description	Unit Price	Extended Price
1	25	51.00	B3096-SW	Classic Series Lightweight Plastic - 30" x 96" Banquet Tables - Premium ABS plastic surface Strong 3/4" plywood frame 100% bolt-thru construction Heavy-duty "gravity lock" steel legs Standard 30" high	$180.00	$4,500.00
2	1	0.00		*This number of tables would leave $700 for freight & taxes*	$0.00	$0.00

SubTotal	$4,500.00
Sales Tax	$0.00
Shipping	$0.00
Total	**$4,500.00**

Terms & Conditions: Reduction in quantities purchased may result in higher unit pricing. Pricing above does not include applicable state & local taxes and in some cases, shipping. All quoted prices given in U.S. Dollars. Freight charges subject to change w/ out notification. Tax exempt certificate must be on file w/ Palmer Snyder to avoid paying applicable tax. It is the customer's responsibility to inspect all deliveries & note any freight damage or discrepancies with the carrier.

Return Policy: Merchandise may be returned for any reason within 30 days of receipt with the exception of freight damage/shortages not noted with the freight carrier. Returned products which are not defective are subject to a 25% restocking fee. Some products in our catalog are not eligible for return, either due to their custom nature or because they cannot be returned damage-free without special packaging. Items that are not eligible for return are noted on the product web page. More detailed information on the return process can be found at http://www.palmersnyder.com/returns.html.

If you have questions about whether a product is eligible for return, please call us at (800) 762-0415

Please make out purchase orders to:

Palm nyder, DBA PS Furniture
1050 Chinoe Rd., Suite 106
Lexington KY
40502

Remit payment to:

Palmer Snyder
801 High Street, PO Box B
Conneautville PA
16406

expert advice - trusted products

Trident Furniture Group, Inc.
1028 North 150 West
American Fork, UT 84003
(801) 407-4297
Fax (801) 770-2913
Toll Free 866-485-2864

Customer Order Form

This is Not an Invoice

Date: 9-Oct-09
Account Name: Benton County Fair
Opportunity Name: BENT(TRT3096)
Customer P.O. Number: Verbal-Quote

Ordered By	Invoice To	Ship To
Benton County Fair Grounds 1500 South Oak St Building 20 Kennewick, WA 99337 Attn: Caroline Bowen Telephone: (509) 586-9211	Benton County Fair Grounds 1500 South Oak St Building 20 Kennewick, WA 99337 Attn: Caroline Bowen Telephone: (509) 586-9211	Benton County Fair Grounds 1500 South Oak St Building 20 Kennewick, WA 99337 Attn: Caroline Bowen Telephone: (509) 586-9211

F.O.B.	Ship Via	Sales Contact	Terms
Origin-Prepaid	Best Way Possible	Michael Peterson	Pre-Pay

Quantity	Item Description		lbs	Unit Price	Total Price
30	TRITON TRT3096	(30" X 96" Beige Folding Leg Table)	51	$146.45	$4,393.50

Freight $360.98

Sales Tax	
Order Total	$4,754.48

Signature: _____ Date: _____

***** Attention Please Review and then Sign and Return This Form. Your Signature Confirms this Order *****
Your signature confirms the shipping address, items & quantities and agreement to payment terms as specified. **Orders can not be scheduled for production or shipment without this signed customer order form.**

Order Notes: We need to look closely at the table carts. But this gives you a good idea where we are at price wise.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN OPERATING BUDGET FUND NUMBER 0124101, DEPARTMENT NUMBER 000.

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

< >

Fairgrounds, Auditor

HIBIT "A"

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Fairgrounds

Dept Nbr: 000

Fund Name: Operating Budget

Fund Nbr: 0124101

TRANSFER FROM:

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
575.400	1553	Salaries & Wages	$1,579
TOTAL			$1,579

TRANSFER TO:

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
575.400	9914	County Road	$1,579
TOTAL			$1,579

Explanation:

Transfer needed to process vouchers for Fairgrounds water truck repairs at Benton County Public Works Department.

Prepared by: Caroline Bowen

Date: 11-Nov-2009

Approved ☐

Denied ☐

Date: _____

_____
Chairman

_____
Member

_____
Member

BENTON AND FRANKLIN COUNTIES
ACTION SUMMARY COVER SHEET

COPY

AGENDA ITEM	TYPE OF ACTION NEEDED	
Agreement #09/11-SA-LCC-00	☒ Execute Contract	☒ Consent Agenda
	☒ Pass Resolution	☐ Public Hearing
	☐ Pass Ordinance	☐ 1st Discussion
	☐ Pass Motion	☐ 2nd discussion
Prepared By: Carol Carey	☐ Other	☐ Other

BACKGROUND INFORMATION

The Department of Human Services (DHS) would like to contract with Lourdes Counseling Center for substance abuse treatment services for the 2009-11 biennium.

SUMMARY

Award: Consideration is fee for services provided
Period: October 1, 2009 to June 30, 2011
Funding Source: Division of Behavioral Health and Recovery

RECOMMENDATION

☒ Sign the resolution to accept the proposed 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 the Division of Behavioral Health and Recovery. **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~~ Agreement #09/11-SA-LCC-00 with Lourdes Counseling Center and authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

Benton County Resolution No. _____

Franklin County Resolution No. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF EXECUTION OF AN AGREEMENT FOR PROVIDING SUBSTANCE ABUSE TREATMENT SERVICES BETWEEN LOURDES COUNSELING CENTER AND BENTON AND FRANKLIN COUNTIES' DEPARTMENT OF HUMAN SERVICES, AGREEMENT #09/11-SA-LCC-00

WHEREAS, the Department of Human Services would like to contract with Lourdes Counseling Center to provide substance abuse treatment to low income and Title XIX clients for the 2009-11 biennium; and

WHEREAS, the maximum consideration of the funding is fee for services provided.

WHEREAS, the agreement is effective October 1, 2009 through June 30, 2011, NOW THEREFORE,

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

BE IT FURTHER RESOLVED that the Chairmen are hereby authorized to sign agreement #09/11 SA-LCC-00 on behalf of the Boards of Benton and Franklin County Commissioners.

Dated this . . . . . day of . . . . . , 2009.

_____	_____
Chair	Chair
_____	_____
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:	Attest: . . . . .
Clerk of the Board	Clerk of the Board

cc: Human Services; Benton County; Franklin County

Carey

BENTON AND FRANKLIN COUNTIES
ACTION SUMMARY COVER SHEET

AGENDA ITEM	TYPE OF ACTION NEEDED	
Agreement #09/11-SA-FSCCS-00	☒ Execute Contract	☒ Consent Agenda
	☒ Pass Resolution	☐ Public Hearing
	☐ Pass Ordinance	☐ 1st Discussion
	☐ Pass Motion	☐ 2nd discussion
Prepared By: Carol Carey	☐ Other	☐ Other

BACKGROUND INFORMATION

The Department of Human Services (DHS) would like to contract with First Step Community Counseling Services for substance abuse treatment services for the 2009-11 biennium.

SUMMARY

Award: Consideration is fee for services provided
Period: October 1, 2009 to June 30, 2011
Funding Source: Division of Behavioral Health and Recovery

RECOMMENDATION

☒ Sign the resolution to accept the proposed 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 the Division of Behavioral Health and Recovery. **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~~ Agreement #09/11-SA-FSCCS-00 with First Step Community Counseling Services and authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

Benton County Resolution No. _____

Franklin County Resolution No. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF EXECUTION OF AN AGREEMENT FOR PROVIDING SUBSTANCE ABUSE TREATMENT SERVICES BETWEEN FIRST STEP COMMUNITY COUNSELING SERVICES AND BENTON AND FRANKLIN COUNTIES' DEPARTMENT OF HUMAN SERVICES, AGREEMENT #09/11-SA-FSCCS-00

WHEREAS, the Department of Human Services would like to contract with First Step Community Counseling Services to provide substance abuse treatment to low income and Title XIX clients for the 2009-11 biennium; and

WHEREAS, the maximum consideration of the funding is fee for services provided.

WHEREAS, the agreement is effective October 1, 2009 through June 30, 2011, NOW THEREFORE,

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

BE IT FURTHER RESOLVED that the Chairmen are hereby authorized to sign agreement #09/11 SA-FSCCS-00 on behalf of the Boards of Benton and Franklin County Commissioners.

Dated this . . . . . day of . . . . . , 2009.

_____	_____
Chair	Chair
_____	_____
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

cc: Human Services; Benton County; Franklin County

Carey

BENTON AND FRANKLIN COUNTIES
ACTION SUMMARY COVER SHEET

COPY

AGENDA ITEM	TYPE OF ACTION NEEDED	
Agreement #09/11-SA-UCS-00	☒ Execute Contract	☒ Consent Agenda
	☒ Pass Resolution	☐ Public Hearing
	☐ Pass Ordinance	☐ 1st Discussion
	☐ Pass Motion	☐ 2nd discussion
Prepared By: Carol Carey	☐ Other	☐ Other

BACKGROUND INFORMATION

The Department of Human Services (DHS) would like to contract with Unity Counseling Services for substance abuse treatment services for the 2009-11 biennium.

SUMMARY

Award: Consideration is fee for services provided
Period: October 1, 2009 to June 30, 2011
Funding Source: Division of Behavioral Health and Recovery

RECOMMENDATION

☒ Sign the resolution to accept the proposed 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 the Division of Behavioral Health and Recovery. **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~~ Agreement #09/11-SA-UCS-00 with Unity Counseling Services and authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

Benton County Resolution No. _____

Franklin County Resolution No. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF EXECUTION OF AN AGREEMENT FOR PROVIDING SUBSTANCE ABUSE TREATMENT SERVICES BETWEEN UNITY COUNSELING SERVICES AND BENTON AND FRANKLIN COUNTIES' DEPARTMENT OF HUMAN SERVICES, AGREEMENT #09/11-SA-UCS-00

WHEREAS, the Department of Human Services would like to contract with Unity Counseling Services to provide substance abuse treatment to low income and Title XIX clients for the 2009-11 biennium; and

WHEREAS, the maximum consideration of the funding is fee for services provided.

WHEREAS, the agreement is effective October 1, 2009 through June 30, 2011, NOW THEREFORE,

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

BE IT FURTHER RESOLVED that the Chairmen are hereby authorized to sign agreement #09/11 SA-UCS-00 on behalf of the Boards of Benton and Franklin County Commissioners.

Dated this . . . . . day of . . . . . , 2009.

_____	_____
Chair	Chair
_____	_____
Chair Pro-Tem	Chair Pro-Tem
_____	_____
Member	Member
Constituting the Board of County	Constituting the Board of County
Commissioners of Benton County, Washington	Commissioners of Franklin County, Washington
Attest:	Attest: . . . . .
Clerk of the Board	Clerk of the Board

cc: Human Services; Benton County; Franklin County

Carey

BENTON AND FRANKLIN COUNTIES
ACTION SUMMARY COVER SHEET

COPY

AGENDA ITEM	TYPE OF ACTION NEEDED	
Agreement #09/11-SA-KCS-00	☒ Execute Contract	☒ Consent Agenda
	☒ Pass Resolution	☐ Public Hearing
	☐ Pass Ordinance	☐ 1st Discussion
	☐ Pass Motion	☐ 2nd discussion
Prepared By: Carol Carey	☐ Other	☐ Other

BACKGROUND INFORMATION

The Department of Human Services (DHS) would like to contract with Knowledge Counseling Services for substance abuse treatment services for the 2009-11 biennium.

SUMMARY

Award: Consideration is fee for services provided
Period: October 1, 2009 to June 30, 2011
Funding Source: Division of Behavioral Health and Recovery

RECOMMENDATION

☒ Sign the resolution to accept the proposed 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 the Division of Behavioral Health and Recovery. **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~~ Agreement #09/11-SA-KCS-00 with Knowledge Counseling Services and authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

Benton County Resolution No. _____

Franklin County Resolution No. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF EXECUTION OF AN AGREEMENT FOR PROVIDING SUBSTANCE ABUSE TREATMENT SERVICES BETWEEN KNOWLEDGE COUNSELING SERVICES AND BENTON AND FRANKLIN COUNTIES' DEPARTMENT OF HUMAN SERVICES, AGREEMENT #09/11-SA-KCS-00

WHEREAS, the Department of Human Services would like to contract with Knowledge Counseling Services to provide substance abuse treatment to low income and Title XIX clients for the 2009-11 biennium; and

WHEREAS, the maximum consideration of the funding is fee for services provided.

WHEREAS, the agreement is effective October 1, 2009 through June 30, 2011, NOW THEREFORE,

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

BE IT FURTHER RESOLVED that the Chairmen are hereby authorized to sign agreement #09/11 SA-KCS-00 on behalf of the Boards of Benton and Franklin County Commissioners.

Dated this . . . . . day of . . . . . , 2009.

_____	_____
Chair	Chair
_____	_____
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

cc: Human Services; Benton County; Franklin County

Carey

COPY

BENTON AND FRANKLIN COUNTIES
ACTION SUMMARY COVER SHEET

AGENDA ITEM	TYPE OF ACTION NEEDED	
Agreement #09/11-SA-AFW-00	☒ Execute Contract	☒ Consent Agenda
	☒ Pass Resolution	☐ Public Hearing
	☐ Pass Ordinance	☐ 1st Discussion
	☐ Pass Motion	☐ 2nd discussion
Prepared By: Carol Carey	☐ Other	☐ Other

BACKGROUND INFORMATION

The Department of Human Services (DHS) would like to contract with Advocates For Wellness for substance abuse treatment services for the 2009-11 biennium.

SUMMARY

Award: Consideration is fee for services provided
Period: October 1, 2009 to June 30, 2011
Funding Source: Division of Behavioral Health and Recovery

RECOMMENDATION

☒ Sign the resolution to accept the proposed 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 the Division of Behavioral Health and Recovery. **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~~ Agreement #09/11-SA-AFW-00 with Advocates For Wellness and authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

Benton County Resolution No. _____

Franklin County Resolution No. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF EXECUTION OF AN AGREEMENT FOR PROVIDING SUBSTANCE ABUSE TREATMENT SERVICES BETWEEN ADVOCATES FOR WELLNESS AND BENTON AND FRANKLIN COUNTIES' DEPARTMENT OF HUMAN SERVICES, AGREEMENT #09/11-SA-AFW-00

WHEREAS, the Department of Human Services would like to contract with Advocates for Wellness to provide substance abuse treatment to low income and Title XIX clients for the 2009-11 biennium; and

WHEREAS, the maximum consideration of the funding is fee for services provided.

WHEREAS, the agreement is effective October 1, 2009 through June 30, 2011, NOW THEREFORE,

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

BE IT FURTHER RESOLVED that the Chairmen are hereby authorized to sign agreement #09/11 SA-AFW-00 on behalf of the Boards of Benton and Franklin County Commissioners.

Dated this . . . . . day of . . . . . , 2009.

_____	_____
Chair	Chair
_____	_____
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:	Attest: . . . . .
Clerk of the Board	Clerk of the Board

cc: Human Services; Benton County; Franklin County

Carey

BENTON AND FRANKLIN COUNTIES
ACTION SUMMARY COVER SHEET

COPY

AGENDA ITEM	TYPE OF ACTION NEEDED	
Agreement #09/11-SA-SCC-00	☒ Execute Contract	☒ Consent Agenda
	☒ Pass Resolution	☐ Public Hearing
	☐ Pass Ordinance	☐ 1st Discussion
	☐ Pass Motion	☐ 2nd discussion
Prepared By: Carol Carey	☐ Other	☐ Other

BACKGROUND INFORMATION

The Department of Human Services (DHS) would like to contract with Somerset Counseling Center for substance abuse treatment services for the 2009-11 biennium.

SUMMARY

Award: Consideration is fee for services provided
Period: October 1, 2009 to June 30, 2011
Funding Source: Division of Behavioral Health and Recovery

RECOMMENDATION

☒ Sign the resolution to accept the proposed 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 the Division of Behavioral Health and Recovery. **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~~ Agreement cc #09/11-SA-SCC-00 with Somerset Counseling Center and authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

Benton County Resolution No. _____

Franklin County Resolution No. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF EXECUTION OF AN AGREEMENT FOR PROVIDING SUBSTANCE ABUSE TREATMENT SERVICES BETWEEN SOMERSET COUNSELING CENTER AND BENTON AND FRANKLIN COUNTIES' DEPARTMENT OF HUMAN SERVICES, AGREEMENT #09/11-SA-SCC-00

WHEREAS, the Department of Human Services would like to contract with Somerset Counseling Center to provide substance abuse treatment to low income and Title XIX clients for the 2009-11 biennium; and

WHEREAS, the maximum consideration of the funding is fee for services provided.

WHEREAS, the agreement is effective October 1, 2009 through June 30, 2011, NOW THEREFORE,

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

BE IT FURTHER RESOLVED that the Chairmen are hereby authorized to sign agreement #09/11 SA-SCC-00 on behalf of the Boards of Benton and Franklin County Commissioners.

Dated this . . . . . day of . . . . . , 2009.

_____	_____
Chair	Chair
_____	_____
Chair Pro-Tem	Chair Pro-Tem
_____	_____
Member	Member
Constituting the Board of County	Constituting the Board of County
Commissioners of Benton County, Washington	Commissioners of Franklin County, Washington
Attest:	Attest: . . . . .
Clerk of the Board	Clerk of the Board

cc: Human Services; Benton County; Franklin County

Carey

BENTON COUNTY TRAVEL EXPENSE REIMBURSEMENT

RECEIVED
NOV 06 2009
BENTON COUNTY COMMISSIONERS

VENDOR #:

FUND: HUMAN SERVICES #0108-101

IRS PUB 1542
Under www.IRS.GOV/Search for 1542

NAME: Carrie Huie-Pascua

MONTH: Sept. 2009

ADDRESS: 7207 W. Deschutes

NOTE: A receipt for the following must be attached to your form: transportation fares, room charges, parking fees, registration fees, and meals by Commissioners and Department Managers.

MEALS					RECEIPTS REQUIRED				PURPOSE & LOCATION REQUIRED		
DATE	BREAKFAST	LUNCH	DINNER	TOTALS	LODGING	TRANSPORT (AIR/TAXI)	CAR RENTAL/ PARKING	REGISTRATION FEES/OTHER	TRAVEL MILEAGE	PURPOSE	LOCATION
9/2/09	16.00		29.00	45.00			10.00		18	MH Prog. & Planning @ Seattle	Pasco Airport/Seatac
9/3/09									4	GCBH Board Mtg	Kenn.
9/8/09									5	MH Workgroup	Kenn.
9/9/09	16.00			16.00			10.00		18	MH Planning Council @ Seattle	Pasco Airport/Seatac
9/14/09									21	Franklin Co.	Pasco
9/15/09									103	ACHS mtg.	Ellensburg
9/16/09									76	ACHS mtg	Yak-Ellensburg
9/17/09									103	ACHS mtg	Eburg-Kenn.
9/23/09									18	Behavioral Health & Health Integration Mtg.	Pasco
9/28/09											
9/28/09									62	Benton Co. Commissioners	Prosser
9/30/09	16.00			16.00			10.00		18	MH Prog & Planning @ Seattle	Pasco Airport/Seatac mtg
									Miles: 446		
SUBTOTALS:	Meals $ 77.00	Lodging $	Transport $	Rental $ 30.00	Other $	@ .55/mile (effective 1/1/09) $ 245.30					

TOTAL REIMBURSEMENT REQUEST: $ 352.30

CERTIFICATION

I hereby certify that under penalty of perjury that this is a true and correct claim for necessary expenses incurred by me and that no payments have been received on account thereof.

Signature of Employee: Carrie Huie-Pascua

Job Title:

Approval: _____ Date: _____

BUDGET CODING

DEPT	BASE SUB	OBJECT	AMOUNT
560	560.110	4301	352.30

BENTON COUNTY TRAVEL EXPENSE REIMBURSEMENT

RECEIVED
NOV 06 20[illegible]

VENDOR #:

FUND: HUMAN SERVICES #0108-101

IRS PUB 1542 — BENTON COUNTY COMMISSIONERS
Under www.IRS.GOV/Search for 1542

NAME: Carrie Huie-Pascua

MONTH: August 2009

ADDRESS: 7207 W. Deschutes Kennewick, WA

NOTE: A receipt for the following must be attached to your form: transportation fares, room charges, parking fees, registration fees, and meals by Commissioners and Department Managers.

MEALS					RECEIPTS REQUIRED				PURPOSE & LOCATION REQUIRED		
DATE	BREAKFAST	LUNCH	DINNER	TOTALS	LODGING	TRANSPORT (AIR/TAXI)	CAR RENTAL/ PARKING	REGISTRATION FEES/OTHER	TRAVEL MILEAGE	PURPOSE	LOCATION
8/4									4	GCBH Committee	Kenn.
8/5	16.-		29.-	45.-					-	MH Policy + Planning	SeaTac
8/6									4	GCBH Board Mtg.	Kenn.
8/11			29.-	29.-						MH Planning Council	SeaTac
8/12			29.-	29.-					-	MH Planning Council	SeaTac
8/17									4	ESH-GCBH Annual Visit	Kenn
8/24									21	Franklin Co. 2nd Qtr. Rep.	Pasco
									Miles: 33		

	Meals	Lodging	Transport	Rental	Other	@ .55/mile (effective 1/1/09)
SUBTOTALS:	$ 103.-	$	$	$	$	$ 18.15

TOTAL REIMBURSEMENT REQUEST: $ 121.15

CERTIFICATION

I hereby certify that under penalty of perjury that this is a true and correct claim for necessary expenses incurred by me and that no payments have been received on account thereof.

Signature of Employee: Carrie Huie-Pascua

Job Title: DHS Director

Approval: _____ Date: _____

BUDGET CODING

DEPT	BASE SUB	OBJECT	AMOUNT
560	560.110	4301	121.15

3

RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF EXECUTING AN AMENDMENT TO THE SUPERIOR COURT CONTRACT OF KEITH HILDE TO PROVIDE INDIGENT DEFENSE SERVICES TO DEFENDANTS ON THE LEGAL FINANCIAL OBLIGATIONS ("LFO") DOCKET

WHEREAS, the contract for Superior Court indigent defense services currently effective between Benton County and attorney Keith Hilde, to represent defendants on the Court's LFO docket currently expires on December 31, 2009;

WHEREAS, it appears to be in the best interests of Benton County to extend this contract by one year to December 31, 2010;

NOW THEREFORE, BE IT RESOLVED THAT the Chairman of the Board be authorized to execute the attached Amendment, designated with the identifier: BCSC0809KH001LA, extending the above referenced underlying contract by one year.

Dated this _____ day of _____, 20 _____

_____
Chairman of the Board

_____
Chairman Pro-Tem

_____
Member

Constituting the Board of County Commissioners,
Benton County, Washington

Attest: _____
Clerk of the Board

cc: Originals - OPD, Keith Hilde
Copy – R. Ozuna, Auditor, Superior Court

Amendment to Professional Services Agreement
Between
Benton County and Keith Hilde
To Provide Legal Representation to Indigent Persons
In Benton County Superior Court

WHEREAS the presently existing Agreement, between Benton County and attorney Keith Hilde to provide legal representation to indigent persons on the Legal Financial Obligations docket ("Agreement") expires on December 31, 2009;

WHEREAS the parties desire to continue the contractual relationship and maintain all conditions of the Agreement as is;

THEREFORE Agreement shall be amended as follows:

1. The following language in section 1 "Agreement Term": "through and including the **31st day of December, 2009**" shall be stricken and replaced with: "through and including the **31st day of December, 2010**."

This amendment shall be designated with the following identifier: BCSC0809KH001LA.

All remaining provisions in the underlying agreement shall remain the same. Any conflict between the provisions of this Amendment and the provisions of the underlying agreement shall be resolved in favor of the language contained in this Amendment.

IN WITNESS WHEREOF, the parties hereto have entered into and executed this Amendment on the latest date set forth below:

BENTON COUNTY

Date _____

_____
Chairman of the Board
of County Commissioners

Approved as to form and content:

_____
Eric Hsu, Attorney at Law
Indigent Defense Coordinator

Date 11-10-2009

_____
Keith Hilde, Attorney at Law

RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF EXECUTING AN AMENDMENT TO THE DISTRICT COURT INDIGENT DEFENSE CONTRACT OF ATTORNEY JOSHUA J LILLY, #BCDC0710JJL002 IN ORDER TO DIRECT PAYMENT DIRECTLY TO ATTORNEY LILLY.

WHEREAS, the contract for District Court indigent defense services currently effective between Benton County and attorney Joshua J Lilly, designated BCDC0710CEH002 currently states that the contract is with "Joshua J Lilly dba Walker Heye & Meehan, PLLC";

WHEREAS, Joshua J Lilly is leaving the firm of Walker Heye & Meehan, PLLC and therefore desires that all future compensation payments be made directly to him;

NOW THEREFORE, BE IT RESOLVED THAT the attached Amendment, designated with the identifier: BCDC0810JJL002A, modifying the underlying contract to effectuate payments directly to attorney Lilly.

Dated this _____ day of _____, 20 _____

_____
Chairman of the Board

_____
Chairman Pro-Tem

_____
Member

Constituting the Board of County Commissioners,
Benton County, Washington

Attest: _____
Clerk of the Board

cc: Originals - OPD, Joshua Lilly
Copy - R. Ozuna, Auditor, District Court

Amendment to Professional Services Agreement
#BCDC0810JJL002
Between
Benton County and Joshua J Lilly
To Provide Legal Representation to Indigent Persons
In Benton County District Court

WHEREAS attorney Joshua J Lilly ("Attorney) presently is party to the above referenced agreement ("Agreement") to provide legal representation to indigent persons charged with crimes in Benton County District Court;

WHEREAS Agreement presently directs that compensation payments for Attorney's services be made to the law firm of Walker Heye & Meehan, PLLC;

WHEREAS due to his impending departure from the law firm of Walker Heye & Meehan, PLLC Joshua J Lilly desires that all subsequent compensation payments be made directly to him;

THEREFORE the underlying agreement shall be amended as follows:

The opening paragraph shall be amended by removing the following language its its entirety: "dba Walker Heye & Meehan, PLLC;"

All remaining provisions in the underlying agreement shall remain the same. Any conflict between the provisions of this Amendment and the provisions of the underlying agreement shall be resolved in favor of the language contained in this Amendment.

This amendment shall be designated with the following identifier: BCDC0810JJL002A

Signatures on following page

IN WITNESS WHEREOF, the parties hereto have entered into and executed this Amendment on the latest date set forth below:

Date: _____

Benton County

_____
Chairman

_____
Commissioner

_____
Commissioner

Approved as to form and content:

_____
Eric Hsu, Attorney at Law
Indigent Defense Coordinator

Date: 10/29/09

Attorney

_____

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF THE FIRST AMENDMENT TO THE SERVICE AGREEMENT BETWEEN BENTON COUNTY AND FOWLER GENERAL CONSTRUCTION, INC FOR THE CONSTRUCTION OF A GARAGE AND STORAGE FACILITY LOCATED AT HORN RAPIDS PARK.

WHEREAS, per Resolution 09-473 dated July 13, 2009 the Board of Benton County Commissioners approved the service agreement between Benton County and Fowler General Construction, Inc. for the construction of a garage and storage facility located at Horn Rapids Park for an amount not to exceed $44,113.00 including WSST; and

WHEREAS, an amendment in necessary for the supply and installation of a chain driven garage door opener w/2 remotes in the amount of $424.00; which will increase the total contract amount to $44,537.00 including WSST; **NOW, THEREFORE**

BE IT RESOLVED, the Board of Benton County Commissioners hereby authorizes the attached service agreement amendment, increasing the contract total to an amount not to exceed $44,537.00; and

BE IT FURTHER RESOLVED, the Board hereby authorizes the Chairman of the Board to sign the first amendment attached hereto.

Dated this _____ day of _____, 2009

_____
Chairman of the Board

_____
Member

_____
Member

Attest: _____
Clerk of the Board

Org: File – Lisa Small
cc: Auditor; R. Ozuna; Fowler General Construction

Small

FIRST SERVICE AGREEMENT AMENDMENT

THIS AGREEMENT, made and entered into this _____ day of _____2009 by and between **BENTON COUNTY,** a political subdivision, with its principal offices at 620 Market Street, Prosser, Washington 99350 (hereinafter "COUNTY") and **FOWLER GENERAL CONSTRUCTION**, 2161 Henderson Loop, Richland, WA 99354 a firm licensed to do business in the State of Washington (hereinafter "CONTRACTOR").

The parties entered into a Service Agreement dated July 13, 2009 (the "AGREEMENT") for the construction of a garage and storage facility located at Horn Rapids Park for an amount not to exceed $44,113.00 including WSST; and

Whereas, an amendment is necessary for the supply and installation of a chain driven garage door opener w/2 remotes in the amount of $424.00, which will increase the total contract amount to $44,537.00 including WSST; NOW, THEREFORE

The parties agree that all provisions of their amended agreement remain in effect except for the following amendments:

1. CONTRACT DOCUMENTS the existing paragraph shall be amended and replaced in its entirety with the following:

This Contract consists of this agreement and the following exhibits, which is incorporated herein by these references:

Exhibit "A" – Contractor's Proposal dated March 13, 2009
Exhibit "B" – Prevailing wage tables for Benton County
Exhibit "C" – Contractor's Proposal dated September 24, 2009

5. COMPENSATION the existing paragraph shall be amended and replaced in its entirety with the following:

The CONTRACTOR shall be paid in accordance with the quotes provided in Exhibits A, B & C. The maximum total amount payable by the COUNTY to the CONTRACTOR under this agreement shall not exceed forty four thousand five hundred thirty-seven dollars and zero cents ($44,537.00) including Washington State Sales Tax. Prior to any compensation being paid, CONTRACTOR shall submit a Statement of Intent to Pay Prevailing Wages in a form approved and certified by the Washington State Department of Labor and Industries directly to COUNTY's contract representative. At the completion of all work contemplated by this agreement or at the end of the contract term, whichever comes first, the work contemplated herein, CONTRACTOR shall submit an affidavit of wages paid in compliance with prevailing wage requirements, pre-certified by the Department of Labor and Industries, directly to COUNTY's contract representative. Such affidavit shall be in a form approved by the Washington State Department of Labor and Industries. No final payment will be made until such affidavit is provided.

Orig.: File – Lisa Small
cc: Auditors; R. Ozuna; Fowler General Construction

IN WITNESS WHEREOF the Chairman of the Board of the Benton County Commissioners has executed this Contract Amendment on behalf of the County, and the Contractor has executed this Contract, on the day and year first above written.

BENTON COUNTY

Max E. Benitz, Jr., Chairman

Date: _____

FOWLER GENERAL CONSTRUCTION

John Payne, President

Date: 10/27/09

Approved as to Form:

Jonathan Young
Deputy Prosecuting Attorney

Orig.: File – Lisa Small
cc: Auditors; R. Ozuna; Fowler General Construction

Exhibit C

FOWLER
GENERAL CONSTRUCTION, INC.

Mr. Adam Fyall
Benton Country
7122 W. Okanogan Pl, Bldg A
Kennewick WA, 99336

September 24, 2009

RE: Horn Rapids Park Compound Shop.

Dear Mr. Fyall,

Fowler General Construction is pleased to provide a proposal for the below listed items.

- Supply and Install chain driven garage door opener w/2 remotes – $424.00

Should you have any questions or require any further information regarding this proposal do not hesitate to call me at (509) 430-7311.

Jasen Banta

Jasen Banta

Construction Manager
Fowler General Construction

8.

AGENDA ITEM: **MTG. DATE:** Nov. 16, 2009 **MEMO. DATE:** Nov. 6, 2009 **SUBJECT:** Short Plat Vacation - SPV 09-05, Robert & Kimberley Kennell **Prepared By:** R.J. Lott **Reviewed By:** Michael Shuttleworth	**TYPE OF ACTION NEEDED** Execute Contract Pass Resolution X Pass Ordinance Pass Motion Other	Consent Agenda X Public Hearing 1st Discussion 2nd Discussion Other

BACKGROUND INFORMATION

On November 2, 2009, the Board held a public hearing and approved the vacation of the 60-foot access easement located on the South 369.86 feet of the East 60 feet of lot 2 of Short Plat 2545. The applicants have recorded document AF 2009-032900, on November 5, 2009, with the Benton County Auditor. The applicant provided the Planning Department with a copy of the recorded vacation.

The applicant has fulfilled the condition of approval and the Planning Department now submits the resolution for the Board's signature.

SUMMARY

On November 2, 2009, the Board of County Commissioners approved Short Plat Vacation – SPV 09-05 with one condition. The condition has been completed and the resolution is now ready for signature by the Board.

RECOMMENDATION

It is the recommendation of the Planning Department that the Board of County Commissioners sign the resolution approving the vacation of the easement.

MOTION

No motion is needed, the Board only needs to sign the resolution.

Return to
Benton County Planning Dept.
Planning Annex
P.O. Box 910
Prosser WA 99350

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF COUNTY PLANNING REGARDING THE PROPOSED VACATION OF: 60' ACCESS EASEMENT ON LOT 2 OF SHORT PLAT 2545. APPLICANT: ROBERT AND KIMBERLY KENNELL, PARCEL NUMBER 1-0388-401-2545-002. FILE NUMBER - SPV 09-05

WHEREAS, the Board of County Commissioners did conduct a public hearing on Monday, November 2, 2009 at 9:05 a.m. in the Commissioners Meeting Room, Third Floor of the Courthouse, Prosser, Washington; and,

WHEREAS, the signature of the property owners of said application includes all properties affected by this easement; and,

WHEREAS, upon due notice as provided in RCW 58.17.080 and 58.17.090, the hearing before the Board of County Commissioners was held on such petition as indicated above; and,

WHEREAS, the Board of County Commissioners agreed with the summary report from the Benton County Planning Department, retained in File No. SPV 09-05; and,

WHEREAS, it further appears that the vacation of the above mentioned easement would not unduly jeopardize the health, safety, welfare and public good; NOW THEREFORE,

BE IT RESOLVED, that the following described easement is hereby vacated off of the face of Short Plat 2545:

That portion of the 60' Access Easement recorded under Auditor's Fee Number 872046, that is located on the South 369.86 feet of the East 60 feet of Lot 2 of Short Plat 2545.

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

MES/djh

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF THE SETTLEMENT AGREEMENT BETWEEN BENTON COUNTY SHERIFF'S OFFICE; TEAMSTERS LOCAL 839; CINDI KANE AND KATHY FORSMAN

WHEREAS, Benton County has reached an agreement with Benton County Sheriff's Office, Teamsters Local 839, Cindi Kane and Kathy Forsman to fully resolve and forever settle any and all disputes between the parties related to the Union's Acting Assignment Pay Grievance and the Union's Unfair Labor Practice Charge, PERC Case Number 22665-U-09-5795; and

WHEREAS, the Benton County Board of Commissioners has previously discussed and approved the significant terms of the Agreement and the settlement is a reasonable resolution to the disputes between the parties regarding Acting Assignment Pay, **NOW THEREFORE**,

BE IT RESOLVED, that the Benton County Board of Commissioners approves the Agreement as negotiated and is authorized to sign the same.

Dated this . . . . . day of . . . . . , 2009

_____
Chairman of the Board

_____
Member

_____
Member

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

Attest: . . . . . .
Clerk of the Board

Originals: Sarah Perry

c: Commissioners, D. Sparks, Personnel, Sheriff, Payroll

SP

AGENDA ITEM	TYPE OF ACTION NEEDED			
Meeting Date: Monday, November 9, 2009 Subject: Settlement Agreement - Acting Assignment Pay Prepared by: Sarah Perry Reviewed by:	Execute Contract Pass Resolution Pass Ordinance Pass Motion Other	____ X ____ ____ ____	Consent Agenda Public Hearing 1st Discussion 2nd Discussion Other	X ____ ____ ____ ____

BACKGROUND INFORMATION

Before the Board for approval and signature is a Resolution and Settlement Agreement with the Sheriff's Office, Teamsters Local 839, Cindi Kane and Kathy Forsman as full and final resolution to the Union's Acting Assignment Pay Grievance and the Union's Unfair Labor Practice Charge (Case No. 22665-U-09-5795). The parties have been working for several weeks to bring resolution to this matter, and the Settlement Agreement is a reasonable resolution.

SUMMARY

Approve and sign the Resolution and Settlement Agreement.

MOTION

Move to approve and sign the Resolution and Settlement Agreement between Benton County Sheriff's Office; Teamsters Local 839; and Cindi Kane and Kathy Forsman.

SETTLEMENT AGREEMENT
Between
the BENTON COUNTY SHERIFF'S OFFICE;
TEAMSTERS LOCAL 839 (representing Sheriff's Office Clerical Employees);
and
CINDI KANE and KATHY FORSMAN (Employees)

The purpose of this Settlement Agreement ("Agreement") is to resolve all issues between the parties concerning Acting Assignment Pay for Cindi Kane and Kathy Forsman; the Union's Acting Assignment Pay Grievance (initially filed by the Union on July 1, 2009) ("Grievance"); and the Union's Unfair Labor Practice Charge (Case No. 22665-U-09-5795, filed by the Union on August 25, 2009) ("ULP Charge"). The parties agree to resolve these issues as follows:

1. The Sheriff's Office agrees to pay Cindi Kane **$2,080.08** and to pay Kathy Forsman **$1,475.82** with the first payroll cycle following execution of this Agreement by the parties. These payments fully resolve all issues between the parties concerning Acting Assignment Pay for Ms. Kane and Ms. Forsman and are in full satisfaction of monies the Union and Employees believe to be due and owing to them. The parties agree that these amounts include additional pay for overtime hours worked by Employees during the applicable work periods and are subject to all regular payroll deductions.

2. In consideration of the foregoing, within 10 days following execution of this Agreement by the parties, the Union agrees to withdraw and dismiss the Grievance and ULP Charge with prejudice.

3. All parties agree that they have not filed any other complaints or charges with any federal, state, or local administrative agency or court that relate in any manner to this Acting Assignment Pay dispute and that they will not do so.

4. This Agreement shall not be construed by any party as an admission of any wrongful or unlawful act, and the parties specifically disclaim any liability to or unlawful conduct toward the other parties or any employee. This Agreement and the actions taken as agreed herein shall not be construed by any party as a precedent or as evidence of a past practice or lack thereof.

5. No language in the 2007-2009 Collective Bargaining Agreement between the parties is amended or intended to be changed or modified by this Agreement.

6. Any dispute concerning the application or interpretation of this Agreement shall be resolved through the grievance procedure of the Collective Bargaining Agreement.

The parties hereby agree to the terms and conditions of this Agreement and have caused it to be signed by their duly constituted and legal representatives as follows:

BENTON COUNTY SHERIFF'S OFFICE

Larry D. Taylor, Sheriff
Date: 10-20-09

TEAMSTERS LOCAL 839

Robert C. Hawks, Secretary/Treasurer
Date: 10-22-09

BENTON COUNTY BOARD OF COMMISSIONERS

Chairman
Date:

Member

Member

Attest:

Clerk to the Board

Approved as to form:

Sarah Perry, Deputy Prosecuting Attorney

EMPLOYEES

Cindi Kane
Date: Oct. 23, 2009

Kathy Forgman
Date: 10/22/09

S

R E S O L U T I O N

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF BENTON COUNTY ROADS RE: BENTON COUNTY 2010 ANNUAL ROAD PROGRAM

WHEREAS, the Board adopted the 2010 - 2015 Comprehensive Six-Year Road Program on April 27, 2009; and

WHEREAS, a copy of the proposed 2010 Annual Road Program was presented to the Board on October 5, 2009 for Board review in conjunction with the development of 2010 budgets; and

WHEREAS, the Benton County Engineer recommends adoption of the One-Year Road Program for 2010, it appearing to be in the best public interest; NOW, THEREFORE,

BE IT HEREBY RESOLVED, by the Board of Benton County Commissioners, that the 2010 Annual Road Program, a copy of which is attached, is hereby adopted.

Dated this 16th day of November, 2009.

_____
Chairman of the Board.

_____
Chairman Pro-Tem.

_____
Member.

Attest: _____
Clerk of the Board

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

SWB:MJB:LJM:slc

2010 Benton County Road Program

Approved by the

Board of County Commissioners

On

November 16, 2009

Max E. Benitz, Jr., Chairman

Leo M. Bowman, Pro-Tem

James R. Beaver, Member

2010
ROAD PROGRAM
Estimated Revenues

09/29/09

B.A.R.S.#		COUNTY	STATE	FEDERAL	OTHER	TOTAL
291.74.0001	Fund Balance January 1, 2010	2,683,220	0	0	0	2,683,220
311.10.0500	Road Levy 2010(Prior to $476,646 Diversion to Traffic Law Enforcemnt)	5,310,117	0	0	0	5,310,117
311.12.0001	Administrative Refund	35,000	0	0	0	35,000
317.20.0001	Leasehold	0	100,000	0	0	100,000
321.91.2100	Franchise Fees	1,500	0	0	0	1,500
322.90.0002	Trail Access Permits	300	0	0	0	300
336.00.8901	Gas Tax (County Apportionment)	0	3,084,884	0	0	3,084,884
338.42.0501	Road Maintenance Services	15,000	0	0	0	15,000
338.95.0501	Road Construction & Engr Services	700,000	0	0	0	700,000
339.22.0201	ARRA Road Funds	0	0	1,200,000	0	1,200,000
341.50.0501	Sale of Maps	100	0	0	0	100
341.69.0501	Sale of Prints	15,000	0	0	0	15,000
344.10.0501	Various Road Repairs	5,000	0	0	0	5,000
344.10.0502	Private Road Signs	300	0	0	0	300
344.20.0501	Sale of Aggregate Materials	20,000	0	0	0	20,000
344.90.0501-2	Plat Road/Access Road/Encroachment Review	10,300	0	0	0	10,300
344.90.0503-4	Road Vacations / Affidavits of Correction	2,200	0	0	0	2,200
349.16.0501	Personnel Admin Services by Co Road	125,000	0	0	0	125,000
349.95.0001	Road & Engineering Services	0	0	0	18,000	18,000
361.11.0001	Interest	20,000	0	0	0	20,000
362.10.0501	Equipment & Vehicle Rentals	300	0	0	0	300
362.90.0501-2	Other Rents	200	0	0	0	200
367.00-0001	Contributions / Donations	0	0	0	342,000	342,000
369.10.0501	Special Sales By County Road	300	0	0	0	300
369.40.0501	Judgements and Settlements	400	0	0	0	400
369.90.0001	Miscellaneous Revenues	1,000	0	0	0	1,000
369.90.0501	Sale of Salvage - Road	200	0	0	0	200
369.90.0502	Miscellaneous Revenues (REA Capital Payment)	500	0	0	0	500
369.90.0504	Tourist Information Signs	300	0	0	0	300
386.70.0501	Sales Tax Collection	1,500	0	0	0	1,500
395.10.0002	Sale of Fixed Assets - Equipment	300	0	0	0	300
395.10.0501	Sale of Fixed Assets - Road	300	0	0	0	300
397.10.0000	Operating Transfers-In to Road Fund					
.0103	Flood Control Fund	0	0	0	55,900	55,900
.0114	Paths & Trails Reserve Fund	0	0	0	29,500	29,500
.0153	Vitrification Impact Fund	0	0	0	500,000	500,000
		0	0	0	0	0
		0	0	0	0	0
		0	0	0	0	0
		0	0	0	0	0
	Subtotal	8,948,337	3,184,884	1,200,000	945,400	14,278,621
	GRANT / MATCHING FUNDS					
333.20.2501	Federal: STP/U Urban	0	0	0	0	0
333.20.2502	STP/R Rural	0	0	192,000	0	192,000
333.20.2503	BRAC, BRRP Bridge	0	0	0	0	0
333.20.2504	STP/S Safety (HES)	0	0	0	0	0
333.20.2505	R-HCP Railroad (RRP)	0	0	9,000	0	9,000
333.20.2506	ER Emergency Relief Program	0	0	0	0	0
333.20.2507	STP/E Enhancement (TEP)	0	0	0	0	0
333.20.2508	Rural Economic Vitality (REV) Program	0	0	0	0	0
333.20.2509	Rural 2-Lane Road Safety Improvements	0	0	0	0	0
333.20.2510	Demonstration Projects (HPP)	0	0	2,577,000	0	2,577,000
333.11.3070	DOC Economic Development Admin (EDA)	0	0	0	0	0
334.03.6100	Freight Mobility Strategic Investment Board (FMSIB)	0	0	0	0	0
334.03.7100	Rural Arterial Program	0	2,872,000	0	0	2,872,000
334.03.7200	CAPP (Arterial Preservation)	0	378,626	0	0	378,626
334.03.8501	Transportation Improvement Board AIP/TPP Grants	0	11,900	0	0	11,900
	Subtotal	0	3,262,526	2,778,000	0	6,040,526
	GRAND TOTAL	8,948,337	6,447,410	3,978,000	945,400	20,319,147

2010
ROAD PROGRAM
Estimated Expenditures

		COUNTY Road Fund	(CAPP, RAP, TIB) STATE	(ARRA, BRAC,BRRP, HES, R-HCP, REV, STPR-HPP, STPU, TEP) FEDERAL	09/29/09 (Flood Control 55.9k, Paths & Trails 29.5k, R/W & Design Contrib.342k, Developer Reimbmt.18k, VIT Fund 500k) OTHER	TOTAL
	Traffic Law Enforcement (Diversion of County Road Funds)	476,646	0	0	0	476,646
541.00	Preservation	1,791,161	378,626	0	0	2,169,787
542.00	Maintenance	4,212,756	0	0	0	4,212,756
543.00	Administration	1,253,054	0	0	0	1,253,054
544.00	Operations	706,404	0	0	0	706,404
586.00	Agency Disbursements to WS Dept of Revenue	1,500	0	0	0	1,500
591.950.7800	Redemption of Long-Term Debt (PWTF Loan SR397)	197,750	0	0	0	197,750
592.950.8300	Interest and Other Debt Service Costs (PWTF Loan SR397)	14,850	0	0	0	14,850
	Subtotal	8,654,121	378,626	0	0	9,032,747
$ Source	**595.00 Construction: County Funded Projects**					
Road	Travis Road: Sellards to Henson Roads	5,000	0	0	0	5,000
Road	Bert James Road: Sellards to SR221	5,000	0	0	0	5,000
Road	Hinzerling / Johnson / OIEH Intersection	195,000	0	0	0	195,000
Road	North River Road Curve	5,000	0	0	0	5,000
Road	Rothrock / Foisy / OIEH Intersection	150,000	0	0	0	150,000
Road	Webber Canyon Road: Ravage Irrigation Drum Vault	80,000	0	0	0	80,000
Road	Paved Road Upgrade Projects	10,000	0	0	0	10,000
Road	Gravel Road Paving Projects	10,000	0	0	0	10,000
Paths & Trails	Paths and Trails: Countywide	0	0	0	10,000	10,000
Road	Railroad Crossings	1,000	0	9,000	0	10,000
VIT Fund	Wiser Parkway Railroad Crossing	0	0	0	500,000	500,000
Road	Emergent Projects	200,000	0	0	0	200,000
Road	Safety Projects	200,000	0	0	0	200,000
Road	Plat Road Review and Engineering	2,000	0	0	18,000	20,000
		0	0	0	0	0
		0	0	0	0	0
	Subtotal	863,000	0	9,000	528,000	1,400,000
$ Source	**595.00 Construction: Partnership / Grant Funded Projects**					
Road / CPF / FMSIB / TIB / Pvt Contrib.	Piert Road: SR 397 to Bowles (Phase 3b)(Engineering only)	8,100	11,900	0	342,000	362,000
Road/STPR-HPP	Webber Canyon Rd (Phase 2a): BNSF Grade Separation	0	0	2,300,000	0	2,300,000
ARRA	Webber Canyon Rd (Phase 2b): Kiona to I-82 (Kiona Road)	0	0	1,200,000	0	1,200,000
Road/STPR-HPP	Red Mountain I-82 Overpass	0	0	267,000	0	267,000
Road/STPR-HPP	Red Mountain I-82 Interchange	0	0	10,000	0	10,000
Road / RAP	Hanks Road: Crosby to Aller (R/W acquistion only)	50,000	450,000	0	0	500,000
Road / RAP	Clodfelter Road: Bentley to C. Williams	880,000	1,275,000	0	0	2,155,000
Road / RAP	Locust Grove: Clodfelter to Edwards	495,000	850,000	0	0	1,345,000
Road / RAP	Nine Canyon Rd: CR 397 to Mills (R/W acquisition only)	25,000	225,000	0	0	250,000
Road / RAP	Nine Canyon Rd: Mills to Beck (Engineering only)	8,000	72,000	0	0	80,000
Road / STPR	Olympia Street: Kennewick City Limits to SR397	118,000	0	192,000	0	310,000
		0	0	0	0	0
		0	0	0	0	0
		0	0	0	0	0
		0	0	0	0	0
	Subtotal	1,584,100	2,883,900	3,969,000	342,000	8,779,000
	519.00 Reimbursable					
519.71	Federal	1,200	0	0	0	1,200
519.72	State	2,100	0	0	0	2,100
519.73	County	47,200	0	0	0	47,200
519.74	City	325,000	0	0	0	325,000
519.75	Other Governmental	93,000	0	0	0	93,000
519.76	Other Funds	535,500	0	0	75,400	610,900
519.77	Non-Governmental	28,000	0	0	0	28,000
	Subtotal	1,032,000	0	0	75,400	1,107,400
	TOTAL EXPENDITURES	12,133,221	3,262,526	3,978,000	945,400	20,319,147

PUBLIC WORKS ROAD FUND PURCHASES

ROAD FUND #0101-101

09/29/09

QTY	ITEM	COST	REPLACEMENT YES/NO
6	AutoCAD Civil 3D Subscription	$6,150	Yes
1	AutoCAD Standard Supscription	$500	Yes
1	Geomedia Subscription	$350	Yes
1	Laptop Computer and Projector for WebCast Programs	$4,500	No
	Total Road Fund #0101-101	**$11,500**	

ER&R FUND #0501-101

09/29/09

	QTY		COST	REPLACEMENT YES/NO
A.		**GENERAL/SPECIAL PURPOSE VEHICLES/EQUIPMENT**		
	1	Utility Vehicle	$24,000	Yes
	1	Extended Cab Gas 1/2 Ton 4x4 AT Pickup	$25,000	Yes
	1	Brake Lathe	$10,000	Yes
	15	Traffic Counters and Accessories	$20,000	Yes
	N/A	Grader Blade Cutting Bits (Steel)	$15,000	Supply
	N/A	Snowplow Cutting Bits (Carbide)	$5,000	Supply
	N/A	Equipment Tires (Car/Pickup/Truck/Heavy Equipment)	$35,000	Supply
	N/A	Shop Fabrication (Steel)	$4,000	Supply
	N/A	Tire Chain Parts	$4,000	Supply
	N/A	Small Shop Equipment & Tools	$5,000	
	N/A	Sign Shop Equipment & Tools	$2,000	
		Total	**$149,000**	
		E R & R VEHICLES FOR OTHER DEPARTMENTS		
	1	Fullsize 4-Door Sedan for B C Commissioner District 2	$25,000	Yes
	1	Utility Vehicle for Assessor	$24,000	Yes
	1	AWD Van or Utility Vehicle for Coroner	$24,000	Yes
		Total	**$73,000**	
B.		**OFFICE EQUIPMENT**		
	1	Lab & Testing Equipment (for Eng'r Lab Trailer)	$3,000	Yes
	1	Microfilm Reader-Printer or Large Document Scanner	$45,000	Yes
	3	Computers	$12,500	Yes
	4	Flat Panel Computer Monitors (20" Monitors)	$1,600	Yes
	1	HP 5550dtn Printer	$6,500	Yes
	N/A	Office Equipment and Furnishings	$3,000	Yes
		Total	**$71,600**	
C.		**FACILITIES**		
		Repairs at the Kennewick Shop (re-wire truck barn; replace electrical service in rear of shop; repair roof; replace damaged facial board; and repair/replace 2 leaking swamp coolers)	$50,000	
		General Building Maintenance & Repairs	$15,000	
		Total	**$65,000**	
D.		**INVENTORY**		
		Aggregate Purchase (Crushing & Stockpiling at Cherry Lane R-52)	$500,000	
		Traffic Sign Materials	$100,000	
		Bulk Diesel Fuel	$200,000	
		Liquid De-icer (Magnesium Choride)	$15,000	
		Total	**$815,000**	
		Grand Total	**$1,173,600**	

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY ROADS, RE: PURCHASE OF HERBICIDES

WHEREAS, Benton County has executed an Intergovernmental Cooperative Purchasing Agreement with the State of Washington, Department of General Administration, Office of State Procurement for the purpose of purchasing equipment, materials, and supplies from State approved Contracts; and

WHEREAS, herbicides are included in State Contract No. 08205; and

WHEREAS, attached is a list of herbicides to be purchased for the fall countywide treatment through the state contract from Wilbur Ellis Company, Pasco, Washington; NOW, THEREFORE,

BE IT RESOLVED, that the Benton County Public Works Department is hereby authorized to purchase the recommended herbicides for the fall countywide treatment through the Wilbur Ellis Company, Pasco, Washington, at a total price of $57,079.50 plus Washington State Sales Tax of $4,737.60; and

BE IT FURTHER RESOLVED, that the Public Works Manager is hereby authorized to proceed with the purchase.

Dated this 16th day of November, 2009

_____
Chairman of the Board.

_____
Chairman Pro-Tem.

_____
Member.

Attest:_____
Clerk of the Board

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

SWB:LJM:slc

2009 Fall Purchase Herbicides delivered in November 2009

Area 1 Prosser:

255 lbs Gallery 75 DF	=	$30,717.30	
1,850 lbs Bronc Pus Dry EDT	=	$ 2,497.50	
250 gallons Raxor Pro	=	$ 3,600.00	
Subtotal =			$36,814.80

Area 2 Kennewick:

7 gallons Frequency	=	$ 5,880.00	
10 gallons Portfolio	=	$ 5,546.70	
50 gallons Polaris	=	$ 3,600.00	
27.5 gallons In-place	=	$ 742.50	
250 gallons Raxor Pro	=	$ 3,600.00	
930 lbs Bronc Plus Dry EDT	=	$ 1,255.50	
Subtotal	=		$20,624.70

Subtotal	=	$57,079.50
Tax	=	4,737.60
TOTAL	=	**$61,817.10**

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RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY ROADS, RE: PURCHASE CRACK SEAL MATERIAL

WHEREAS, Benton County has executed an Intergovernmental Cooperative Purchasing Agreement with the State of Washington, Department of General Administration, Office of State Procurement for the purpose of purchasing equipment, materials, and supplies from State approved Contracts; and

WHEREAS, crack seal material is included in State Contract No.03705; and

WHEREAS, approximately 46,000 lbs of crack seal material must be purchased and applied to the roads that warrant the material prior to the placement of the Bituminous Surface Treatment for 2010; and

WHEREAS, the material will be purchased through the state contract from Maxwell Products Inc, Salt Lake City, Utah; NOW, THEREFORE,

BE IT RESOLVED, that the Benton County Public Works Department is hereby authorized to purchase approximately 46,000 lbs of crack seal material as stated in State Contract No. 03705 from Maxwell Products, Inc., Salt Lake City, Utah at a price of $0.473/lb, plus freight, and Washington State Sales Tax at 8.3% for a total dollar amount not to exceed $26,000.00; and

BE IT FURTHER RESOLVED, that the Public Works Manager is hereby authorized to proceed with the purchase.

Dated this 16th day of November, 2009

_____
Chairman of the Board.

_____
Chairman Pro-Tem.

_____
Member.

Attest: _____
Clerk of the Board

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

SWB:LJM:slc

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY ROAD PURCHASES RE: CE 1925 ERR - CRUSHING AND STOCKPILING 2009 and CE 1926 ERR – CRUSHING AND STOCKPILING 2010

WHEREAS, by resolution dated October 12, 2009, bid call was authorized for CE 1925 ERR - CRUSHING AND STOCKPILING 2009 and CE 1926 ERR – CRUSHING AND STOCKPILING 2010; and

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

WHEREAS, the low bid was submitted by DeAtley Crushing Company, Lewiston, Idaho; and

WHEREAS, the County Engineer recommends award of the business to DeAtley Crushing Company; NOW, THEREFORE,

BE IT RESOLVED that the contract for CE 1925 ERR - CRUSHING AND STOCKPILING 2009 and CE 1926 ERR – CRUSHING AND STOCKPILING 2010, be awarded to DeAtley Crushing Company, Lewiston, Idaho, in the amount of $425,189.00.

Dated this 16th day of November, 2009.

_____
Chairman of the Board.

_____
Chairman Pro-Tem.

_____
Member.

Attest:_____
Clerk of the Board

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

SWB:LJM:slc

PROJECT:	CE 1925 ERR - Crushing & Stockpiling 2009 CE 1926 ERR - Crushing & Stockpiling 2010			DeATLEY CRUSHING CO. P O Box 759 Lewiston, ID 83501		SEUBERT EXCAVATORS, INC. P O Box 57 Cottonwood, ID 83522		TUNNEL HILL GRANITE 580 Howard Flats Road Chelan, WA 98816		ENGINEER'S ESTIMATE	
LOCATION:	BENTON COUNTY										
LET BY:	BOARD OF COUNTY COMMISSIONERS										
DATE:	November 2, 2009; 2:00 p.m., Local Time										
ITEM NO	ITEM DESCRIPTION	QTY	UNIT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT
	HORRIGAN QUARRY SITE 2009 - CE 1925										
1	MODIFIED CRUSHED SURFACING	16,000	TON	2.94	47,040.00	3.69	59,040.00	3.70	59,200.00	4.35	69,600.00
2	CRUSHED SURFACING TOP COARSE	16,000	TON	3.24	51,840.00	3.69	59,040.00	3.80	60,800.00	4.25	68,000.00
3	CRUSHED SCREENINGS 3/8" to #10	10,000	TON	4.69	46,900.00	4.70	47,000.00	6.80	68,000.00	7.15	71,500.00
4	SEEDING, FERTILIZING, & MULCHING	1.00	ACRE	1,450.00	1,450.00	1,338.22	1,338.22	1,400.00	1,400.00	2,500.00	2,500.00
5	S P C C PLAN	Lump Sum	L.S.	Lump Sum	850.00	Lump Sum	100.00	Lump Sum	500.00	Lump Sum	500.00
	SUBTOTAL HORRIGAN QUARRY SITE				148,080.00		166,518.22		189,900.00		212,100.00
	CHERRY LANE QUARRY SITE 2010 - CE 1926										
1	MODIFIED CRUSHED SURFACING	16,000	TON	2.94	47,040.00	3.13	50,080.00	3.70	59,200.00	4.35	69,600.00
2	CRUSHED SURFACING TOP COARSE	20,000	TON	3.24	64,800.00	3.18	63,600.00	3.80	76,000.00	4.25	85,000.00
3	CRUSHED SCREENINGS 3/8" to #10	12,000	TON	4.69	56,280.00	4.19	50,280.00	6.80	81,600.00	7.15	85,800.00
4	SEEDING, FERTILIZING, & MULCHING	15.00	ACRE	832.60	12,489.00	1,165.60	17,484.00	18,600.00	279,000.00	1,600.00	24,000.00
5	FINAL RECLAMATION	Lump Sum	L.S.	Lump Sum	95,650.00	Lump Sum	111,545.00	Lump Sum	140,000.00	Lump Sum	235,000.00
6	SPCC PLAN	Lump Sum	L.S.	Lump Sum	850.00	Lump Sum	100.00	Lump Sum	500.00	Lump Sum	500.00
	SUBTOTAL CHERRY LANE QUARRY SITE				277,109.00		293,089.00		636,300.00		499,900.00
	TOTAL BID			$	425,189.00	$	459,607.22	$	826,200.00	$	712,000.00

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, AMENDING RESOLUTION #09-703

WHEREAS, Resolution Number 09-703, filed under Auditor's Fee Number 2009-032058 stated that Parcel Number 1-1088-400-0021-000 had an original assessment of $4,713.82 and an outstanding balance of $4,006.75, and

WHEREAS, a payment was made by the landowner prior to the passage of Resolution Number 09-703 reducing the outstanding balance on Parcel Number 1-1088-400-0021-000 to $3,771.06, and

WHEREAS, the parcel was segregated into two separate parcels and new assessments were computed using the incorrect balance, NOW, THEREFORE

BE IT RESOLVED that Resolution Number 09-703 be amended and the assessments for each parcel be corrected as follows:

Old Number	New Number	New Assessment
1-1088-400-0021-000	1-1088-401-3206-001	$1,885.53
	1-1088-401-3206-002	$1,885.53

Dated this 16th day of November 2009.

_____
Chairman

_____
Chairman Pro-Tem

_____
Member

Attest:_____
Clerk of the Board

Constituting the Board of County Commissioners of Benton County, Washington

RESOLUTION

X

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE PURCHASE OF 6 LEVEL IIIA POINT BLANK ASSAULT-1 TAC VESTS FROM COOL GUY GEAR FOR THE SHERIFF'S OFFICE SWAT DEPUTIES, CURRENT EXPENSE FUND NO. 0000-101, SHERIFF PATROL DEPARTMENT 121 AND SHERIFF TRAFFIC CONTROL DEPARTMENT 125.

WHEREAS, per Resolution 08-131 and 08-132 authorizes the purchase of materials, equipment and supplies valued between $5,000 and $25,000 without advertisement and formal sealed bidding if the County secures written quotes from different vendors on the vendor list; and

WHEREAS, the Benton County Sheriff's Office consulted the vendors list and found Cool Guy Gear as the only company on the vendor list that offer Level IIIA Point Blank Assault-1 Tac Vests; and

WHEREAS, the company provided the following quote for 6 Level IIIA Point Blank Assault-1 Tac Vests; and

Cool Guy Gear ($11,696.40 including WSST and shipping)

WHEREAS, the Patrol Captain has reviewed the quote for completeness and recommends purchasing the 6 Level IIIA Point Blank Assault-1 Tac Vests from Cool Guy Gear; **NOW THEREFORE**

BE IT RESOLVED, by the Board of Benton County Commissioners, Benton County Washington, the Board concurs with the Patrol Captains recommendation and hereby authorizes the purchase of the 6 Level IIIA Point Blank Assault-1 Tac Vests from Cool Guy Gear in the amount of $11,696.40 including WSST with the total amount payable not to exceed $12,000.00 including WSST.

Dated this _____ day of _____, 2009.

_____
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, Purchase file

Prepared by: K Mercer

#1

SWAT

☐ Preference

VEST QUOTES

Estimate

Cool Guy Gear
1911 SW Campus Drive
Federal Way, Washington 98042

MONTANA - 406-422-1044
DAN - 406-422-3748

Name/Address
Benton County Sheriffs Office 7322 W. Okanogan Street Kennewick, WA 98337 Attn: Sgt. John Law

Date	Estimate No.	Project
07/30/09	11	

Item	Description	Quantity	Cost	Total
Assault-1 Tac Vest	Point Blank Assault-1 Tac vest with SE0112 IIIA ballistics Includes: 5 pouches Groin and Bicep protection ID panels	6	1,375.00	8,250.00T
SA III	Tac Vest Accessories SA III Shooter Cut Rifle Plate All shipping fees are waived	6	425.00	2,550.00T
	Sales Tax		8.30%	896.40
			Total	$11,696.40

#2

210 Muldoon Road
Anchorage, Alaska 99504
OFC 907.338.3458
FAX 907.338.5434

July 30, 2009
Benton County Sheriff Office
Attn: Sgt. Jon Law
Re: Point Blank Quote

Point Blank Modified Assault 1 includes vest with groin, biceps, ID panel $1499.
SA3 Rifle Plate $450.00
Washington State sales tax $176.41
Also shipping charge is FOB Florida

6 Vest's total= $12,752.46

If you have any questions please feel free to contact me at the numbers above, thank you.

Regards,

Steve McDaniel
Alaska Tactical & Security, Inc.

11-3-09 Talked with Steve McDaniel and asked if he wanted to be on our vendor list and he declined.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE PURCHASE OF 39 LEVEL II ABA XTREME BODY ARMOR VESTS FROM LAW ENFORCEMENT EQUIPMENT DISTRIBUTION (L.E.E.D.) FOR THE SHERIFF'S OFFICE DEPUTIES, CURRENT EXPENSE FUND NO. 0000-101, SHERIFF PATROL DEPARTMENT 121 AND SHERIFF TRAFFIC CONTROL DEPARTMENT 125.

WHEREAS, per Resolution 08-131 and 08-132 authorizes the purchase of materials, equipment and supplies valued between $5,000 and $25,000 without advertisement and formal sealed bidding if the County secures written quotes from different vendors on the vendor list; and

WHEREAS, the Benton County Sheriff's Office consulted the vendors list and found L.E.E.D. and Blumenthal Uniforms and Equipment as the only companies on the vendor list that offer Level II ABA Xtreme Body Armor Vests; and

WHEREAS, the companies provided the following quotes for 39 Level II ABA Xtreme Body Armor Vests; and

L.E.E.D. ($21,391.50 excluding WSST but includes shipping).
Blumenthal Uniforms and Equipment ($22,815.00 excluding WSST but includes shipping)

WHEREAS, the Patrol Captain has reviewed the quotes for completeness and recommends purchasing the 39 Level II ABA Xtreme Body Armor Vests from L.E.E.D.; **NOW THEREFORE**

BE IT RESOLVED, by the Board of Benton County Commissioners, Benton County Washington, the Board concurs with the Patrol Captains recommendation and hereby authorizes the purchase of the 39 Level II ABA Xtreme Body Armor Vests from L.E.E.D in the amount of $21,391.50 plus WSST with the total amount payable not to exceed $24,500.00 including WSST.

Dated this _____ day of _____, 2009.

_____
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, Purchase file

Prepared by: K Mercer

L.E.E.D.
6902 6th Avenue
Tacoma, WA 98406
USA

Voice: 503-656-0353
Fax: 503-656-0353

QUOTATION

Quote Number: ML10290901
Quote Date: Oct 29, 2009
Page: 1

Quoted To:
Benton County Sheriff's Office 7122 W. Okanogan Place Bldg. A Kennewick, WA 99336 USA

Customer ID	Good Thru	Payment Terms	Sales Rep
99336BCSO	12/31/09	Net 30 Days	ML

Quantity	Item	Description	Unit Price	Amount
39.00	XTHP2	ABA Xtreme HP Concealable Body Armor: Level II, (2) AJ Carriers Our bid includes custom sizing on-site in Kennewick. A Size-Right Certified employee will be available for (1) 24-hour period to cover all shifts. Shipping is also included.	548.50	21,391.50

Subtotal	21,391.50
Sales Tax	1,647.15
TOTAL	**23,038.65**

ATTN: LT VANNOY

BLUMENTHAL UNIFORMS & EQUIP.
DEPT #4179 PO BOX 34936
SEATTLE, WA 98124-1936
QUESTIONS CALL (866) 465-5006

Q U O T A T I O N

Quote Date:	Quote#	Page
10/29/09	760512	1

BILL
BENTON COUNTY SHERIFF DEPT(WA)
7122 W. OKANOGAN
BLDG A
KENNEWICK, WA 99336

SHIP
BENTON COUNTY SHERIFF DEPT(WA)
ATTN: DAN MCCARY
7122 W. OKANOGAN BLDG A
KENNEWICK, WA 99336

(509) 735-6555 03

Employee: *ARMOR

Cust Code	Slsmn	Cust P.O.	Ship Via	Terms	Due Date
BENTONCOSD	231	QUOTE	UPS GROUN	NET 30	

PHONE/VANNOY

Line Num	Item Code	Vendor Reference	Item Description	Qty Order	Qty Ship	Qty B.O.	Gross Price	Disc	Net Price	Ext Price
1	2106290001	XT2-9 SPD	XHP PKG SPD ONLY/QT#20080316 INCLUDES 2-CARRIERS <- - - >	39	0	39	725.00	19.3%	585.00	22815.00

QUESTIONS EMAIL LINDAH@BLUMENTHALUNIFORMS.COM
VISIT US @ WWW.BLUMENTHALUNIFORMS.COM

SUBTOTAL	22815.00
SALES TAX	1893.65
TOTAL QUOTATION	24708.65

AGENDA ITEM	ACTION NEEDED	DISCUSSION TYPE
Meeting Date: 16 Nov 2009	Execute Contract X	Consent Agenda
Subject: Hanford Communities	Pass Resolution	Public Hearing
Memo Date: 09 Nov 2009	Pass Ordinance	1st Discussion X
Prepared By: AJF	Pass Motion	2nd Discussion
Reviewed By: LSK	Other	Other

Z

SUMMARY

Attached for consideration is the new Hanford Communities Interlocal Agreement The current agreement expires at the end of the year.

BACKGROUND

"Hanford Communities" was established in 1994 with the adoption of an Interlocal Agreement and an Operating Contract with a five year duration; and these agreements have been renewed twice since. Richland has been designated as the Operating Jurisdiction because it is "the primary residence of a large percentage of the Hanford Workforce" and because of its proximity to the Site operations. Hanford Communities' one employee is actually a City of Richland employee.

Hanford Communities functions as an information clearinghouse and sounding board for local governments. It has become effective in advocating the positions of elected officials regarding the cleanup and economic transition of the Hanford Site. The organization has increased its visibility and credibility locally, in Olympia, and in Washington over its 15 years.

There is no change to the substance of the new Interlocal Agreement. It calls for another five year term, and redesignates Richland as the Operating Jurisdiction. The various legal departments of the entities, including our Prosecutor, were able to review the Agreement and each provided some minor stylistic changes to the document.

The Hanford Communities Governing Board approved the new Agreement at its October 30th meeting, and the City of Richland adopted it at their November 3rd Council meeting. Each of the other jurisdictions is considering the Agreement over the next several weeks.

Commissioner Beaver is the primary representative on the Governing Board and Adam is the primary representative on the Administrative Board.

FISCAL IMPACT

The annual commitment from Benton County is $7901 which has been accounted for in the 2010 budget.

# # #

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AN INTERLOCAL AGREEMENT FOR HANFORD COMMUNITIES

WHEREAS, Benton County is a founding member of "Hanford Communities", which was established in 1994 as a forum for local governments in the Tri-Cities area that are most impacted by the Hanford Site to exchange information and ideas related to Hanford issues, such as cleanup and economic transition; and,

WHEREAS, Benton County continues to value its involvement and participation with Hanford Communities; **NOW THEREFORE**,

BE IT RESOLVED, by the Benton County Board of Commissioners that Benton County should remain a member of the Hanford Communities organization, and that the Chairman is authorized to sign the new interlocal agreement renewing Benton County's participation for the 2010-2014 period.

Dated this _____ day of _____, 2009.

_____
Chairman of the Board

_____
Member

_____
Member

Constituting the Board of Commissioners
of Benton County, Washington.

Attest.....
Clerk of the Board

orig: BOCC file
cc: Auditor, Sustainable Development (Fyall), City of Richland (Pam Larsen)

Prepared by: A.J. Fyall

C113-09

AN INTERLOCAL COOPERATION AGREEMENT BETWEEN ELIGIBLE LOCAL GOVERNMENTS TO REVIEW, EVALUATE, AND MONITOR CONDITIONS AND OPERATIONS AT THE HANFORD NUCLEAR RESERVATION (HANFORD) THAT DIRECTLY AFFECT THESE

"HANFORD COMMUNITIES"

This INTERLOCAL AGREEMENT effective the 1st day of January, 2010, by and between the City of Richland, City of Kennewick, City of Pasco, City of West Richland, and Benton and Franklin Counties (hereinafter referred to as "Participating Jurisdictions") enter into this Agreement.

WHEREAS, the Interlocal Cooperation Act, RCW 39.34 allows public agencies to make the most efficient use of their powers by enabling them to cooperate with each other on the basis of mutual advantage to provide services and facilities that will best meet the needs of each community; and

WHEREAS, environmental contamination at Hanford and the U. S. Department of Energy's consequential environmental remediation and waste management activities impose numerous health, safety, and socio-economic impacts on the well-being of the residents of Richland, Kennewick, Pasco, West Richland, and unincorporated portions of Benton and Franklin Counties; and

WHEREAS, the vast majority of those who work at Hanford live in and around the Cities of Richland, Kennewick, Pasco, and West Richland; and the counties therein; and

WHEREAS, although each jurisdiction fully reserves the right to pursue its own interests with regard to Hanford, through joint utilization of personnel and other resources these jurisdictions are desirous of entering into a program to review, evaluate and monitor conditions at Hanford and policies, programs and operations of the Department of Energy (DOE) and others in regard to Hanford,

NOW THEREFORE, in consideration of the mutual covenants contained herein, it is agreed in accordance with the provisions of RCW 39.34.030 as follows:

I. PURPOSE

The purpose of this Agreement is to make available jointly to the Participating Jurisdictions technical, analytical, and other resources to review, evaluate and monitor conditions at Hanford such as cleanup, workforce and community transition. Information will also be made available regarding policies, programs and operations of the DOE and others with regard to Hanford, and to enhance citizen understanding of

such. To that end, the Participating Jurisdictions establish this Interlocal Cooperation Agreement creating an organization to be known as the "HANFORD COMMUNITIES" to:

1. Coordinate efforts concerning Hanford activities and issues requiring local government interaction or participation between the Hanford Communities, the DOE, local, state, and national agencies;

2. Interact with the DOE, the Washington State Department of Ecology, the U. S. Environmental Protection Agency, and others regarding Hanford environmental contamination, remediation, waste management, response to emergencies, and work force and site transition issues;

3. Evaluate reports, findings, and recommendations regarding ongoing, planned and possible cleanup and waste management activities at Hanford, including actual or potential environmental and socio-economic impacts on the Hanford Communities or individual Participating Jurisdictions;

4. Prepare special studies, assessments, surveys, and related efforts regarding Hanford for the use of the Hanford Communities or individual Participating Jurisdictions and/or to further public information and enhance citizen understanding of Hanford-related issues; and

5. Prepare and issue position papers, give testimony, and sponsor other activities designed to inform the public about environmental, waste management, emergency management, and site transition activities; and

6. Prepare and present issue papers and sponsor activities in support of workforce and community transition issues.

II. ORGANIZATION

A. **Eligibility:** Full membership in the Hanford Communities Interlocal is limited to the cities of Richland, Kennewick, Pasco, West Richland and Benton and Franklin Counties.

Affiliate memberships are open to local government entities other than general purpose governments. Affiliate members will not have voting seats on the Governing or Administrative Boards

B. **Governing Board:** The governing bodies of each Participating Jurisdiction shall identify one (1) elected legislative representative from its governing body to the Governing Board of the Hanford Communities.

C. **Administrative Board:** The chief administrative officers, or designees, of the Participating Jurisdictions shall constitute the Administrative Board of the Hanford Communities.

D. **Operating Jurisdiction:** One of the Participating Jurisdictions shall be designated as the Operating Jurisdiction and assigned responsibilities for carrying out the items enumerated in Section I, "Purpose," on behalf of the Hanford Communities. The Operating Jurisdiction's rules, regulations, and ordinances, unless otherwise specifically provided for, apply to the Interlocal. Employees of the Interlocal are employees of the Operating Jurisdiction, which shall provide all necessary support services. The Operating Jurisdiction shall administer the Hanford Communities budget, from which authorized program expenses shall be reimbursed. The Operating Jurisdiction shall provide these reimbursed services at no administrative charge to the Interlocal.

E. **Officers:** There shall be a Chairperson and Vice-chairperson for the Governing Board and the Administrative Board, respectively. The Chairperson and Vice-chairperson shall be elected from among the membership of each board to serve one-year terms effective January 1 of each year.

III. ADMINISTRATION

A. **Budget Preparation:** The Operating Jurisdiction shall prepare a budget in accordance with its budget cycle based upon policies adopted by the Governing Board. The budget shall be approved by the Governing Board of the Hanford Communities.

B. **Funding:** Funds necessary to carry out this Agreement shall come from Participating Jurisdiction assessments and federal, state, and other grants. Assessments shall be based on a funding formula approved by the Hanford Communities Governing Board.

C. **Meetings:** The Governing Board shall meet annually to approve the Hanford Communities budget and work program for the coming year, and other times as needed. The Administrative Board will meet as needed, however, in no event less frequently than quarterly during each calendar year. Meetings of the Hanford Communities Governing Board shall be subject to the Washington Open Public Meetings Act.

D. **Dispute Resolution:** Disputes between or among the Participating Jurisdictions and affiliated members regarding the breach, interpretation or enforcement of this Agreement shall be first addressed by the parties in a good faith effort to resolve the dispute. Any remaining disputes shall be resolved by binding arbitration in accordance with RCW 7.04A and the Mandatory Rules of Arbitration.

E. **Liability:** To the extent any liability exceeds the insurance coverage of the Operating Jurisdiction, each remaining Participating Jurisdiction shall be jointly liable for the balance of claim in the same ration as their percentage contribution is to the annual budget.

IV. DURATION OF THE AGREEMENT

This Agreement shall be effective the 1st day of January 2010 when signed by the Participating Jurisdictions and shall continue through December 31, 2014. The term of this Agreement may be extended thereafter with the written approval of the Participating Jurisdictions.

V. OWNERSHIP OF PROPERTY

All property, real and personal, acquired with Hanford Communities funds to carry out the purposes of this Agreement shall be the property of the Hanford Communities. Real and personal property owned by the Operating Jurisdiction and used to service its contract with the Hanford Communities shall remain the property of the Operating Jurisdiction. In the event any property becomes surplus or upon partial or complete termination of this Agreement, property of the Hanford Communities shall be sold and the proceeds shall be divided between the Participating Jurisdictions in the same ratio as their percentage of contribution is to the annual budget.

All documents, studies, and issue papers prepared for or on behalf of the Hanford Communities shall be available to Participating Jurisdictions and affiliates for all purposes, and shall constitute a public record pursuant to Title 42.5 6 RCW upon its public citation in connection with any action of Participating Jurisdictions or affiliates. The Operating Jurisdiction shall serve as the public records officer.

VI. AMENDMENT

The Agreement may be amended upon written approval of the authorized representatives of the Governing Bodies of a majority of the Participating Jurisdictions.

VII. WITHDRAWAL

A jurisdiction may withdraw from this Agreement effective December 31 of any year, provided written notice is given to the Administrative Board no later than the preceding June 30.

John Fox Nov. 3, 2009
Mayor John Fox
City of Richland

_____, 2009
Mayor Thomas C. Moak
City of Kennewick

Mayor Joyce Olson
City of Pasco

_____, 2009

Mayor Dale Jackson
City of West Richland

_____, 2009

Chairman Max Benitz Jr.
Benton County Board of Commissioners

_____, 2009

Chairman Rick Miller
Franklin County Board of Commissioners

_____, 2009

Cynthia D. Johnson
Richland City Manager

11/4, 2009

APPROVED AS TO FORM

Thomas O. Lampson
City Attorney

October 27, 2009

9:05

AGENDA ITEM: **MTG. DATE:** November 16, 2009 **SUBJECT:** Short Plat Vacation-SPV 09-06 Agustin & Beatriz Sandoval **Memo Date:** November 9, 2009 **Prepared By:** Clark A. Posey **Reviewed By:** Michael Shuttleworth	**TYPE OF ACTION NEEDED** Execute Contract Pass Resolution Pass Ordinance Pass Motion X Other	Consent Agenda Public Hearing X 1st Discussion 2nd Discussion Other

BACKGROUND INFORMATION

On April 23, 2009, Short Plat 3194 was recorded, which created 2 lots. The recorded short plat included a 20-foot easement along the Roza Canal. The applicant is requesting that the 20 foot access easement located along the south property line adjacent to the Roza Irrigation Canal on lots 1 and 2 be vacated along with notes 9 and 10 off the face of the short plat, number 9 being "No Building or FAS Occupancy Permit will be issued for lot 2 until the access onto Thomas Road has been constructed to Benton County Department of Public Works Standard 96-05". and number 10, "The private easement located within this short plat is intended to serve lots 1 and 2 only".

Property owners of the lots within the short plat and owners of property within 300' of the outer perimeter of said short plat have been notified. All concerned agencies such as Benton Franklin Health District, Benton County Public Works, Benton County Fire Marshal, and affected utility companies have been notified of this proposal. The Benton County Fire Marshal has responded and stated that he would approve the vacation; the new easement would have to meet the requirements of a turnaround approved by the Fire Marshal on lot 2. Benton REA responded stating that they had no objections to the vacation of the easement and has sufficient easements along the north of the lots and the west of lot 2. The Public Works Department would approve the request only with the recording of the new easement. See their letter attached to this memo. The applicant is proposing to place a new access easement on the north side of Lot 1. There is an existing building located on the north side of Lot 1 that would not meet the 25 foot required setback from an access easement.

The Benton County Code requires the Board of County Commissioners conduct a public hearing on the proposed vacation and allow for public comments regarding the vacation request. The public hearing notice for application SPV 09-06 was published on November 5, 2009 and the public hearing is scheduled for November 16, 2009 at 9:05 a.m.

SUMMARY

Benton County has received an application requesting the vacation of the 20-foot easement and notes 9 & 10 from short plat 3194. The Board of County Commissioners is scheduled to conduct a public hearing on November 16, 2009 at 9:05 a.m., in the Commissioners Room, third floor, Courthouse, Prosser, WA.

RECOMMENDATION

It is the recommendation of the Planning Department that the Board of County Commissioners to conduct a public hearing, and based on the testimony received, either approve or deny the request. Based on the information received thus far, the Planning Department does not see any problems with the proposed vacation of the above noted easement, except the requirements of BCC easement setbacks.

FISCAL IMPACT - None

3.p

MOTION

The Benton County Planning Department recommends the following motion: The Benton County Board of Commissioners approve with conditions Short Plat Vacation 09-06 being the 20 foot easement of SP 3194 recorded under Auditor File No.2009-011112 and the elimination of notes 9 and 10 on the face of short plat 3194 located in Section 3, Township 9 North, Range 26 East, W.M.

This motion is conditioned on the applicant recording a new 20 foot easement with a approved turn around at the end of the access easement to lot 2, the applicant obtain and provide the Planning Department with a copy of the recorded document, prior to the signing of the resolution by the Board of County Commissioners. The document must be approved and recorded within 1 year of the date of approval by the County Commissioners or this approval will be null and void. The new easement must meet BCC 11.48.040(c) Side Yard Setback for access and utility easement requirements.

9:15 am

Columbia River Crossing

Comnr. Beaver

AGENDA ITEM	ACTION NEEDED	DISCUSSION TYPE
Meeting Date: 16 Nov 2009	Execute Contract	Consent Agenda
Subject: YRBWEP	Pass Resolution	Public Hearing
Memo Date: 10 Nov 2009	Pass Ordinance	1st Discussion X
Prepared By: AJF	Pass Motion	2nd Discussion
Reviewed By:	Other X	Other

SUMMARY

Adam and Commissioner Benitz will lead a discussion about the "Yakima River Basin Water Enhancement Project" (YRBWEP), which is a federally-led process that brings all the stakeholders in the Yakima Basin together to address water supplies for people and fish.

In addition to the update, one item up for discussion will be the possible submittal of a position paper, of which Adam will have a first draft available at the meeting.

BACKGROUND

In 1979, Congress directed the Bureau of Reclamation to conduct a feasibility study of the Yakima River Basin Water Enhancement Project. The Congressional objectives of the YRBWEP study were to develop a plan that would provide supplemental water for presently irrigated lands, water for new lands within the Yakama Indian Reservation, water for increased instream flows for aquatic life, and a comprehensive plan for efficient management of basin water supplies.

Early in the YRBWEP study process, fish passage problems were identified as needing immediate early attention and congressional legislation in 1984 authorized "YRBWEP Phase 1," which primarily involved rebuilding fish ladders and constructing fish screens on river diversions.

The YRBWEP study proceeded through the 1980s but was not fully completed primarily due to issues and uncertainties associated with the adjudication of the basin surface waters that began in 1978. Consequently, Congress passed legislation in 1994 for what is generally referred to as "YRBWEP Phase 2." This legislation provided for significant water conservation and acquisition activities, studies to define the long-term water needs of fish and current irrigators, improvements to the Wapato Irrigation Project, and development of an interim plan for management of basin water supplies.

In 2003, Reclamation and the Washington Department of Ecology initiated the Yakima River Basin Water Storage Feasibility Study (Storage Study) to examine the feasibility and acceptability of new storage in the Yakima River basin. Evaluation of the Black Rock Dam Alternative, along with other storage alternatives, was presented in Reclamation's Final Planning Report/Environmental Impact Statement in December 2008. Ecology began a separate evaluation in mid-2008 of solutions to the Yakima Basin's water supply problems including consideration of habitat and fish passage needs. This study was completed and a Final Environmental Impact Statement issued in June of this year. Benton County has followed all of these projects and has submitted comments numerous times.

With the activities and reports underway and produced under YRBWEP Phase 2, completion of the Storage Study and Ecology's SEPA study, there has now been three decades of work and information produced by basin stakeholders, Ecology, and Reclamation towards identifying and resolving the water resources and related habitat needs of the Yakima Basin. This year, Reclamation and Ecology initiated the YRBWEP 2009 Work Group, which will use these 30+ years of studies and information to develop consensus conclusions on a solution to the basin's water problems.

The 2009 Work Group is composed of representatives of the Yakama Nation; Federal, State, county, and city governments; environmental organizations; and irrigation districts. Representatives from Congressional delegations have also been invited. It is generally agreed that the goal of the Work Group is to build a consensus for new legislation that would essentially become "YRBWEP Phase 3". Commissioner Benitz is Benton County's representative, and Adam is the alternate. Most meetings are held at the Yakima Arboretum, occur twice per month, and are facilitated by HDR company with Ben Floyd as the project manager.

# # #

RECLAMATION
Managing Water in the West

U.S. Department of the Interior
Bureau of Reclamation

Contact: Dawn Wiedmeier, 509-575-5848, ext. 213 (dwiedmeier@usbr.gov)

Yakima River Basin Water Enhancement Project (YRBWEP)
Phase II – Status

July 15, 2009

Legislative History

- P.L. 96-162 Feasibility Study, December 28, 1979
- P.L. 98-381 Section 109 of Hoover Power Plant Act of 1984, August 17, 1984
- P.L. 103-434 Title XII Yakima River Basin Water Enhancement Project, October 31, 1994, as amended by P.L. 105-62, October 13, 1997, and P.L. 106-372, October 27, 2000

Purposes of YRBWEP

- To protect, mitigate, and enhance fish and wildlife through improved water management; improved instream flows; improved water quality; protection, creation and enhancement of wetlands; and by other appropriate means of habitat improvement;
- To improve the reliability of water supply for irrigation;
- To authorize a Yakima River Basin water conservation program;
- To provide for implementation by the Yakama Nation of an irrigation demonstration project, Wapato Irrigation Project improvements, and a Toppenish Creek Corridor enhancement project.

Recent Accomplishments

- Diversion Reductions
  - Sunnyside Valley Irrigation District (Phase I) – installed 15 automated check structures and built two reregulation reservoirs resulting in 9,850 acre-feet of water left in the Yakima River for the 2009 irrigation season (funded by a YRBWEP grant). (Project is still in progress—total diversion reductions will be 19,440 acre-feet annually when Phase I is complete in fiscal year 2012.)
  - YRBWEP funds used to purchase the power water right formerly owned by Pacific Corps; powerplant was decommissioned, resulting in 260,000 acre-feet of water being left in the Naches River.
  - YRBWEP funds used to purchase land and water in locations throughout the basin, resulting in an additional 1,100 acre-feet of water being left in the Yakima River.
- Land/Habitat Restoration
  - YRBWEP funds used to purchase almost 2,000 acres of ecologically significant area for restoration. Reclamation consulted with the University of Montana (Stanford) prior to purchasing lands. Lands are being restored to native grasses and trees; levees will be moved on some lands to restore the natural floodplain of the Yakima River.
- Yakama Nation
  - YRBWEP funds have been granted to the Yakama Nation for installing gaging stations and planning work to restore Toppenish and Satus Creeks.

WASHINGTON STATE DEPARTMENT OF ECOLOGY

Near-Term Projects

- Diversion Reductions
  - Benton Irrigation District - converting from open canal and laterals to a new pumping plant and pressurized pipe system; also, a downstream change in the point of diversion; will keep 21,000 acre-feet in a 72-mile stretch of the Yakima River and will reduce overall diversions by about 5,500 acre-feet (@ $19.5 million in YRBWEP funds; 2009-2012).
  - Sunnyside Valley Irrigation District (Phase II) – converting from open lateral to a closed piped system; will reduce diversions by over 16,970 acre-feet in the Yakima River (@ $44.7 million in YRBWEP funds).
  - Roza Irrigation District – construction of reregulation reservoir and conversion from open lateral to closed pipe system; project is still being designed; therefore, diversion reductions and costs are still estimates (10,000 acre-feet in diversion reductions and possibly about $27 million in YRBWEP funds).
  - Kennewick Irrigation District – project is still being planned, but will likely include a downstream change in point of diversion, electrification of a pumping plant, construction of four reregulation reservoirs and conversion of open laterals to a closed pipe system; no firm acre-feet or cost data is yet available.
- Land/Habitat Restoration
  - Gap-to-Gap reach – cooperative effort with Yakima County, Yakama Nation U.S. Army Corps of Engineers, Washington State Department of Transportation, etc., to set back levees along the Yakima River, restore the natural floodplain, and reduce risk of damaging floods. YRBWEP funds have been used to buy land, reduce weeds and restore natural vegetation. Other entities are contributing funds to move levees and to reconstruct road bridges over the river to allow widening of the river channel. Most of the YRBWEP funds for land acquisition in this reach have been expended.
  - Schaake – restoration of former spray fields and feedlots; work will include levee setback, floodplain restoration, and native vegetation reestablishment.
- Yakama Nation
  - WIP implementation (Satus) – construction of pumping plant, pressurized pipe delivery system and measuring devices; costs may be up to $5 million per year.
  - Toppenish Creek – construction to separate creek from irrigation canals and restore floodplain habitat; planning work in process, so no estimate yet on costs.
  - Demonstration Project – still in beginning stages to improve irrigation efficiencies; will apply for a planning grant in fiscal year 2010 or fiscal year 2011.
- Cle Elum Fish Passage
  - Future construction of permanent upstream and downstream fish passage; $96 million estimate.
- Tributaries
  - Currently working with numerous entities to help purchase water, remove barriers, and deliver water through Reclamation facilities to improve habitat and passage conditions in key tributaries such as Manastash, Taneum, and Cowiche Creeks.
- Wapatox Canal
  - Reclamation owns and maintains this late-1800s canal to deliver water to Lower and Upper Wapatox water users. Original wood stave pipe; plan to convert to closed conduit system beginning in 2011 or 2012; will significantly reduce chance for failure of canal that could damage orchards and interrupt ability to deliver water; will result in additional diversion reductions of over 28,000 acre-feet.

YRBWEP Budget

- YRBWEP budget has been @ $8.5 million/year.
- Requests for $17+ million/year for at least the next 5 years.

RECLAMATION
Managing Water in the West

WASHINGTON STATE DEPARTMENT OF ECOLOGY

Contact: Wendy Christensen, 509-575-5848, ext. 203

Derek Sandison, 509-457-7120

Agenda

Yakima River Basin Water Enhancement Project 2009 Work Group

Nov. 9, 2009, 9:30 a.m. to 4:00 p.m. Yakima Arboretum, 1401 Arboretum Dr., Yakima WA

9:30 – 9:40	Welcome and Introductions, Lunch Orders
9:40 – 10:00	Review 10/22 Meeting Notes, Notice of December Meeting(s) Schedule Workgroup Work Plan/Meetings Focus through December 2009
10:05 – 10:45	Integrated Package –Conservation Program Update *Jerry Jacoby, Reclamation and Bob Montgomery, Anchor QEA*
10:45 – 11:00	*Break*
11:00 – 11:55	Integrated Package –Information Updates Inactive Storage/Keechelus-to-Kachess Pipeline: *Chris Lynch, Reclamation (30 min)* Integrated Package Benefits (1992 – 1994 Conditions): *Bob Montgomery, Anchor QEA (15 min)* Small Bumping Update: *Bob Montgomery, Anchor QEA* Overview of Comments Received from Workgroup Members: *Ben Floyd, HDR*
11:55 – 12:05	Public Comment
12:05 – 1:35	*Lunch and Workgroup Informal Discussions (Note: Lunch provided for members and alternates, available for purchase by others)*
1:35 – 2:35	Habitat Subcommittee Recommendations *Joel Hubble, Reclamation, Alex Conley, Yakima Basin Salmon Recovery Board and Other Subcommittee Members*
2:35 – 2:50	*Break*
2:50 – 3:20	Columbia River Pump/Yakima Storage Option Presentation *Yakima County*
3:20 – 3:35	Discussion of Requirements for Potential Storage Projects on Yakima Training Center *YTC and USACE*
3:35 – 3:45	Public Comment

Next meeting
Nov 23
Dec 7
Dec 17

Adjourn

*Work Group facilitation by Ben Floyd, HDR Engineering, under contract to US Bureau of Reclamation

Contact: Wendy Christensen, Columbia-Cascades Area Office, (509) 575-5848, ext. 203
Derek Sandison, Washington Department of Ecology, (509) 457-7120

Yakima River Basin Water Enhancement Project (YRBWEP) 2009 Workgroup

Meeting Notes

October 22, 2009, Yakima Arboretum in Yakima, Washington

Review of October 7, 2009 Meeting Notes

The Workgroup had the following comments on the October 7, 2009 meeting notes:

- Regarding the Bumping Lake public comment in the review of the September 23, 2009 meeting notes, Bumping Lake was not a natural lake 30 years ago. Bumping Lake was a natural lake prior to 1910. The notes will be updated.
- Scott Revell was at the October 7, 2009 meeting. HDR will add his name to the list of Workgroup attendees.
- Update discussion of Cle Elum reservoir level public comment on page 6, third bullet ("drawndown").
- The Fish Passage Subcommittee will be reconvening to update their recommendations based upon Workgroup comments at the October 7 meeting.

Introduction of Discussion Draft Integrated Package

Derek Sandison and Wendy Christensen introduced the discussion draft integrated package prepared by the consultant team with some input from the Washington Department of Ecology (Ecology) and the Bureau of Reclamation (Reclamation). The draft package is meant to serve as a starting point for Workgroup discussion. The consultant team proposes implementing the integrated package in three phases: Phase I (0-10 years), Phase II (11-26 years), and Phase III (26+ years).

Presentation of Discussion Draft Integrated Package

Andrew Graham and Bob Montgomery presented the details of the discussion draft integrated package. The consultant team developed the draft package based on recommendations made in past studies, Workgroup input to date, and the YRBWEP Workgroup Guiding Principles and Goals.

Andrew reviewed the proposed package implementation schedule. Phase I would include projects that are either already defined, have information available, and/or can be quickly implemented. During Phases I and II, appropriate parties could begin necessary "ground-truthing" and design work for projects that will be implemented in Phases II and III (26+ years). Water supply need would be confirmed in each phase to refine projects proposed for the next phase.

Andrew reviewed the projects included in each phase. The Workgroup discussed the following points related to the draft package:

- More work is needed to determine specific municipal conservation projects and their benefits.
- The consultant team will coordinate with Walt Larrick (Reclamation) on agricultural conservation projects to obtain the most recent information.
- In the draft package, fish passage and water storage projects would be implemented concurrently throughout the phases, such as at Bumping Lake.
- Inactive storage is spread over the phases because more information is needed on feasibility and design.
- In the summary document, "Groundwater Infiltration Prior to Irrigation Season" should be changed to "Groundwater Infiltration Prior to Storage Control."
- The benefits realized in each phase are carried forward to the next phase.
- The Yakima River Basin Water Conservation Projects table needs to be reviewed by the Workgroup to determine which projects are still feasible. – a programmatic approach to conservation will be prepared for next Workgroup meeting.
- Specific actions under "institutional improvements to facilitate market-based water transfers" have not yet been identified; however, the goal is to simplify the water right transfer process through policy changes.

Andrew reviewed the Phases I, II, and III Summary Benefits charts. The consultant team chose to measure benefits by assessing the change to total water supply available (TWSA), percent prorated supply, and the total flow at Parker from April to September. These benefits were developed based upon the 2005 hydrologic conditions, which is a recent representative drought year. The charts do take into account reduced demand from senior irrigation districts from conservation. The charts assume a constant municipal and industrial (M&I) demand over the phases. Carry over storage is not shown. A Workgroup member suggested showing on the charts what portion of the potential new supply would have flexibility in its use (shapeable versus non-shapeable supply).

Next, Andrew and Bob reviewed the map showing where flow would be improved as a result of Phase I projects. The group discussed the following points related to the map:

- The map only shows flow improvements. Phase I would result in biological benefits that would extend further than shown on the map, such as in the upper tributaries.
- The map should show the lower Naches to Wapatox reach as a flow-benefit area.
- The habitat subcommittee is recommending projects to benefit tributaries.

Andrew and Bob reviewed the water supply benefits tables for Phases I, II, and III. The group discussed the following points related to the tables.

- The benefits to TWSA, proration, and flow at Parker were compared to the hydrologic conditions in 2005. The benefits would differ every year, depending upon the type of water year.
- In the tables, "N/A" can mean "no change" or not applicable. This will be clarified in the next update.

- The Phase I analysis is based on Riverware modeling completed for the Reclamation storage study and the state EISs. Where Riverware modeling was not available, available data was estimated and extrapolated. These estimates should be considered preliminary.
- The Bureau's no-action alternative in its storage study was YRBWEP's conservation program at that time a refined plan will be presented at subsequent meetings.
- The tables show a range of values for benefits because the benefit estimates in the EIS differed based on comparisons to drought years 2001 and 2005.
- Project benefits (flow and supply) would likely be reduced in multi-year droughts.
- A Workgroup member questioned how carryover can be increased if there are proratables that could use this supply. Based on water rights, the benefit would be an increased proration % of supply available and not increased carryover.
- The consultant team's analysis should account for winter fish flows (outside of April to September).
- The approach to allocate Phase 1 – 3 benefits to carry over storage was based upon a Reclamation assumption from previous modeling, where saved water was allocated to carryover storage.
- The Workgroup needs to consider operation and implementation of carryover water, such as how an entity receives credit for allowing a portion of its supply to be carry over water.
- If municipalities can meet a part of future water demand through conservation, they will need less water supply in the future.
- By conserving water, cities that are on groundwater systems will have more water to grow into, however they will eventually need water from surface water systems.
- Wymer would result in a large decrease in Yakima River flows, which is a positive benefit, if pump station is constructed at Thorp
- The summary document should state that Wymer would provide improvement to northside tributaries.
- Wymer doesn't show additional benefit to additional municipal supply, because it is accounted for in the TWSA column.
- Modeling has not yet been completed for the Bumping Lake smaller enlargement (200 KAF) scenario.
- The tables do not show the Keechelus to Kachess (K to K) pipeline as providing benefits because it facilitates inactive storage, which appears later in the table. HDR will place inactive storage and K to K next to each other in the next revision of the Integrated Package tables.
- Combining diversions has habitat benefits that are not identified in the benefits tables because they focus on water supply benefits.
- With Wymer is it necessary to still have the Roza diversion dam?
- The consultant team's assumed allotment of 2/3 water supply to 1/3 instream flow was estimated for planning purposes and is open to Workgroup discussion.
- Market transfers could provide additional water for municipalities.
- Small cities could get small package plants to run ASR projects.

In Phase II, additional water conservation is based upon the enhanced conservation alternative in the state's 2009 Final EIS – Yakima Basin Integrated Water Resource Management Alternative. The conservation program for the Integrated Package will be a programmatic approach. The consultant team will refine the conservation program information and provide this at the Nov. 9 meeting.

The consultant team has begun estimating the draft package costs by pulling in past study estimates. There is great variation between previously completed estimates. At this time, the team does not have a good estimate of the costs. Some preliminary ranges were shared.

Workgroup Question and Answer/Feedback on the Discussion Draft Integrated Package

The group discussed the following points related to the tables.

- When developing the discussion draft package, the consultant team did not have a defined water supply need, but used information provided at previous Workgroup meetings. Specific water supply need requires further evaluation and refinement throughout the phases.
- A Workgroup member suggested that the package contained more projects than might be justified to meet the defined water supply needs.
- A Workgroup member suggested that the Workgroup compare different versions of the projects included in Phase I.
- A Workgroup member would like the consultant team to analyze the benefits based on 1992 to 1994 hydrologic conditions, which was a time of more severe drought than 2005, the year currently used for comparison.
- A Workgroup member suggested it would be helpful to identify instream flow values. Instream flow needs were estimated in the 1980s, and were also developed for the Reclamation 2008 storage study.
- Pine Hollow was not specifically included in the integrated package because it does not affect TWSA. It is important to the Department of Agriculture that Pine Hollow be on the table.
- Although there have been previous studies on demand, the Workgroup should consider enlisting a third party review of demand assumptions in order to strengthen the validity of the package when presenting to Congress and different constituencies. WSU was suggested to complete the review.
- The consultant team should strengthen project linkages.
- The Wymer 162 KAF project included in the discussion draft package does not relocate I-82. The Workgroup may want to consider whether, in the future, Wymer would be expanded and whether I-82 would need to be relocated.
- Initial analysis estimated 174 KAF storage at Wymer, however when the flood analysis was redone, the amount of storage was reduced to 162 KAF.
- The Bureau of Reclamation has a power contract obligation to Roza.
- Roza and Kennewick Irrigation Districts would have a significant increase in cost if the plants were shut down. BPA is an important stakeholder in subordination discussions.

- The Workgroup should address the subordination issue within this package, noting BPA's Work in the basin and agreement with the Yakama Nation for the next 10 years.
- The Workgroup needs to consider long-term operation costs of projects, including power and operation and maintenance costs.
- Further subordination would need to be addressed through legislation. The Workgroup should discuss this at a later meeting.
- The Workgroup should discuss the necessary configuration to have a free flowing river through the Yakima canyon section.
- There may be opportunities for more power generation, such as Wymer.
- The Workgroup needs to consider whether pumping inactive storage will affect senior water rights. It is important to link active storage to climate change scenarios.
- In order to support Bumping Lake, USFWS and USFS would need a plan for mitigating the loss of bull trout and spotted owl habitat.
- The Yakama Nation is involved in the USFWS recovery plan for the spotted owl.
- The package needs to be flexible so it can adapt to ground truthing and demand studies.
- The Workgroup should consider additional conservation actions over the EIS's no-action? alternative.
- The package should provide additional benefits to habitat above what species recovery plans provide.
- The Workgroup needs to discuss the exempt well issue.

Public Comment

The Workgroup meeting was opened for public comment. The following comments were received:

- Will surface water continuity of upper and lower groundwater and increased use of groundwater in the basin be included in the consultant team's analysis? This will be addressed during the 2010 validation process.
- Have studies addressed anything different in the Teanaway River or Swauk Creek? This is considered under the habitat subcommittee's work.
- Commenter is concerned that the Workgroup has not adequately addressed climate change and would like to see projections of the package benefits under climate change scenarios.

Workgroup Q&A and Feedback on Discussion Draft Integrated Package

Dan Silver asked each Workgroup member about their thoughts on the discussion draft package and the Workgroup process to date. The following are the Workgroup members' comments:

- The package should emphasize the north side tributary improvements that will result from the Wymer project.
- At Clear Lake, fish currently have access to the spillway from downstream passage, so only upstream passage is needed.

- In the summary document under subordinating power at Roza, change "will" to "may" in footnote (may also help reduce a portion of the smolt…"
- The basic package and timeframe are good, but need refinement and clarification.
- If the Bumping Lake enlargement is implemented, there needs to be a fix of the South Fork Tieton passage to offset bull trout impacts at Deep Creek.
- In Phase II of the package, passage at Tieton should be emphasized over passage at Keechelus.
- Commenter likes Phase I of the package and its inclusion of inbasin storage alternatives.
- Commenter likes that the Bumping Lake enlargement project is still on the table.
- Power subordination needs to be addressed.
- Something needs to be done about the South Fork of Tieton.
- The Workgroup needs a better definition of what environmental mitigation is needed.
- Will be as receptive to the Bumping Lake enlargement if demand is found to not be as high as initially estimated?
- Pine Hollow is important to the Department of Agriculture.
- The Workgroup should discuss dealbreakers sooner rather than later.
- The Workgroup cannot wait 26 years to provide fish passage on Tieton and Kachess.
- The Workgroup needs to begin the preliminary design and study work for fish passage at Keechelus, Kachess, and Tieton in Phase I.
- Conservation on the Wapato Irrigation Project should be moved forward because conservation provides the greatest benefit. This would involve conversations with the Bureau of Indian Affairs. In addition, groundwater infiltration is needed in conjunction with conservation.
- Concerned about the 2/3 water supply to 1/3 instream flow assumption. Concerned that more water will be needed for fish during a drought and that the 1/3 portion would be all the water that fish are allotted.
- The Workgroup needs to better define water supply need.
- Concern about the phased approach.
- The consultant team should measure the benefits from the draft package against the 1992 to 1994 drought.
- The Workgroup needs to further discuss operations during drought conditions.
- Phase I is a short-term fix and the Workgroup needs to plan for the next 100 years.
- Phase I is too small and will not adequately address water supply needs. New storage has to be identified.
- The Bumping Lake enlargement is a concern for Benton County because it does not meet Benton County's water supply needs. Will Wymer and K-K pipeline provide adequate supply for the next100 years?
- Elected officials will think that the Workgroup missed the mark with the discussion draft package.
- Concerned that it may take years to get legislation passed at the state and federal level. Then there is concern over how quickly these projects can be implemented and if the Workgroup can implement needed projects before major droughts.

- Concerned about the quality of the package and politics.
- The package needs to improve health of rivers in the basin, be sustainable, and meet fish needs.
- More "ground-truthing" is needed on the estimated water demand and on the benefits that the package projects will provide.
- Fish benefits in the draft package are too vague. The package needs to provide fish benefits that are greater than what current programs are accomplishing or will accomplish in the future.
- The package should have a more aggressive approach to conservation and water marketing.
- There is likely to be controversy in the environmental community regarding Bumping Lake Enlargement even if American Rivers supported the package.
- The Workgroup should not develop a package that is bigger than needed for the estimated demands.
- Commenter would support new storage if the package had other benefits to fish and rivers and storage proves to be the best way to meet demand.
- Concerned that pump exchange project is not in Phase I and is not specifically identified in Phases II. WDFW and Ecology previously supported the pump exchange project.
- Would like to hear more about where benefits will be realized and their timing.
- Commenter likes the notion of a multi-tiered package.
- To assess the feasibility of the package, the Workgroup needs to see cost estimates. The Workgroup needs to present a feasible package to Congress.
- A drought can occur at any time, so the pacing of the package will never please everyone.
- The Workgroup process needs to stay on a tight schedule in order to accomplish its goals.
- Conservation should be approached programmatically. The current conservation projects listed in the table are dated; there are newer conservation projects than those currently listed in the table provided by the consultant team that are better. Concerned about conservation funding and whether there will be a lasting commitment to conservation after other projects are implemented.
- There must be benefits to fish to offset the negative effects the package will have on fish.
- Concerned that if certain pieces of the package are removed at a later date, the package won't be "integrated" anymore.
- Concerns were expressed on how to ensure the entire package moves forward, and structuring sequencing of projects within phases to help address this concern, along with contingency planning if a planned project hits a road block.
- Commenter likes the packages long-term approach.
- Water should be moved from less important needs (watering lawns) to agriculture and fish.
- The Workgroup needs to predict build-out scenarios and assess water demand, paying special attention to the conversion of agricultural land use to suburbs.
- Fish passage at Tieton should be started sooner than currently scheduled because if fish passage at Tieton can be realized, the benefits are very large.
- The package should include more municipal projects. The Workgroup needs to discuss future municipal needs further and identify ways to reduce municipal demand.

- Municipal water demand estimate may be too high for planning purposes. An accurate estimate needs to be developed.
- Municipal water demand can be reduced with ASR and conservation.
- Can some of the TWSA be dedicated to municipalities? Granger, Sunnyside, and Prosser don't have linkages to TWSA because they have groundwater systems.
- The package has positive effects on steelhead and other anadromous fish; however, it has the potential for both positive and negative impacts to bull trout.
- The Workgroup needs to determine whether the package is technically and politically feasible.
- The package needs to include more storage projects.
- At this point, a realistic package is needed.
- Wymer would have environmental, agricultural, and municipal benefits.
- Groundwater storage is a promising option.
- Commenter likes the phasing approach.
- Does not think there are enough benefits from the project and the package implementation schedule is not quick enough.
- The Workgroup needs to compare the cost of different projects and the effects on numbers of fish.
- In order to gain political support, the package must be good for food, fish, jobs, and recreation.
- There is a positive indication that the USFWS could support Bumping (200K) if proper mitigation is planned.
- Work to implement fish passage at Tieton and Kachess should begin concurrently with the Keechelus evaluation in Phase I.
- Unsure whether the Yakima Basin will be able to secure such a high level of funding from Congress, and concerned that as a result, some projects will have to be removed.
- Yakima County is interested in a reliable water supply for economic and municipal needs for the next 100 years.
- Would like to see all projects moved forward in some way from Phase I. Concerned that once a project is implemented, certain interests may leave the table and the later scheduled elements of the package will not be done.
- The Workgroup should make a final decision on the allotment of water (currently assumed to be 2/3 water supply to 1/3 instream flow) rather than leave the decision for a future date.

Dan Silver summarized the Workgroup's main points during the discussion. Generally speaking, with the exception of Max Benitz and Charlie de la Chapelle, the Workgroup believes that the discussion draft package is in the range of where it should be at this point. Many people noted that they wanted projects started earlier and that they were concerned about the linkages between the projects and how to ensure that the integrated package stays together as a whole.

YRBWEP Workgroup Integration with the Yakima River Basin Study presented by Wendy Christensen and Derek Sandison

Derek and Wendy provided an overview to the Workgroup about the process to evaluate alternatives in the integrated package with the Yakima River Basin Study. It is anticipated that the Workgroup will make decisions regarding the specific mixes of projects by the end of the 2009. This will be followed by formal analysis of the integrated program through the Yakima River Basin Study, including programmatic NEPA and SEPA analysis. The current schedule calls for completion of the basin study process and the development of final recommendations by the Workgroup in December 2010.

Public Comment

The Workgroup meeting was opened for public comment. The following comments were received:

- Is the Workgroup willing to consider a smaller enlargement at Bumping Lake? The Workgroup responded that they may consider a smaller size after the environmental review process.
- The Workgroup needs to make sure not to approve a set of projects that will be outdated by the time they are implemented.

Action Items

- HDR will update the summary document to read "Groundwater Infiltration Prior to Storage Control," state that Wymer would provide improvement to northside tributaries, and change "will" to "may" in the subordinating power at Roza footnote.
- HDR will move the K to K pipeline and inactive storage lines together in the benefits tables.
- The Workgroup support team will consider how to address the Workgroup comments in an updated draft Integrated Package and benefits characterization..

Workgroup Members in Attendance

Brad Avy, Washington Department of Agriculture
Dale Bambrick, NOAA Fisheries Service
Max Benitz, Benton County Commissioner
Dave Brown, City of Yakima
Alex Conley, Yakima Basin Fish & Wildlife Recovery Board
Charlie de la Chapelle, Yakima Basin Storage Alliance
Rick Dieker, Yakima-Tieton Irrigation District
John Easterbrooks, Washington Department of Fish and Wildlife
Urban Eberhart, Kittitas Reclamation District
Rand Elliot, Yakima County Commissioner
Michael Garrity, American Rivers
Scott Revell, Kennewick Irrigation District
Phil Rigdon, Yakama Nation - Natural Resources

Derek Sandison, Washington Department of Ecology
Jeff Thomas, US Fish and Wildlife Service
Jim Trull, Sunnyside Valley Irrigation District
Ron VanGundy, Roza Irrigation District
Wendy Christensen, Bureau of Reclamation

Other Attendees

Jeff Barry, GSI Water Solutions
Corey Carmack, Bureau of Reclamation
David Child, Yakima Basin Joint Board
Dan Church, Bureau of Reclamation
Stuart Crane, Yakama Nation
James Davenport
Sharon Edgar, HDR Engineering
Ben Floyd, HDR Engineering
Chuck Garner, Bureau of Reclamation
Don Gatchalian, Yakima County
Andrew Graham, HDR Engineering
Jennifer Hackett, Central Washington University
Justin Harter, Naches-Selah Irrigation District
Lynn Holt, Bureau of Reclamation
Joel Hubble, Bureau of Reclamation
Paul Jewell, Kittitas County Commissioner
Jerry Kelso, consultant for Bureau of Reclamation
Chuck Klarich, Yakima Basin Storage Alliance
Edwin Lewis, Wapato Irrigation Project
Kevin Lindsey, GSI Water Solutions
Barb Lisk, Office of Representative Richard Hastings
Chris Lynch, Bureau of Reclamation
Mike Marvich, Aqua Permanente
Tina Mayo, US Forest Service
Jim Milton, Yakima-Tieton Irrigation District
Tom Monroe, Roza Irrigation District
Bob Montgomery, Anchor QEA
David Morgan, US Fish and Wildlife Service
Bryan Myre, Yakama Reservation Irrigation District
Onni Perala
David Reeploeg, Office of Senator Maria Cantwell
Tom Ring, Yakama Nation
Ann Root, ESA Adolfson
Mike Schwisow, Schwisow & Associates

Teresa Scott, Washington Department of Fish and Wildlife
Dan Silver, Facilitator
Rob Swedo, Bonneville Power Administration
Michael Tobin, North Yakima Conservation District
Ric Valicoff, Roza Irrigation District

Next Workgroup Meeting

The next meeting will be held on November 9, 2009 at the Yakima Area Arboretum.

Where to Find Workgroup Information

Meeting materials, notes, and presentations from the Workgroup's meetings will be posted on the project website (http://www.usbr.gov/pn/programs/yrbwep/index.html). A bibliography of information sources, many of which are available online, is posted on the website. If anyone needs help finding an information source, contact those listed at the top of page 1 or Ben Floyd at HDR Engineering's Pasco, Washington office, (509) 546-2053, or ben.floyd@hdrinc.com.

YRBWEP Workgroup
Integrated Package Meeting Plan through December 2009

Nov. 9 – Share Updated Information on Discussion Draft Integrated Package and Discuss Habitat Subcommittee Recommendations

- Presentations on agricultural conservation
- Inactive storage/Keechelus to Kachess pipeline
- Workgroup comments received
- Columbia River pump/storage presentation by Yakima County
- DoD/USACE potential roles/involvement

Nov. 23 – Share Updated Integrated Package and Conduct Preliminary Consensus Poll

- Present Draft Integrated Package, Rev. 1
- Present updated/more detailed benefits (seasonal flow benefits/supply)
- Present Integrated Package document outline
- Present legislation outline and 2010 technical work plan

December 7 – Present Draft Integrated Package Document and Seek Consensus Decision on Draft Integrated Package

- Discuss outstanding items/present any additional information updates
- Present and discuss draft Integrated Package document
- Consensus decision on IP

December 16 or 17 (Optional, if needed) - Present Updated Integrated Package Information and Seek Consensus Decision on Integrated Package

- Discuss outstanding items/present any additional information updates
- Consensus Decision on Integrated Package

Integrated Package Document Outline

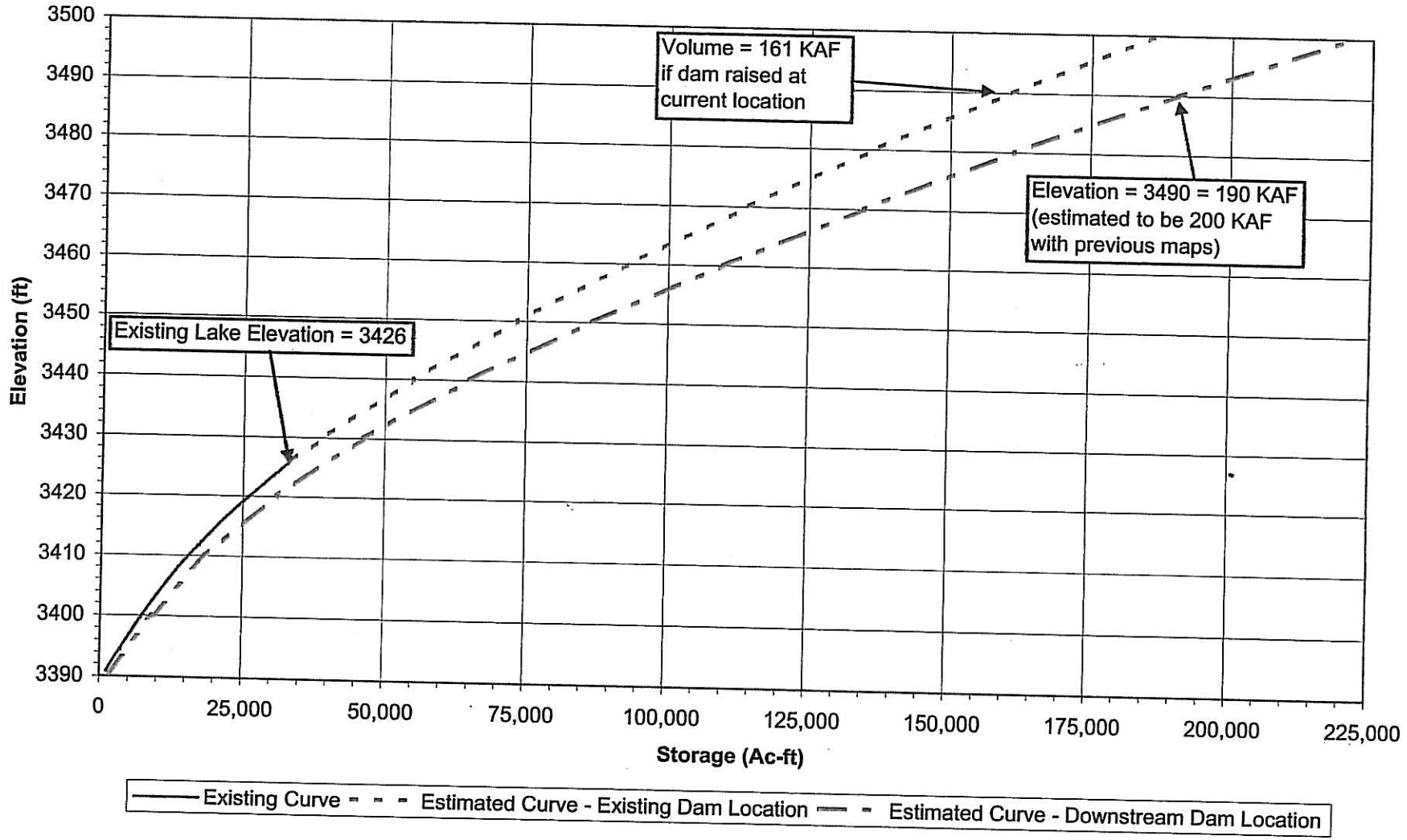
I. Introduction/Purpose/Participants
II. Need Description (General with ranges for different elements)
III. IP Summary
  a. Projects Summary (Phases 1 – 3)
  b. Phases/Benefits Tables and text (2005 and 1992 – 1994)
    i. TWSA
    ii. Flows (by season)
    iii. Fish #s and habitat benefits
    iv. Other (Multi-purpose) benefits
    v. Adaptive management/plan adjustments based upon need during implementation
  c. Preliminary Appraisal Level Costs (range)
IV. Legislation Concepts Outline
V. Validation/Refinement - 2010 Technical Work Plan Overview and Schedule

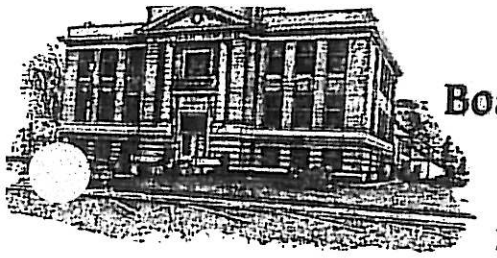
Water Conservation Projects in the Integrated Water Resource Management Alternative (Basis for Programmatic Alternative)

Project Description	Water User	Type of Water User		Type of Project					Diversion Area	Water Conservation (ac-ft/yr)	Cost	Cost/AF
		Proratable	Non-proratable	Lining/ Piping	On-farm Conservation	Storage/ Re-reg	Automation/Water Management	Pump Exchange				
YRBWEP Projects												
Phase I (Check replacement with automated gates, 3 re-reg reservoirs, and SCADA system)	Sunnyside Division	✓	✓			✓	✓		Middle Yakima	29,100	$ 45,000,000	$ 1,546
Phase II (Piping of 68 laterals)	Sunnyside Division	✓	✓	✓					Middle Yakima	25,500	$ 68,800,000	$ 2,698
Pressure distribution system conversion & change in point of diversion	Benton Irrigation District	✓						✓	Middle Yakima	6,870 (Note 1)	$ 28,800,000	$ 4,192
										Subtotal	*$ 142,600,000*	
Enhanced Conservation Projects												
Piping high-loss laterals (70 mi), 2 re-reg reservoirs, and North & South Branch Canal automation	Kittitas Reclamation District	✓		✓		✓	✓		Upper Yakima	48,500	$ 36,900,000	$ 761
Replace leaky Main Canal lining	Kittitas Reclamation District	✓		✓					Upper Yakima	2,000	$ 3,110,000	$ 1,555
Canal piping (2 mi)	Westside Irrigation	✓	✓	✓					Upper Yakima	600	$ 456,000	$ 760
Rill to sprinkler conversion (3300 ac)	Westside Irrigation	✓	✓		✓				Upper Yakima	3,300	$ 8,555,000	$ 2,592
Rill to sprinkler conversion (7100 ac)	Ellensburg Water Company		✓		✓				Upper Yakima	7,100	$ 18,405,000	$ 2,592
Johnson Drain Pump & VFD Installation	Cascade Irrigation District		✓				✓		Upper Yakima	2,088	$ 342,000	$ 164
Rill to sprinkler conversion (9000 ac)	Cascade Irrigation District		✓		✓				Upper Yakima	9,000	$ 23,331,000	$ 2,592
Canal piping (4800 ft)	Bull Canal Company		✓	✓					Upper Yakima	639	$ 560,000	$ 876
Rill to sprinkler conversion (680 ac)	Bull Canal Company		✓		✓				Upper Yakima	680	$ 1,763,000	$ 2,593
Re-reg reservoir	Roza Irrigation District	✓				✓			Middle Yakima	13,700	$ 15,500,000	$ 1,131
Construct pump station to move point of diversion 11 mi downstream	Union Gap Irrigation District	✓	✓					✓	Middle Yakima	5,600	$ 16,500,000	$ 2,946
Canal piping (4 mi)	Union Gap Irrigation District	✓	✓	✓					Middle Yakima	200	$ 518,000	$ 2,590
Granger (Satus) pumping plant	Wapato Irrigation Project	✓	✓					✓	Middle Yakima	Note 2	$ 24,100,000	
Equip turnouts with water measuring devices (3500 total)	Wapato Irrigation Project	✓	✓				✓		Middle Yakima	14,700	$ 7,271,000	$ 495
Bench Unit Rereg Reservoir (370 AF)	Wapato Irrigation Project	✓	✓			✓			Middle Yakima	700	$ 571,000	$ 816
Voluntary incentive-based irrigation improvement program	Wapato Irrigation Project	✓	✓		✓				Middle Yakima	32,500	$ 23,392,000	$ 720
Satus East and Satus West Canal lining	Wapato Irrigation Project	✓	✓	✓					Middle Yakima	4,600	$ 6,315,000	$ 1,373
Lateral 4 Ext lining and corresponding sublaterals lining or piping	Wapato Irrigation Project	✓	✓	✓					Middle Yakima	3,400	$ 6,171,000	$ 1,815
Track Lateral lining and water structure replacement	Wapato Irrigation Project	✓	✓	✓					Middle Yakima	5,100	$ 9,412,000	$ 1,845
Spencer Lateral improvement (10.5 mi)	Wapato Irrigation Project	✓	✓	✓					Middle Yakima	1,300	$ 2,612,000	$ 2,009
West Highline Canal lining (24.5 mi)	Wapato Irrigation Project	✓	✓	✓					Middle Yakima	5,900	$ 16,822,000	$ 2,851
Unit 2 Pump Canal lining (15 mi)	Wapato Irrigation Project	✓	✓	✓					Middle Yakima	5,200	$ 16,261,000	$ 3,127
East Highline Canal lining or piping (12000 ft)	Wapato Irrigation Project	✓	✓	✓					Middle Yakima	700	$ 2,612,000	$ 3,731
Pipe former Outlook Irrigation District (5 mi)	Sunnyside Valley Irrigation District	✓	✓	✓					Middle Yakima	4,265	$ 1,401,000	$ 328
Complete pressurized system conversion	Kiona Irrigation District		✓	✓					Lower Yakima	4,124	$ 4,754,000	$ 1,153
Canal piping (300 ac)	Nile Valley Ditch Association		✓	✓					Naches	395	$ 518,000	$ 1,311
Re-reg reservoir (55 AF) and lining/piping of Main Canal, and No 1, No 2, and No 3 Laterals	Naches-Selah Irrigation District	✓	✓	✓		✓			Naches	8,675	$ 32,374,000	$ 3,732
Change point of diversion to Wapatox Ditch diversion	Naches-Selah Irrigation District	✓	✓					✓	Naches	15,000	$ 17,500,000	$ 1,167
Pressure distribution system conversion	South Naches Irrigation District		✓	✓					Naches	9,733	$ 10,029,000	$ 1,030
										Subtotal	*$ 308,055,000*	
										Total	**$ 450,655,000**	

Note 1 - Pump exchange portion of this project does not conserve additional water but will increase flows by 58 cfs for 72 miles starting at Parker.
Note 2 - This project does not conserve water but will increase flows by 50 cfs for 40 miles starting at Parker.

Bumping Lake Storage-Elevation Curves
Expanding Dam at Current Location vs. Location Selected by Reclamation in Previous Studies





Board of County Commissioners
BENTON COUNTY
P.O. Box 190 • Prosser, WA 99350-0190
Phone (509) 786-5600 or (509) 736-3080
Fax (509) 786-5625

Max Benitz, Jr.
DISTRICT 2

October 26, 2009

Ben Floyd
Environmental and Resource Management
Attn. Benjamin Floyd
2805 St. Andrews Loop, Suite A
Pasco, WA 99301-6121

Dear Ben:

I am requesting some additional information as to the specific accomplishments of the Phase I potential water supply projects.

I have prepared some tables in which the information could be inserted by your team. The reason for asking for this information is to gain an understanding of the water supply accomplishments of specific projects. For instance, what is the propose allocation of storage space in an enlarged Bumping Lake and what are the results in terms of increased TWSA, instream flows at Parker and the volume of increased irrigation proratable water supply.

In addition, it would seem desirable to know such accomplishments of the potential Phase I projects for a three-year dry period as occurred in water years 1992, 1993 and 1994. Thank you.

Max E Benitz Jr

Max Benitz, Jr.
District 2 Commissioner

Integrated Water Resource Management Program Potential Phase I - - Increased TWSA in a Water Year like 2005				
Project	**Characteristics**	**Acre-Feet**	**Increased TWSA in 2005**	**Source**
			(acre-feet)	
Wymer	Total active capacity	162,500	60,000	State Final Supplemental EIS page 5-50
	(current irrigation and Title XII flows)	(82,500)	(?)	(?)
	(dry-year proratable irrigation)	(80,000)	(?)	(?)
Bumping Lake enlargement	Total active capacity	200,000		
	Less: replacement capacity	-33,700		
	New active capacity	166,300	?	
	(instream flows)	?	(?)	?
	(dry-year proratable irrigation)	?	(?)	?
Subtotal		362,500	?	
Cle Elum Lake enlargement	Raise radial gates to provide increased storage for instream flows	15,000	?	?
Dead Storage	Tap into dead storage at one existing reservoir for dry-year proratable irrigation supply	100,000	?	?
K-K Pipeline	Water transfer between Keechelus to Kachess drainages		?	?
Total		477,500	?	
Phase I Total			276,000 to 335,000	Water Supply Benefits table

Note: Please add any other Phase I water supply projects that should be included.

Integrated Water Resource Management Program Potential Phase I - - Increased Flow at Parker in a Water Year like 2005				
Project	**Characteristics**	**Acre-feet**	**Parker Flow in 2005**	**Source**
			(acre-feet)	
Wymer	Total active capacity	162,500	-17,000	State Final Supplemental EIS page 5-50
	(current irrigation and Title XII flows)	(82,500)	(?)	(?)
	(dry-year proratable irrigation)	(80,000)	(?)	(?)
Bumping Lake enlargement	Total active capacity	200,000		
	Less: replacement capacity	-33,700		
	New active capacity	166,300	?	
	(instream flows)	?	(?)	?
	(dry-year proratable irrigation)	?	(?)	?
Subtotal		362,500	?	
Cle Elum Lake enlargement	Raise radial gates to provide increased storage for instream flows	15,000	?	?
Dead Storage	Tap into dead storage at one existing reservoir for dry-year proratable irrigation supply	100,000	?	?
K-K pipeline	Water Transfer between Keechelus and Kachess drainages		?	?
Total		477,500	?	
Phase I Total			193,000	Water Supply Benefits table

Note: Please add any other Phase I water supply projects that should be included.

Supplemental Dry-Year Proratable Irrigation Supply		
Project	2005	1992-1994
	(Acre-Feet)	
Wymer		
Bumping Lake Enlargement		
Dead Storage		
K-K Pipeline		
Total		

Note: Please add any other Phase I water supply projects that should be included.

YRBWEP Habitat Enhancement Subcommittee

Recommendations
Executive Summary

The YRBWEP Workgroup (Workgroup) organized the Habitat Enhancement Subcommittee and asked subcommittee members to develop a recommended programmatic approach to enhancing aquatic habitat within the Yakima Basin. The subcommittee's recommendations build upon previous planning efforts, and are focused on enhancing funding and capacity for enhancement efforts, primarily through existing programs. The Workgroup will consider these recommendations in developing the Integrated Package.

The Habitat Enhancement subcommittee recommends that the YRBWEP workgroup include the following programmatic funding levels in the Integrated Package:

Program Element	Recommended Funding Level ($/millions)	Geographic Areas	Timing
Mainstem Floodplain Restoration			
Tier I – Existing projects with estimated budgets	$25	Union Gap, Ellensburg Floodplain (Schaake), Lower Naches	Phase I (Years 1 – 7)
Tier II – Existing planning efforts underway	$50 ($2/yr for 5 years; $4/yr for 5 – 15 years)	Upper Ellensburg/Kittitas, Wapato, Naches/Nile, Selah/Taylor Ditch, Easton	Years 1 – 15
Tier III	$30 ($1/yr for 30 years)	Benton City/West Richland, Yakima Delta, & all other areas	Years 1 - 30
Program Management (management and oversight, preliminary design)	$7.5 (or $0.25/yr)	Basin-wide	Years 1 – 30
Subtotal	**$112.5**		
Tributaries Program			
Passage/Screening Projects	$13.85	Upper and Middle Yakima	Years 1 – 15
Habitat Restoration (Below Reservoirs)	$16.3	Upper and Middle Yakima	Years 1 – 15
Wilson/Naneum	$12.25	Wilson/Naneum	Years 1 – 10
Headwaters Restoration	$8.25 ($0.5/yr)	Headwaters above reservoirs and on USFS lands	Years 1 – 30
YN Reservation Screening/Passage/Restoration	$25	Satus and Toppenish Creeks	Years 1 –10
Emergent Needs Fund: Acquisition/ Conservation Easement Opportunities	$15 ($5 upfront plus $0.5/ yr)	Basin-wide – tributaries	Years 1 – 20
Subtotal	**$90.65**		
TOTAL	**$203.15 Million**		

The subcommittee also recommends the Workgroup continue efforts to invite US Forest Service to participate in this process.

Expected Salmonid Benefits from Habitat Enhancements

The proposed habitat program would significantly accelerate ongoing efforts to protect existing high-value habitats, improve fish passage, enhance flows, improve habitat complexity, and reconnect side channels and off-channel habitat to stream channels. This will create improved spawning/incubation, rearing, and migration conditions for all salmonid species in the Yakima Basin, implement key strategies described in the Yakima Subbasin Plan, and complete most of the actions described in the Yakima Steelhead Recovery Plan.

This program would significantly improve prospects for recovering fish populations to levels that can sustain harvest and are resilient to catastrophic events and the potential impacts of climate change.

Effects on Water Supply

There would be no negative impacts to "total water supply available" (TWSA). Some of the proposed actions may increase tributary flows into the mainstem Yakima, which would result in a small increase in TWSA. River operations will continue to serve existing Bureau of Reclamation (Reclamation) contracts. If new sources of water are developed within the basin, the increased water supply and management flexibility would be used to support fisheries management objectives, such as enhancing adult migration in the summer, and smolt outmigration in the spring for all anadromous species, including reintroduced species.

ESA Applicability

This program will make significant progress towards meeting delisting goals for ESA-listed steelhead and bull trout. Native Chinook stocks are not listed, and this package should significantly increase Chinook production. Reintroduced coho and sockeye will not be considered ESA-listed species because these were extirpated in the Yakima Basin, and will be reintroduced from a stock not indigenous to the basin.

YRBWEP Habitat Enhancement Subcommittee

Recommendations Report

The YRBWEP Workgroup (Workgroup) organized the Habitat Enhancement Subcommittee and asked subcommittee members to develop a recommended programmatic approach to enhancing aquatic habitat within the Yakima Basin. The subcommittee's recommendations build upon previous planning efforts, and are focused on enhancing funding and capacity for enhancement efforts, primarily through existing programs. The Workgroup will consider these recommendations in developing the Integrated Package.

Background

Major habitat enhancement programs are underway in the Basin. These programs are administered by federal, state, and local agencies, and the Yakama Nation using funding from Reclamation's YRBWEP program, the Bonneville Power Administration (BPA)/Northwest Power and Conservation Council (NPCC) Fish and Wildlife Program, the Washington Salmon Recovery Funding Board (SRFB), the NOAA Pacific Coast Salmon Recovery Fund, and other sources.

The subcommittee considered existing efforts for these programs and, with input from those directly involved in many of these programs, identified unmet funding needs. While the subcommittee is providing programmatic recommendations, these were developed based upon identifying and aggregating unmet funding needs by specific geographic areas.

Recommendations

The subcommittee focused recommendations around programmatic elements that would meet these planning objectives:

Objective 1: Protect and restore floodplain habitats on the mainstem Naches and Yakima:

1) Protection of functional floodplain habitats
2) Restoration of floodplain function in major floodplain reaches

Objective 2: Protect and enhance tributary habitats:

1) Improve riparian conditions and instream complexity
2) Maintain and restore connections with floodplains and headwaters
3) Ensure appropriate tributary flow regimes for fish needs
4) Improve upstream and downstream fish passage

Mainstem Floodplain Restoration – Relocate levees and reconnect floodplains to river channels, reestablish side channels, restore riparian conditions, and protect high-value habitat.

Mainstem Floodplain Restoration				
Program Element	**Recommended Funding Level[1] ($/millions)**	**Geographic Areas and Improvements**	**Timing**	**Comments**
Tier I – Existing projects with estimated budgets	$16 (*includes previously expected US Army Corps of Engineers [USACE] WRDA $$)*	Union Gap: levee setback, floodplain restoration, property acquisition, modify Wapato dam	Years 1 – 5	Funding could be requested through Reclamation and USACE, or just Reclamation.
	$7.5	Upper Ellensburg Floodplain levee setback and channel restoration, floodplain restoration and property acquisition	Years 1 – 7	Umptanum Rd. Bridge to Ringer Rd. Washington Department of Fish and Wildlife (WDFW) boat launch; includes the Schaake property.
	$4	Lower Naches: develop design, levee setback, floodplain restoration, property acquisition, diversion modifications	Years 1 – 7	Includes Lower Cowiche, Eschbach area, upstream levees, Yonker and Gleed diversions. Connected to Wapatox project.
Tier II – Existing planning efforts underway[2]	$50 ($2/yr for 5 years; $4/yr for 5 –15 years)	Upper Ellensburg/Kittitas, Wapato, Easton, Selah/Taylor Ditch	Years 1 – 15	Develop design, levee setback, floodplain restoration, property acquisition, diversion modifications.
Tier III[3]	$30 ($1/yr for 30 years)	Benton City/West Richland, Yakima Delta[4], and all other areas	Years 1 – 30	Develop design, levee setback, floodplain restoration, property acquisition, diversion modifications.
Program Management[5]	$7.5 (or $0.25/yr for 30 years)	N/A	Years 1 – 30	Increased capacity for project management and oversight, preliminary and final design, and administration.
Total	**$112.5 Million**			

[1] Provide for flexibility in allocating funding to additional project sponsors beyond Reclamation to leverage existing implementation capacities.

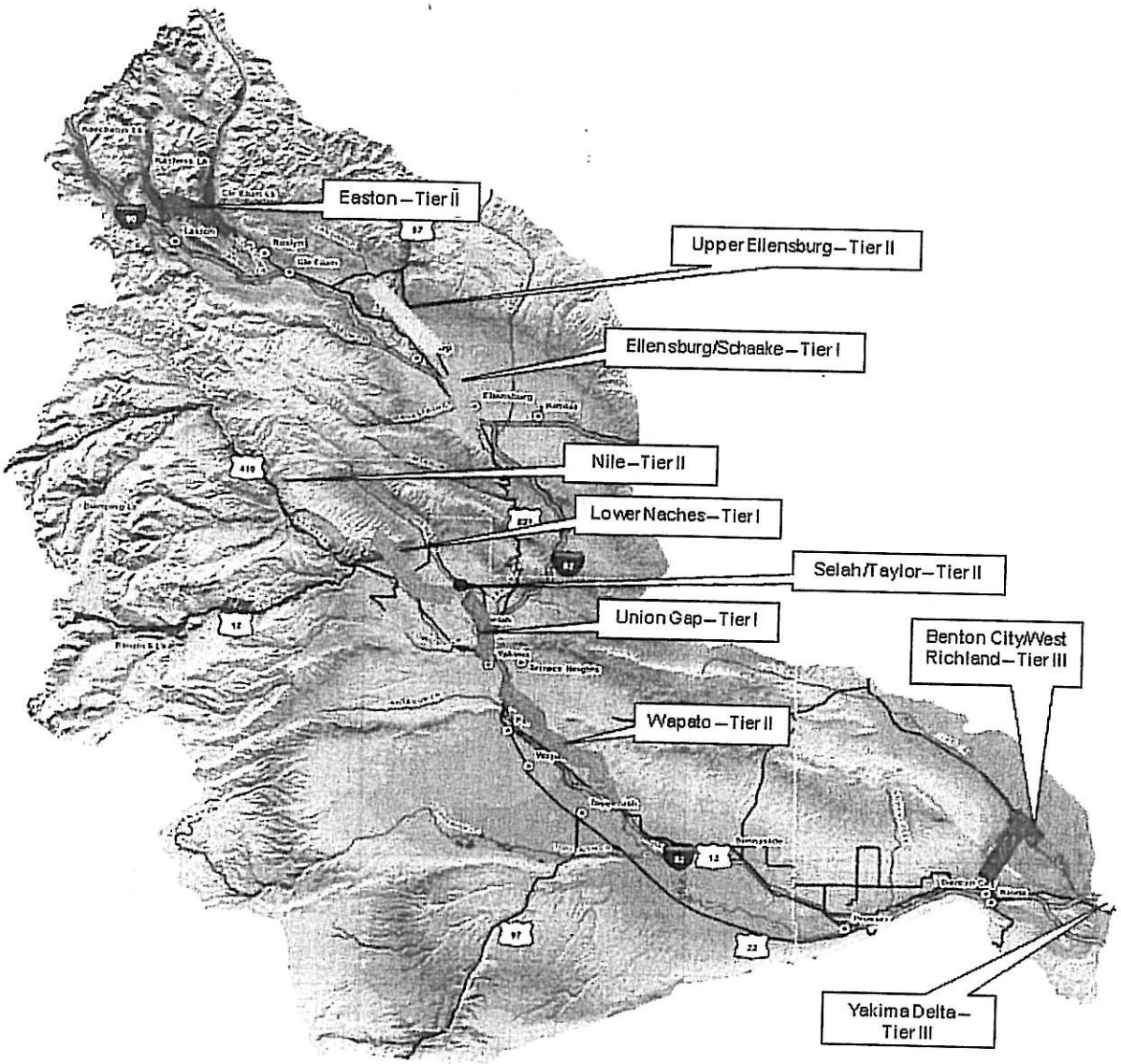
[2] Projects within this tier move forward based upon integration with Integrated Package water projects, and land use and land availability opportunities.

[3] Need to have program flexibility as some Tier III projects could move up and Tier II could move back in time, depending upon priorities, readiness to proceed, and new information developed over time.

[4] Focus on modifying delta hydrology to improve temperature conditions to improve salmonid passage/rearing.

[5] Assumes reach assessments are completed as part of Yakima River Basin Study (2010).

Figure 1 – Tier I, II and III Reaches



Tributaries Program Elements[6]				
Program Element	**Recommended Funding Level ($/millions)**	**Geographic Areas and Improvements**	**Timing**	**Comments**
Passage & Screening Projects	$9	Upper Yakima	Years 1 – 15	
	$4.1	Middle Yakima	Years 1 – 15	
Subtotal	**$13.1**			
Habitat Restoration & Enhancement (below reservoirs)	$9.5	Upper Yakima – Habitat restoration: (e.g., fencing plantings, large woody debris, side-channel/ floodplain, nutrient enhancement, instream flow enhancement.	Years 1 – 15	
	$5.8	Middle Yakima – Habitat restoration (e.g., Fencing plantings, large woody debris, side-channel/ floodplain, nutrient enhancement, instream flow enhancement.	Years 1 – 15	
Subtotal	**$14.45**			
Wilson/Naneum – Passage/Screening	$11.25	Confirm water management plan/Capital Improvement Plan (CIP), upgrade and consolidate diversions, provide fish passage and instream flow improvements.	Years 1 – 10	Links to supply fixes (storage and operational improvements and exchanging TWSA for tributary water). Involves Kittitas Reclamation District (KRD), Ellensburg Water Company, and Cascade Irrigation District along with landowners.
Wilson/Naneum – Habitat	$1	Instream and riparian habitat improvements, floodplain restoration, and conservation easements.	Years 1 – 10	
Subtotal	**$12.25**			
Headwaters Restoration (Above Reclamation Reservoirs)	$3.75	Headwaters restoration and passage above reservoirs and on USFS lands: roads, culverts, channel improvements, LWD and other habitat improvements	Years 1 – 15	Bull trout and anadromous fish emphases
	$2.5	South Fork Tieton River (primarily new bridge; reroute	Years 1 – 15	Bull trout emphasis

[6] Provide for flexibility in allocating funding to additional project sponsors beyond Reclamation to leverage existing implementation capacities.

Tributaries Program Elements[6]				
Program Element	**Recommended Funding Level ($/millions)**	**Geographic Areas and Improvements**	**Timing**	**Comments**
		the South Fork to, or near, its historic channel at the mouth)		
	$1.5 ($0.05/yr)	Seasonal task force passage projects[7] to ensure unimpeded passage into spawning tributaries above the storage reservoirs.	Years 1 – 30	Bull trout emphasis
	$0.5	Gold Creek hydrogeology report and restoration design	Years 1 – 15	Bull trout emphasis
Subtotal	**$8.25 ($.5/yr)**			
YN Reservation Screening/Passage/Restoration	$25	Implement Toppenish Creek Corridor program, and improve Satus Creek: screening, passage, riparian restoration	Years 1 – 10	Toppenish Plan within a few weeks of having updated budget – update estimate then.
Emergent Needs Fund: Acquisition/ Conservation Easement Opportunities	$15 ($5 upfront [Year 1], then $0.5/yr)	Basin-wide – tributaries	Years 1 – 20	Guidelines • For projects that either fall outside other programs, or are particularly time sensitive • Expect use for acquisitions (fee simple and easement),that need to be completed rapidly • Connected to identified fish benefit/riparian, or water right acquisition • Leverage mitigation benefit/project opportunity • Seed money for studies would be administrated by an organization (not yet identified)
TOTAL	**$90.65**			
GRAND TOTAL	**$203.15 Million**			

[7] The function of the task force is to remove recreational dams and to install/remove temporary passage facilities to allow bull trout passage from the reservoirs into the tributaries in low water years.

Other

Recommend Workgroup continue efforts to invite US Forest Service to participate in process.

Integrated Package Linkages

To be developed

Expected Salmonid Benefits from Habitat Enhancements

The proposed habitat program would significantly accelerate ongoing efforts to protect existing high-value habitats, improve fish passage, enhance flows, improve habitat complexity and reconnect side channels and off-channel habitat to stream channels. This will create improved spawning/incubation, rearing, and migration conditions for all salmonid species in the Yakima Basin, implement key strategies described in the Yakima Subbasin Plan, and complete most of the actions described in the Yakima Steelhead Recovery Plan.

This program would significantly improve prospects for recovering fish populations to levels that can sustain harvest and are resilient to catastrophic events and the potential impacts of climate change.

Effects on TWSA

There would be no negative impacts to "total water supply available" (TWSA). Some of the proposed actions may increase tributary flows into the mainstem Yakima, which would result in a small increase in TWSA. River operations will continue to serve existing Reclamation contracts. If new sources of water are developed within the basin, the increased water supply and management flexibility would be used to support fisheries management objectives, such as enhancing adult migration in the summer, and smolt outmigration in the spring for all anadromous species, including reintroduced species.

ESA Applicability

This program will make significant progress towards meeting delisting goals for ESA-listed steelhead and bull trout. Native Chinook stocks are not listed, and this package should significantly increase Chinook production. Reintroduced coho and sockeye will not be considered ESA-listed species because these were extirpated in the Yakima Basin, and will be reintroduced from a stock not indigenous to the basin.

Suggested 2010 Action

Conduct key tributary and mainstem floodplain restoration reach level conceptual planning and budget estimate validation/updates as part of Yakima River Basin Study, in partnership with

local agencies. Also consider whether programmatic National Environmental Policy Act (NEPA) review documentation could be developed as part of this effort. Consider how this program could be integrated with County flood hazard reduction planning efforts.

Key Information Sources

The subcommittee relied primarily on input from subcommittee members and from project lists developed by the North Yakima and Kittitas County Conservation Districts (Attachments A-1 and A-2).

Attachment A-1

David Child

YRBWEP Habitat Sub-Committee September 25, 2009

Re: North Yakima Conservation District, unmet funding for main stem and tributary passage, restoration and protection programs.

Habitat Sub-Committee,

The following narrative expresses unmet funding needs of the NYCD related to our participation within the Yakima Tributary Access and Habitat Program (YTAHP). YTAHP was created by and is a partnership of non-profit, local, state, federal and Tribal entities that address screening, passage and habitat needs related to fish recovery within the Yakima River Basin.

Although our focus is on screening/passage/habitat, it should be noted that our work seeks to integrate our project work with many of the items (seven) that the Yakima River Basin Water Enhancement Program is dealing with, such as water conservation. Because of our individual entities unique abilities we can also be called upon to assist in many implementation activities that will be identified in YRBWEP's package.

The following is a list of NYCD tributaries and unmet funding needs. They are numbered. The number 1 item is for near term known needs, those that can be implemented within 1-3 years. The number 2 item is for out year estimated needs. These items can be based on known needs, actions necessary or relevant upon YRBWEP actions or simply brainstorming ideas within NYCD. Item 3 is listed separated and is a near-term 1-3 year need for habitat measures. These measures include in-stream improvements, restoration, bank enhancement, floodplain development and the use of Conservation Easements.

Ahtanum Creek watershed

1. Passage and Screening – $455,000.00
2. Passage and Screening – $1,000,000.00 (primarily based on a "Pine Hollow" scenario/bachelor creek).
3. Habitat – $250,000.00

Wide Hollow Creek Watershed (lower end)

1. Passage and Screening – $249,000.00
2. Passage and Screening – $200,000.00 (steep-pass)
3. Habitat – $25,000.00 in current channel, (? $500,000.00 relocation of creek).

Cowiche Creek Watershed

1. Passage and Screening – $1,256,000.00 (includes from mouth to upper watershed.
2. Passage and Screening – $ 0
3. Habitat – $2,300,000.00 (primarily Conservation Easements with ready willing and able landowner in upper watershed).

Tieton River Watershed

1. Passage and Screening – $32,000.00
2. Passage and Screening – $0
3. Habitat – $ no figure at this time.

Rattlesnake Creek Watershed

1. Passage and Screening – $10,000.00
2. Passage and Screening – $0
3. Habitat – $ no figure at this time.

Nile Creek Watershed

1. Passage and Screening – $5,000.00
2. Passage and Screening – $0
3. Habitat – $1,000,000.00

Gold Creek Watershed

1. Passage and Screening – $75,000.00
2. Passage and Screening – $0
3. Habitat – $ no figure at this time.

Naches River Area

1. Passage and Screening – $ no figure at this time.
2. Passage and Screening – $ no figure at this time.
3. Habitat – $ no figure at this time, however NYCD would like to discuss a large Conservation Easement program for this area that could include floodplain development with private landowners.

Buckskin Slough Area

1. Passage and Screening – $0
2. Passage and Screening – $170,000.00
3. Habitat – $500,000.00

Taylor Ditch Area (first step is to work with issues related to zoning to develop a mitigated agreement)

1. Passage and Screening – $100,000.00
2. Passage and Screening – $0
3. Habitat – $700,000.00

- Note that this should be considered a complete package – 1 and 3 at the same time.

Wenas Watershed (NYCD believes that a comprehensive watershed plan is needed and that there is clear opportunity for YRBWEP action within this watershed.

1. Passage and Screening – $50,000.00

2. Passage and Screening – $250,000.00
3. Habitat – $250,000.00 without Conservation Easement Program

Blue Slough Area

1. Passage and Screening – $219,000.00
2. Passage and Screening – $ 0
3. Habitat – $ no figure at this time, BOR's YRBWEP current activities will determine need.

Thank you for the opportunity for the North Yakima Conservation District to provide this list as part of our YTAHP unmet funding needs to your sub-committee process. If you have any questions, please contact me at 509-454-5736 ext 5.

Please remember as you continue to work within the YRBWEP overall process that Conservation Districts are capable of assisting with many other activities. Don't hesitate to call upon us.

Sincerely,

Michael Tobin

NYCD Manager

Attachment A-2

Summary of North Yakima Conservation District Habitat Enhancement Funding Estimates[8] for the Middle Yakima River			
Geographic Area	**Passage and Screening (millions of dollars)**	**Habitat (millions of dollars)**	**Assumptions**
Ahtanum	1.500	0.25	
Wide Hollow	0.500	0.50	Includes Creek relocation
Cowiche	1.300		$2.3 million habitat not included – upland
Tieton	0.030	0.10	Assumed habitat value
Rattlesnake	0.001	0.50	Assumed habitat value
Nile	0.001	1.00	
Gold	0.080	0.50	Assumed habitat value
Naches		1.00	Assumed habitat value
Buckskin	0.200	0.50	
Taylor Ditch	0.100	0.70	
Wenas	0.300	0.25	
Blue Slough	0.200	0.50	Assumed habitat value
Totals	**$ 4.200**	**$ 5.8**	

[8] Stream-specific estimates were used to arrive at programmatic level funding requests and should not be restricted to restoration budget needs for individual streams. Funding should be allocated at the programmatic level and on a prioritized, annual basis.

Attachment B-1

David Child

YRBWEP Habitat Sub-Committee September 29, 2009

Re: Kittitas County Conservation District, unmet funding for main stem and tributary passage, restoration and protection programs.

Habitat Sub-Committee,

The following information is provided in response to your request to the Kittitas County Conservation District (KCCD). I'm following the format established by the North Yakima Conservation District (NYCD). As with NYCD's request, the following request from the KCCD includes screening, passage, and habitat needs. We seek to integrate our project work with many of the items (seven) that the Yakima River Basin Water Enhancement Program is dealing with, such as water conservation. Because of our individual entities unique abilities we can also be called upon to assist in many implementation activities that will be identified in YRBWEP's package.

The following is a list of KCCD tributaries and unmet funding needs. They are numbered. The number 1 item is for near term known needs, those that can be implemented within 1-3 years. The number 2 item is for out year estimated needs. Although the notations below refer to Passage and Screening, it should be noted that irrigation system delivery and application (pipes and sprinklers) are included in the cost estimates. The hydrology of the Kittitas Valley is complicated by the interactions between the canals and streams. In order to correct barriers or cost effectively remedy unscreened diversions, the irrigation water systems must be addressed. Item 3 is listed separately and is a near-term (1–3 year) need for habitat measures. These measures include in-stream improvements (including flow), restoration, bank enhancement, floodplain development and the use of conservation easements.

Wilson/Naneum/Coleman Creek Watershed

1. Passage and Screening – $1,250,000.00
2. Passage and Screening – $10,000,000.00
3. Habitat – $ 1,000,000.00 (Instream improvements, riparian habitat, floodplain functionality, conservation easements)

Cherry Creek (Cooke/Caribou/Parke Creeks) Watershed

1. Passage and Screening – $1,950,000.00
2. Passage and Screening – $4,500,000.00
3. Habitat – $ no figure at this time

Reecer Creek (including Currier Creek) Watershed

1. Passage and Screening – $750,000.00
2. Passage and Screening – $200,000.00
3. Habitat – $ 1,000,000

Dry Creek Watershed

1. Passage and Screening – $150,000.00
2. Passage and Screening – $10,000.00
3. Habitat – $250,000.00

Manastash Creek Watershed

1. Passage and Screening – $1,175,000 (completion of consolidated diversion pipeline, and removal of the three decommissioned irrigation withdrawals)
2. Passage and Screening – $0
3. Habitat – $3,000,000.00 (primarily projects to secure additional in-stream flow in Manastash Creek)

Tanuem Creek

1. Passage and Screening – $0
2. Passage and Screening – $0
3. Habitat – $ no figure at this time.

Swauk Creek Watershed

1. Passage and Screening – $0
2. Passage and Screening – $0
3. Habitat – $ no figure at this time.

Teanaway River Watershed

1. Passage and Screening – $0
2. Passage and Screening – $0
3. Habitat – $2,500,000.00 (primarily instream habitat work to address erosion, riparian habitat, and floodplain function).

Mainstem Yakima River (and Side Channels)

1. Passage and Screening – $0
2. Passage and Screening – $250,000.00
3. Habitat – $500,000.00

Thank you for the opportunity for the KCCD to provide this list as part of our YTAHP unmet funding needs to your sub-committee process. If you have any questions, please contact me at 509-925-8585 ext 4.

Please remember as you continue to work within the YRBWEP overall process that Conservation Districts are capable of assisting with many other activities. Don't hesitate to call upon us.

Respectfully,

Anna Lael, District Manager

Attachment B-2

Summary of Kittitas Conservation District Habitat Enhancement Funding Estimates[9] for the Upper Yakima River			
Geographic Area	**Passage and Screening (millions of dollars)**	**Habitat (millions of dollars)**	**Assumptions**
Wilson/Naneum/Coleman	Included in other table		
Cherry	6.50	1.00	Assumed habitat value
Reecer	1.00	1.00	
Dry	0.20	0.25	
Manastash	1.20	3.00	
Taneum	0.50	1.00	Assumed values
Swauk	0.00	1.25	Assumed habitat value, including stream flow enhancement
Teanaway	0.00	2.50	
Mainstem Yakima/Sides	0.25	0.50	
Totals	$9.65	$10.50	

[9] Stream-specific estimates were used to arrive at programmatic level funding requests and should not be restricted to restoration budget needs for individual streams. Funding should be allocated at the programmatic level and on a prioritized, annual basis.