

***November 29,
2010***

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

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
November 22, 2010, 8:30 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

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

Absent: Commissioner Leo Bowman, Excused

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Adam Fyall, Community Development Coordinator; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Nick Kooiker Treasurer's Office; Steve Becken, Public Works; Mike Shuttleworth, Planning Manager.

Workshop Agenda

DPA Ryan Brown requested an executive session at 9:10 a.m. to discuss potential litigation.

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

Approval of Minutes

The Minutes of November 15, 2010 were approved.

Consent Agenda

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

Auditor

- a. Veterans' Assistance Fund Waiver Request

District Court

- b. Line Item Transfer, Fund No. 0000-101, Dept. 111

Facilities

- c. Line Item Transfer, Fund No. 0000-101, Dept. 110

Juvenile

- d. Agreement Termination w/TCI Cablevision of Southwest Washington, Inc.
- e. Line Item Transfer, Fund No. 0115-101, Dept. 173

- f. Authorization to Purchase Used Work Crew Van
- g. Civil Defense Attorney Service Agreement w/D Anderson
- h. Civil Defense Attorney Service Agreement w/D Campbell
- i. Civil Defense Attorney Service Agreement w/K Moreno
- j. Civil Defense Attorney Service Agreement w/J Paulsen
- k. Civil Defense Attorney Service Agreement w/M Poland
- l. Amended Criminal Defense Attorney Service Agreement w/S Henwood
- m. Criminal Defense Attorney Service Agreement w/K Hilde
- n. Criminal Defense Attorney Service Agreement w/L Magan
- o. Criminal Defense Attorney Service Agreement w/K Oldfield
- p. Criminal Defense Attorney Service Agreement w/J Staples
- q. Criminal Defense Attorney Service Agreement w/D Stovern

Office of Public Defense

- r. Agreement w/WA St Office of Public Defense for Grant Funding Acceptance

Personnel

- s. United Employees Benefit Trust Acceptance of Trust Agreement w/Courthouse Union

Prosecuting Attorney

- t. Juvenile Detention Collective Bargaining Agreement

Public Works

- u. Interlocal Cooperative Agreement w/Columbia Irrigation District
- v. Comprehensive Plan Amendment Application by Public Works
- w. Public Hearing Authorization for Vacation Right of Way of Old Inland Empire Highway
- x. Public Hearing Authorization for Vacation Right of Way of Webber Canyon Road
- y. Authorization to Advertise a Bid Date for Purchase of Two Truck Cab and Chassis
- z. Authorization to Advertise a Bid Date for Purchase of Water Jet Pipe Cleaning Machine
- aa. Authorization to Advertise a Bid Date for Crushing and Stockpiling 2011

Sheriff

- bb. Line Item Transfer, Fund No. 0000-101, Dept. 121
- cc. Amendment to Resolution 09 860, Contract w/Washington Communications, LLC

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

Public Hearing – Adoption of Biennium Budgets

Keith Mercer requested the Board continue the public hearing on the adoption of the Biennium Budgets to November 29, 2010 at 9:15 a.m.

The Board agreed and said the hearing was continued to 9:15 a.m. on Monday, November 29, 2010.

The Board briefly recessed, reconvening at 9:07 a.m.

Executive Session – Potential Litigation

The Board went into executive session with DPA Ryan Brown via/video conference at 9:07 a.m. until approximately 9:25 a.m. to discuss potential litigation. Also present were DPA Steve Hallstrom via/video conference, David Sparks, Loretta Smith Kelty, Melina Wenner, and Cami McKenzie.

The Board came out of executive session at 9:25 a.m. Mr. Brown stated the Board discussed potential litigation but no action was taken.

Vouchers

Check Date: 11/05/2010
Taxes #: 10110111-10110113
Warrant #: 22123-22162
Total all funds: \$1,758,372.98

Check Date: 11/05/2010
Direct Deposit #: 58566-59154
Warrant #: 231374-231495
Total all funds: \$2,014,715.98

Check Date: 11/19/2010
Taxes #: 01011110
Taxes #: 05011110
Warrant #: 22675-23285
Total all funds: \$1,118,523.21

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

Resolutions

10-699	Line Item Transfer, Fund No. 0000-101, Dept. 111
10-700	Line Item Transfer, Fund No. 0000-101, Dept. 110
10-701	Agreement Termination w/TCI Cablevision of Southwest Washington, Inc.
10-702	Line Item Transfer, Fund No. 0115-101, Dept. 173
10-703	Authorization to Purchase Used Work Crew Van
10-704	Civil Defense Attorney Service Agreement w/D Anderson
10-705	Civil Defense Attorney Service Agreement w/D Campbell
10-706	Civil Defense Attorney Service Agreement w/K Moreno
10-707	Civil Defense Attorney Service Agreement w/J Paulsen
10-708	Civil Defense Attorney Service Agreement w/M Poland
10-709	Amended Criminal Defense Attorney Service Agreement w/S Henwood
10-710	Criminal Defense Attorney Service Agreement w/K Hilde
10-711	Criminal Defense Attorney Service Agreement w/L Magan
10-712	Criminal Defense Attorney Service Agreement w/K Oldfield

- 10-713 Criminal Defense Attorney Service Agreement w/J Staples
- 10-714 Criminal Defense Attorney Service Agreement w/D Stovern
- 10-715 Agreement w/WA St Office of Public Defense for Grant Funding Acceptance
- 10-715A United Employees Benefit Trust Acceptance of Trust Agreement w/Courthouse Union
- 10-716 Juvenile Detention Collective Bargaining Agreement
- 10-717 Interlocal Cooperative Agreement w/Columbia Irrigation District
- 10-718 Comprehensive Plan Amendment Application by Public Works
- 10-719 Public Hearing Authorization for Vacation Right of Way of Old Inland Empire Highway
- 10-720 Public Hearing Authorization for Vacation Right of Way of Webber Canyon Road
- 10-721 Authorization to Advertise a Bid Date for Purchase of Two Truck Cab and Chassis
- 10-722 Authorization to Advertise a Bid Date for Purchase of Water Jet Pipe Cleaning Machine
- 10-723 Authorization to Advertise a Bid Date for Crushing and Stockpiling 2011
- 10-724 Lie Item Transfer, Fund No. 0000-101, Dept. 121
- 10-725 Amendment to Resolution 09 860, Contract w/Washington Communications, LLC

There being no further business before the Board, the meeting adjourned at approximately 9:25 a.m.

Clerk of the Board

Chairman

a

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF THE FIRST PROFESSIONAL SERVICE CONTRACT AMENDMENT BETWEEN BERNARDO WILLS ARCHITECTS PC AND BENTON COUNTY FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE BENTON COUNTY ANIMAL CONTROL FACILITY LOCATED KENNEWICK, WA

WHEREAS, per Resolution 10-230 dated April 19, 2010 the Board of Benton County Commissioners entered into a Professional Service Contract to provide Architectural and Engineering services for the new Animal Control Facility for a contract amount not to exceed \$100,725.00 plus any reimbursable expenses at actual cost plus 10% architectural fee; and

WHEREAS, the attached first amendment is necessary as incorrect survey drawings were provided to the Architect and new site regarding were needed and prepared by the Civil Engineer for an amount of \$849.75; increasing the original contract amount to an amount no to exceed \$101,574.75, not including any reimbursable expenses at actual cost plus 10% architectural fee; **NOW, THEREFORE**

BE IT RESOLVED by the Board of Benton County Commissioners, Benton County, Washington, hereby concurs with the first amendment increasing said contract to an amount not to exceed \$101,574.75; not including any reimbursable expenses at actual cost plus 10% architectural fees; and

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

Dated this day of, 20

Chairman of the Board

Chairman Pro-Tem

Member

Constituting the Board of County
Commissioners of Benton County,
Washington

Attest:
Clerk of the Board

FIRST PROFESSIONAL SERVICE CONTRACT AMENDMENT

THIS CONTRACT made and entered into this _____ day of _____ 2010 by and between **BENTON COUNTY**, a political subdivision, with its principal offices at 620 Market Street, Prosser, Washington 99350 (hereinafter "COUNTY") and **BERNARDO WILLS ARCHITECTS PC**, a Washington professional corporation with its principal office at 153 S Jefferson Street, Spokane, WA 99201 (hereinafter "CONTRACTOR").

The parties entered into a Professional Service Contract dated April 19, 2010 (the "CONTRACT") to provide Architectural and Engineering services for the new Animal Control Facility for a contract amount not to exceed \$100,725.00 plus any reimbursable expenses at actual cost plus 10% architectural fee; and

Whereas, this first amendment is necessary as incorrect survey drawings were provided to the Architect and new site regrading drawings were needed and prepared by the Civil Engineer for an amount of \$849.75; increasing the original contract amount to an amount not to exceed \$101,574.75; not including any reimbursable expenses at actual cost plus 10% architectural fee; and

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

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

The maximum total amount payable by the COUNTY to the CONTRACTOR under this Contract shall not exceed one hundred one thousand five hundred seventy four dollars and seventy five cents (\$101,574.75); not including any reimbursable expenses at actual cost plus ten percent (10%) unless agreed to by amendment by both parties. The Contractor shall be paid consistent with the rates established in Exhibit A.

- This section left blank intentionally -

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

BERNARDO WILLS ARCHITECTS PC

James R. Beaver, Chairman

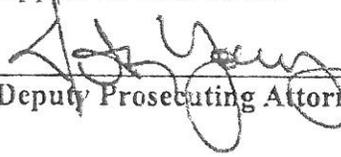


Robert M. Wills, AIA, Principal

Date: _____

Date: 11/15/2010

Approved as to Form:



Deputy Prosecuting Attorney

b

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF REAPPOINTMENT TO THE KIONA IRRIGATION DISTRICT

WHEREAS, the term for Lloyd Carnahan is set to expire on December 31, 2010; and

WHEREAS, Lloyd Carnahan has expressed an interest and willingness to be reappointed for an additional three-year term; **NOW, THEREFORE**,

BE IT RESOLVED that Lloyd Carnahan is hereby re-appointed to the Kiona Irrigation District, said term expiring on December 31, 2013.

Dated this day of, 20

Chairman of the Board

Chairman Pro Tem

Member

Attest:
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

C

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

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

**IN THE MATTER OF APPROVING THE REAPPOINTMENT OF RANDAL FOX TO
THE MID-COLUMBIA LIBRARY BOARD OF TRUSTEES FOR A TERM EXPIRING
DECEMBER 31, 2017**

WHEREAS, the term for Randal Fox will expire on December 31, 2010; and

WHEREAS, Randal Fox has expressed an interest and willingness to be reappointed for an additional seven-year term;

WHEREAS, the Library's Board of Trustees unanimously voted to recommend his reappointment; **NOW, THEREFORE,**

BE IT RESOLVED the Benton and Franklin County Board of Commissioners hereby approves the reappointment of Randal Fox, to the Mid-Columbia Library Board of Trustees, with said term expiring on December 31, 2017.

Dated this day of November, 2010

Dated this day of, 2010

BENTON COUNTY BOARD OF COMMISSIONERS

FRANKLIN COUNTY BOARD OF COMMISSIONERS

Chairman of the Board

Chairman of the Board

Chairman Pro Tem

Chairman Pro Tem

Member

Member

Constituting the Board of County
Commissioners of Benton County,
Washington

Constituting the Board of County
Commissioners of Franklin County,
Washington

ATTEST:

ATTEST:

Clerk of the Board

Clerk of the Board

cc: MCL; file

Flores

d

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF REAPPOINTMENT TO THE BENTON CLEAN AIR AUTHORITY BOARD

WHEREAS, the term for Nancy Aldrich will expire on December 31, 2010, on the Benton Clean Air Authority Board; and

WHEREAS, Nancy Aldrich, a resident of West Richland, has expressed an interest and willingness to be reappointed for an additional term; and

WHEREAS, the Board of Benton County Commissioners desires to reappoint Ms. Nancy Aldrich for an additional four year term to the Benton Clean Air Authority Board; **NOW, THEREFORE,**

BE IT RESOLVED that Nancy Aldrich, 99353, is hereby reappointed to the Benton Clean Air Authority Board, said term starting on January 1, 2011 and ending on December 31, 2014.

Dated this day of, 20

Chairman of the Board

Chairman Pro Tem

Member

Attest:
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

Benton and Franklin Counties
Board of Commissioners
Agenda Summary Report

COPY

DATE SUBMITTED:	PRESENTED BY: Ed Thornbrugh, Administrator, Benton/Franklin Department of Human Services
ITEM: (Select One) <input checked="" type="checkbox"/> Consent Agenda <input type="checkbox"/> To Be Brought Before the Board. Suggested Date: _____ Time needed: _____ minutes	
SUBJECT / ISSUE: Joint Resolution appointing Laurie J Church to the Developmental Disabilities Advisory Board.	
FISCAL IMPACT: None	
ACTION(S) REQUESTED: To approve signing the Joint Resolution to appoint Laurie J Church to the Developmental Disabilities Advisory Board for a term ending on December 31, 2011.	
BACKGROUND: The Benton/Franklin Department of Human Services Developmental Disabilities Advisory Board consists of nine members appointed by the Boards of Commissioners for Benton and Franklin Counties. Laurie J Church the member recommended for appointment has expressed interest and willingness to be appointed, and the appointment has been approved by the Developmental Disabilities Advisory Board.	
COORDINATION: Ed Thornbrugh, Administrator Benton/Franklin Department of Human Services	
RECOMMENDATION: Sign the attached resolution to appoint one member to the Developmental Disabilities Advisory Board.	
HANDLING / ROUTING: Route to Benton/Franklin Department of Human Services-Maria Loera, Senior Secretary	
ATTACHMENTS: 1. Resolutions (3)	

I certify the above information is accurate and complete.



JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

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

RE: IN THE MATTER OF APPOINTMENTS TO THE DEVELOPMENTAL DISABILITIES ADVISORY BOARD TO REPRESENT BENTON AND FRANKLIN COUNTIES

WHEREAS, a Joint Resolution was signed by Benton County on October 10, 2005 by resolution #05-634, and by Franklin County on September 21, 2005 by resolution #2005-391, re-creating the Benton-Franklin Counties' Developmental Disabilities Advisory Board; and

WHEREAS, said Joint Resolution provided for Board composition of nine members appointed by the Boards of Commissioners of Benton and Franklin Counties; and

WHEREAS, a vacancy exists on the Developmental Disabilities Advisory Board with the resignation of Christy Watts; and

WHEREAS, Laurie J Church has demonstrated interest and indicated willingness to accept appointment to the Developmental Disabilities Advisory Board, NOW THEREFORE,

BE IT RESOLVED, the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be, and they hereby are, authorized to sign, on behalf of their respective county the appointment to the Benton Franklin Counties Developmental Disabilities Advisory Board for Laurie J Church, _____, to fill Ms. Watts's term which will expire on December 31, 2011.

Dated this.....day of, 2010.

Dated this.....day of, 2010.

Chairman of Board

Chairman of Board

Member

Member

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

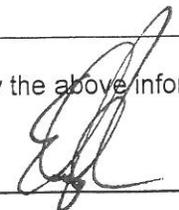
Originals: Benton & Franklin County Commissioners
Human Services

Benton and Franklin Counties
Board of Commissioners
Agenda Summary Report

COPY 

DATE SUBMITTED:	PRESENTED BY: Ed Thornbrugh, Administrator, Benton/Franklin Department of Human Services
ITEM: (Select One) <input checked="" type="checkbox"/> Consent Agenda <input type="checkbox"/> To Be Brought Before the Board. Suggested Date: _____ Time needed: _____ minutes	
SUBJECT / ISSUE: Joint Resolution re-appointing Andrea Ray to the Substance Abuse Advisory Board.	
FISCAL IMPACT: None	
ACTION(S) REQUESTED: To approve signing the Joint Resolution to re-appoint Andrea Ray of the Substance Abuse Advisory Board for a three year term ending on December 31, 2013.	
BACKGROUND: The Benton/Franklin Department of Human Services Substance Abuse Advisory Board consists of nine members appointed by the Boards of Commissioners for Benton and Franklin Counties. Andrea Raw, the member recommended for re-appointment has expressed willingness to be re-appointed and the re-appointment has been approved by the Substance Abuse Advisory Board.	
COORDINATION: Ed Thornbrugh, Administrator Benton/Franklin Department of Human Services	
RECOMMENDATION: Sign the attached resolution to appoint one member to the Substance Abuse Advisory Board.	
HANDLING / ROUTING: Route to Benton/Franklin Department of Human Services-Maria Loera, Senior Secretary	
ATTACHMENTS: 1. Resolutions (3)	

I certify the above information is accurate and complete.



JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

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

RE: **IN THE MATTER OF AN APPOINTMENT TO THE SUBSTANCE ABUSE ADVISORY
BOARD TO REPRESENT THE BENTON AND FRANKLIN COUNTIES**

WHEREAS, Joint Resolutions signed by Benton County, Resolution #82-479 and Franklin County, Resolution #82-110; re-creating the Benton-Franklin Counties Substance Abuse Administrative Board; and

WHEREAS, said Joint Resolutions provided for Board composition of nine members appointed by the Boards of Commissioners of Benton and Franklin Counties; and

WHEREAS, there is one member that needs to be re-appointed for a three year term; and

WHEREAS, Andrea Ray has demonstrated interest and indicated willingness to accept re-appointment to the Substance Abuse Advisory Board, NOW THEREFORE,

BE IT RESOLVED, that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be, and they hereby are, authorized to sign, on behalf of their respective county the re-appointment of Andrea Ray, o the Benton-Franklin Substance Abuse Advisory Board to fill terms of appointment which will expire on December 31, 2013.

Dated this.....day of....., 2010.

Dated this.....day of....., 2010.

Chairman of Board

Chairman of Board

Member

Member

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

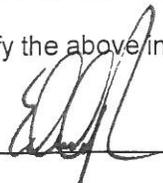
Attest: _____
Clerk of the Board

COPY 9

Benton and Franklin Counties
Board of Commissioners
Agenda Summary Report

DATE SUBMITTED:	PRESENTED BY: Ed Thornbrugh, Administrator, Benton/Franklin Department of Human Services
ITEM: (Select One) <input checked="" type="checkbox"/> Consent Agenda <input type="checkbox"/> To Be Brought Before the Board. Suggested Date: _____ Time needed: _____ minutes	
SUBJECT / ISSUE: Joint Resolution re-appointing Ed Frost to the Developmental Disabilities Advisory Board.	
FISCAL IMPACT: None	
ACTION(S) REQUESTED: To approve signing the Joint Resolution to re-appoint Ed Frost of the Developmental Disabilities Board for a three year term ending on December 31, 2013.	
BACKGROUND: The Benton/Franklin Department of Human Services Developmental Disabilities Advisory Board consists of nine members appointed by the Boards of Commissioners for Benton and Franklin Counties. Ed Frost, the member recommended for re-appointment has expressed willingness to be re-appointed and the re-appointment has been approved by the Developmental Disabilities Advisory Board	
COORDINATION: Ed Thornbrugh, Administrator Benton/Franklin Department of Human Services	
RECOMMENDATION: Sign the attached resolution to appoint one member to the Developmental Disabilities Advisory Board.	
HANDLING / ROUTING: Route to Benton/Franklin Department of Human Services-Maria Loera, Senior Secretary	
ATTACHMENTS: 1. Resolutions (3)	

I certify the above information is accurate and complete.



JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

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

RE: IN THE MATTER OF APPOINTMENT TO THE DEVELOPMENTAL DISABILITIES ADVISORY BOARD TO REPRESENT BENTON AND FRANKLIN COUNTIES

WHEREAS, a Joint Resolution was signed by Benton County on October 10, 2005, #05-634, and by Franklin County on September 21, 2005, #2005-391, re-creating the Benton-Franklin Counties' Developmental Disabilities Advisory Board; and

WHEREAS, said Joint Resolution provided for Board composition of nine members appointed by the Boards of Commissioners of Benton and Franklin Counties; and

WHEREAS, there is one member that needs to be re-appointed for a three year term; and

WHEREAS, Ed Frost has demonstrated interest and indicated willingness to accept re-appointment to the Developmental Disabilities Advisory Board, NOW THEREFORE,

BE IT RESOLVED, that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be, and they hereby are, authorized to sign, on behalf of their respective county the re-appointment of Ed Frost

to the Benton-Franklin Developmental Disabilities Advisory Board to fill terms of appointment which will expire on December 31, 2013.

Dated this.....day of....., 2010.

Dated this.....day of....., 2010.

Chair

Chair

Member

Member

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

Benton and Franklin Counties
 Board of Commissioners
 Agenda Summary Report

COPY
h

DATE SUBMITTED:	PRESENTED BY: Ed Thornbrugh, Administrator, Benton/Franklin Department of Human Services
ITEM: (Select One)	<input checked="" type="checkbox"/> Consent Agenda <input type="checkbox"/> To Be Brought Before the Board. Suggested Date: _____ Time needed: _____ minutes
SUBJECT / ISSUE: Approval Professional Service Agreement with Oxarc Fire Division3	
FISCAL IMPACT: There is not impact on the current expense budget. All revenues and expenditures are from the Fund 0108-101 Human Services Budget.	
ACTION(S) REQUESTED: To approve signing the Professional Service Agreement with Oxarc Fire Division and to authorize the Chair to sign on behalf of the Board.	
BACKGROUND: The Department of Human Services would like to enter into a Professional Service Agreement with Oxarc Fire Division. Oxarc Fire Division will provide delivery and installation and functional setup of fire extinguisher service, maintenance and recharging at the Benton and Franklin Counties' Department of Human Services.	
COORDINATION: Ed Thornbrugh, Administrator Benton/Franklin Department of Human Services	
RECOMMENDATION: Sign the resolution to accept the proposed Agreement. Approve the proposed Agreement by signing all the copies where indicated.	
HANDLING / ROUTING: Route to Benton/Franklin Department of Human Services-Maria Loera, Senior Secretary	
ATTACHMENTS: 1. Resolution (3) 2. Agreement (3)	

I certify the above information is accurate and complete.



JOINT RESOLUTION

Benton County Resolution No. _____

Franklin County Resolution No. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON AND FRANKLIN COUNTY, WASHINGTON;

RE: IN THE MATTER OF EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT TO PROVIDE FIRE EXTINGUISHER SERVICE AND MAINTENANCE BETWEEN OXARC FIRE DIVISION AND THE BENTON AND FRANKLIN COUNTIES DEPARTMENT OF HUMAN SERVICES

WHEREAS, this Professional Services Agreement with Oxarc Fire Division is to provide complete delivery and installation and functional setup of fire extinguisher service, maintenance and recharging for the Benton and Franklin Counties' Department of Human Services; and

WHEREAS, the Agreement consideration shall not exceed \$10, 000.00, including sales tax; and

WHEREAS, the Agreement is effective July 1, 2010 through June 30, 2012, 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 Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be, and they hereby are, authorized to sign, on behalf of their respective county, Agreement with Oxarc Fire Division.

Dated this . . . day of, 2010

Dated this . . . day of, 2010

Chair, Benton County Commissioners

Chair, Franklin County Commissioners

Chair, Pro Tem

Chair, Pro Tem

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

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

Attest:
Clerk of the Board

Attest:
Clerk of the Board

BENTON AND FRANKLIN COUNTIES ACTION SUMMARY COVER SHEET

AGENDA ITEM	TYPE OF ACTION NEEDED	
Compensation to Sharon Adolphsen-Parent Coalition	<input type="checkbox"/> Execute Contract	<input checked="" type="checkbox"/> Consent Agenda
	<input checked="" type="checkbox"/> Pass Resolution	<input type="checkbox"/> Public Hearing
Prepared By: Maria Loera	<input type="checkbox"/> Pass Ordinance	<input type="checkbox"/> 1 st Discussion
	<input type="checkbox"/> Pass Motion	<input type="checkbox"/> 2 nd discussion
	<input type="checkbox"/> Other	<input type="checkbox"/> Other

BACKGROUND INFORMATION

The Benton-Franklin Department of Human Services (DHS) has previously contracted with Sharon Adolphsen, Parent Coalition, to provide facilitation and coordination of a parent group for the period July 1, 2009 through June 30, 2010, Benton County Resolution 09-615 and Franklin County Resolution 2009-385, Agreement #PSA-2009/10-Adolphsen-00. The DHS seeks Board approval to compensate Sharon Adolphsen, Parent Coalition for the facilitation and coordination of a parent coalition group during the contract processing interim.

SUMMARY

Period: July 1, 2009 to June 30, 2011

Funding Source: Division of Developmental Disabilities

RECOMMENDATION

- Sign the proposed resolution.
- Approve the proposed resolution by signing all the copies where indicated.

FISCAL IMPACT

Funding for the services described in this Amendment is provided by the Division of Developmental Disabilities. **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 the proposed resolution for compensation to Sharon Adolphsen, for providing facilitation and coordination of a parent coalition group during the contract processing interim with DHS and authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

Benton County Resolution No. _____
Franklin County Resolution No. 2010 352

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

RE: IN THE MATTER OF COMPENSATION TO SHARON ADOLPHSEN, PARENT COALITION, FOR FACILITATION AND COORDINATION OF A PARENT COALITION GROUP DURING THE CONTRACT-PROCESSING INTERIM PERIOD, TO BE PAID FROM THE BENTON-FRANKLIN DEPARTMENT OF HUMAN SERVICES FUND 0108.101

WHEREAS, the Benton-Franklin Department of Human Services has previously contracted with Sharon Adolphsen, Parent Coalition, to provide facilitation and coordination of a parent coalition group for the period July 1, 2009 through June 30, 2010, Benton County Resolution 09-615 and Franklin County Resolution 2009-385, Agreement #PSA-2009/10-Adolphsen-00; and

WHEREAS, the Benton-Franklin Department of Human Services is presently processing a contract with Sharon Adolphsen, Parent Coalition, Agreement #PSA-2010/11-Adolphsen-00, to facilitate and coordinate a parent coalition group for the period August 1, 2010 through June 30, 2011; and

WHEREAS, in an effort to offer uninterrupted services to clients, Sharon Adolphsen, Parent Coalition, has been providing services, and is anticipated to continue to provide services, until a contract is finalized; and

WHEREAS, the Benton-Franklin Department of Human Services seeks the Boards' approval to compensate Sharon Adolphsen, Parent Coalition for the facilitation and coordination of a parent coalition group during the contract-processing interim period, not to extend beyond June 30, 2011,

NOW THEREFORE, BE IT RESOLVED by the Boards of Benton and Franklin County Commissioners, that compensation to Sharon Adolphsen, Parent Coalition, for facilitation and coordination of a parent coalition group shall be approved during the contract-processing interim period, to be paid from the Benton-Franklin Department of Human Services Fund 0108.101; and

BE IT FURTHER RESOLVED, that such compensation shall commence August 1, 2010 and shall not extend beyond June 30, 2011; and

BE IT FURTHER RESOLVED, that the total compensation for this period shall not exceed \$10,000.

Dated this . . . day of, 2010

Dated this 22 day of November, 2010

Chair, Benton County Commissioners

Brad Peck - Absent

Chair, Franklin County Commissioners

Chair, Pro Tem



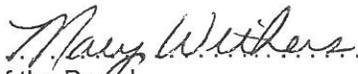
Chair, Pro Tem

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



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

Attest:
Clerk of the Board


Attest: Mary Withers
Clerk of the Board

2011 j

BENTON AND FRANKLIN COUNTIES ACTION SUMMARY COVER SHEET

AGENDA ITEM	TYPE OF ACTION NEEDED	
Compensation to Entrust Community Services-Program Services	<input type="checkbox"/> Execute Contract	<input checked="" type="checkbox"/> Consent Agenda
	<input checked="" type="checkbox"/> Pass Resolution	<input type="checkbox"/> Public Hearing
	<input type="checkbox"/> Pass Ordinance	<input type="checkbox"/> 1 st Discussion
	<input type="checkbox"/> Pass Motion	<input type="checkbox"/> 2 nd discussion
	<input type="checkbox"/> Other	<input type="checkbox"/> Other
Prepared By: Maria Loera		

BACKGROUND INFORMATION

The Benton-Franklin Department of Human Services (DHS) had a contract with Entrust Community Services, formerly Provident Horizon Group, to provide coordinated program services for persons with developmental disabilities, Agreement #09/10-DD-PHG-00 and Amendment #09/10-DD-PHG-01, which expired on August 31, 2010. The DHS seeks Board approval to compensate Entrust Community Services, during the contract processing interim.

SUMMARY

Period: July 1, 2009 to June 30, 2011

Funding Source: Division of Developmental Disabilities

RECOMMENDATION

- Sign the proposed resolution.
- Approve the proposed resolution by signing all the copies where indicated.

FISCAL IMPACT

Funding for the services described in this Amendment is provided by the Division of Developmental Disabilities. **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 the proposed resolution for compensation to Entrust Community Services, for providing program services for persons with developmental disabilities during the contract processing interim with DHS and authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

Benton County Resolution No. _____

Franklin County Resolution No. 2010 351

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

RE: IN THE MATTER OF COMPENSATION TO ENTRUST COMMUNITY SERVICES, FORMERLY PROVIDENT HORIZON GROUP, FOR PROVIDING A COORDINATED AND COMPREHENSIVE PROGRAM OF SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES DURING THE CONTRACT-PROCESSING INTERIM PERIOD, TO BE PAID FROM THE BENTON-FRANKLIN DEPARTMENT OF HUMAN SERVICES FUND 0108.101

WHEREAS, the Benton-Franklin Department of Human Services had a contract with Provident Horizon Group, presently Entrust Community Services, to provide a coordinated and comprehensive program of services for persons with developmental disabilities, Agreement #09/10-DD-PHG-00 and Amendment #09/10-DD-PHG-01, which expired on August 31, 2010; and

WHEREAS, the Benton-Franklin Department of Human Services has a contract in progress with the State of Washington Department of Social and Health Services (DSHS) Division of Developmental Disabilities to provide coordinated and comprehensive state and local program services for persons with developmental disabilities for the period July 1, 2010 through June 30, 2011; and

WHEREAS, the Benton-Franklin Department of Human Services is presently processing a contract amendment with Entrust Community Services, formerly Provident Horizon Group, Amendment #09/10-DD-PHG-02, to provide a coordinated and comprehensive program of services for persons with developmental disabilities for the period July 1, 2010 through June 30, 2011; and

WHEREAS, in an effort to offer uninterrupted services to clients, Entrust Community Services has been providing services, and is expected to continue to provide services, until the time a contract is finalized; and

WHEREAS, the Benton-Franklin Department of Human Services seeks the Boards' approval to compensate Entrust Community Services during the contract-processing interim period, not to extend beyond June 30, 2011,

NOW THEREFORE, BE IT RESOLVED by the Boards of Benton and Franklin County Commissioners, that compensation to Entrust Community Services, formerly Provident Horizon Group, for providing a coordinated and comprehensive program of services for persons with developmental disabilities shall be approved during the contract-processing interim period, to be paid from the Benton-Franklin Department of Human Services Fund 0108.101; and

BE IT FURTHER RESOLVED, that compensation shall commence September 1, 2010 and shall not extend beyond June 30, 2011.

Dated this . . . day of, 2010

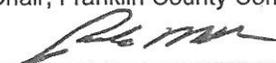
Dated this 22 day of November, 2010

Chair, Benton County Commissioners

Brad Peck - Absent

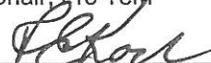
Chair, Franklin County Commissioners

Chair, Pro Tem



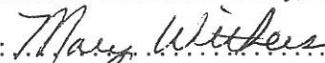
Chair, Pro Tem

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



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

Attest:
Clerk of the Board

Attest: 
Clerk of the Board

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

BOOK **K**

AGENDA ITEM	TYPE OF ACTION NEEDED	
Compensation to Children's Developmental Center- Providing Program Services	<input type="checkbox"/> Execute Contract	<input checked="" type="checkbox"/> Consent Agenda
	<input checked="" type="checkbox"/> Pass Resolution	<input type="checkbox"/> Public Hearing
	<input type="checkbox"/> Pass Ordinance	<input type="checkbox"/> 1 st Discussion
	<input type="checkbox"/> Pass Motion	<input type="checkbox"/> 2 nd discussion
	<input type="checkbox"/> Other	<input type="checkbox"/> Other
Prepared By: Maria Loera		

BACKGROUND INFORMATION

The Benton-Franklin Department of Human Services (DHS) had a contract with Children's Developmental Center to provide Child Development Services, Agreement #09/10-DD-CDC-00 and Amendment #09/10-DD-CDC-01, which expired on August 31, 2010. The DHS seeks Board approval to compensate Children's Developmental Center during the contract processing interim.

SUMMARY

Period: July 1, 2009 to June 30, 2011

Funding Source: Division of Developmental Disabilities

RECOMMENDATION

- Sign the proposed resolution.
- Approve the proposed resolution by signing all the copies where indicated.

FISCAL IMPACT

Funding for the services described in this Amendment is provided by the Division of Developmental Disabilities. **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 the proposed resolution for compensation to Children's Developmental Center for providing program services for persons with developmental disabilities during the contract processing interim with DHS and authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

Benton County Resolution No. _____

Franklin County Resolution No. 2010 350

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

RE: IN THE MATTER OF COMPENSATION TO CHILDREN'S DEVELOPMENTAL CENTER FOR PROVIDING PROGRAM SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES DURING THE CONTRACT-PROCESSING INTERIM PERIOD, TO BE PAID FROM THE BENTON-FRANKLIN DEPARTMENT OF HUMAN SERVICES FUND 0108.101

WHEREAS, the Benton-Franklin Department of Human Services had a contract with Children's Developmental Center to provide Child Development Services, Agreement #09/10-DD-CDC-00 and Amendment #09/10-DD-CDC-01, which expired on August 31, 2010; and

WHEREAS, the Benton-Franklin Department of Human Services has a contract in progress with the State of Washington Department of Social and Health Services (DSHS) Division of Developmental Disabilities to provide coordinated and comprehensive state and local program services for persons with developmental disabilities for the period July 1, 2010 through June 30, 2011; and

WHEREAS, the Benton-Franklin Department of Human Services is presently processing a contract amendment with Children's Developmental Center, Amendment #09/10-DD-CDC-02, to provide child development services for the period July 1, 2010 through June 30, 2011; and

WHEREAS, in an effort to offer uninterrupted services to clients, Children's Developmental Center has been providing services, and is expected to continue to provide services, until a contract is finalized; and

WHEREAS, the Benton-Franklin Department of Human Services seeks Board approval to compensate Children's Developmental Center during the contract-processing interim period, not to extend beyond June 30, 2011,

NOW THEREFORE, BE IT RESOLVED by the Boards of Benton and Franklin County Commissioners, that compensation to Children's Developmental Center for providing program services for persons with developmental disabilities shall be approved during the contract-processing interim period, to be paid from the Benton-Franklin Department of Human Services, Fund 0108.101; and

BE IT FURTHER RESOLVED, that such compensation shall commence September 1, 2010 and shall not extend beyond June 30, 2011.

Dated this . . . day of, 2010

Dated this 22 day of November, 2010

Chair, Benton County Commissioners

Brad Peck - Absent

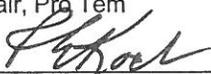
Chair, Franklin County Commissioners

Chair, Pro Tem



Chair, Pro Tem

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



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

Attest:
Clerk of the Board

Attest: 
Clerk of the Board

COPY

BENTON AND FRANKLIN COUNTIES ACTION SUMMARY COVER SHEET

AGENDA ITEM	TYPE OF ACTION NEEDED	
Compensation to Goodwill Industries-Program Services	<input type="checkbox"/> Execute Contract	<input checked="" type="checkbox"/> Consent Agenda
	<input checked="" type="checkbox"/> Pass Resolution	<input type="checkbox"/> Public Hearing
	<input type="checkbox"/> Pass Ordinance	<input type="checkbox"/> 1 st Discussion
	<input type="checkbox"/> Pass Motion	<input type="checkbox"/> 2 nd discussion
	<input type="checkbox"/> Other	<input type="checkbox"/> Other
Prepared By: Maria Loera		

BACKGROUND INFORMATION

The Benton-Franklin Department of Human Services (DHS) had a contract with Goodwill Industries, to provide coordinated program services for persons with developmental disabilities, Agreement #09/10-DD-GW-00 and Amendment #09/10-DD-GW-01, which expired on August 31, 2010. The DHS seeks Board approval to compensate Goodwill Industries during the contract processing interim.

SUMMARY

Period: July 1, 2009 to June 30, 2011

Funding Source: Division of Developmental Disabilities

RECOMMENDATION

- Sign the proposed resolution.
- Approve the proposed resolution by signing all the copies where indicated.

FISCAL IMPACT

Funding for the services described in this Amendment is provided by the Division of Developmental Disabilities. **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 the proposed resolution for compensation to Goodwill Industries, for providing program services for persons with developmental disabilities during the contract processing interim with DHS and authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

Benton County Resolution No. _____

Franklin County Resolution No. 2010 349

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

RE: IN THE MATTER OF COMPENSATION TO GOODWILL INDUSTRIES OF THE COLUMBIA, INC., FOR PROVIDING A COORDINATED AND COMPREHENSIVE PROGRAM OF SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES DURING THE CONTRACT-PROCESSING INTERIM PERIOD, TO BE PAID FROM THE BENTON-FRANKLIN DEPARTMENT OF HUMAN SERVICES FUND 0108.101

WHEREAS, the Benton-Franklin Department of Human Services had a contract with Goodwill Industries of the Columbia, Inc., to provide a coordinated and comprehensive program of services for persons with developmental disabilities, Agreement #09/10-DD-GW-00 and Amendment #09/10-DD-GW-01, which expired on August 31, 2010; and

WHEREAS, the Benton-Franklin Department of Human Services has a contract in progress with the State of Washington Department of Social and Health Services (DSHS) Division of Developmental Disabilities to provide coordinated and comprehensive state and local program services for persons with developmental disabilities for the period July 1, 2010 through June 30, 2011; and

WHEREAS, the Benton-Franklin Department of Human Services is presently processing a contract amendment with Goodwill Industries of the Columbia, Inc., Amendment #09/10-DD-GW-02, to provide a coordinated and comprehensive program of services for persons with developmental disabilities for the period July 1, 2010 through June 30, 2011; and

WHEREAS, in an effort to offer uninterrupted services to clients, Goodwill Industries of the Columbia, Inc., has been providing services, and is anticipated to continue to provide services, until a signed contract is finalized; and

WHEREAS, the Benton-Franklin Department of Human Services seeks the Boards' approval to compensate Goodwill Industries of the Columbia, Inc. during the contract-processing interim period, not to extend beyond June 30, 2011,

NOW THEREFORE, BE IT RESOLVED by the Boards of Benton and Franklin County Commissioners, that compensation to Goodwill Industries of the Columbia, Inc., for providing a coordinated and comprehensive program of services for persons with developmental disabilities, shall be approved during the contract-processing interim period, to be paid from the Benton-Franklin Department of Human Services Fund 0108.101; and

BE IT FURTHER RESOLVED, that such compensation shall commence September 1, 2010 and shall not extend beyond June 30, 2011.

Dated this . . . day of, 2010

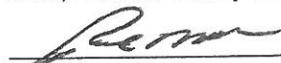
Dated this 22 day of November, 2010

Chair, Benton County Commissioners

~~Brad Peck - Absent~~

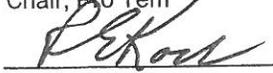
Chair, Franklin County Commissioners

Chair, Pro Tem



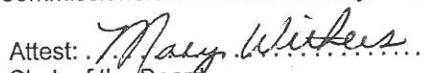
Chair, Pro Tem

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



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

Attest:
Clerk of the Board


Attest: Mary Winters
Clerk of the Board

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



AGENDA ITEM	TYPE OF ACTION NEEDED	
Compensation to The Arc of the Tri-Cities-Program Services Prepared By: Maria Loera	<input type="checkbox"/> Execute Contract	<input checked="" type="checkbox"/> Consent Agenda
	<input checked="" type="checkbox"/> Pass Resolution	<input type="checkbox"/> Public Hearing
	<input type="checkbox"/> Pass Ordinance	<input type="checkbox"/> 1 st Discussion
	<input type="checkbox"/> Pass Motion	<input type="checkbox"/> 2 nd discussion
	<input type="checkbox"/> Other	<input type="checkbox"/> Other

BACKGROUND INFORMATION

The Benton-Franklin Department of Human Services (DHS) had a contract with The Arc of the Tri-Cities, to provide coordinated program services for persons with developmental disabilities, Agreement #09/10-DD-ARC-00 and Amendment #09/10-DD-ARC-01, which expired on August 31, 2010. The DHS seeks Board approval to compensate The Arc of the Tri-Cities during the contract processing interim.

SUMMARY

Period: July 1, 2009 to June 30, 2011
Funding Source: Division of Developmental Disabilities

RECOMMENDATION

- Sign the proposed resolution.
- Approve the proposed resolution by signing all the copies where indicated.

FISCAL IMPACT

Funding for the services described in this Amendment is provided by the Division of Developmental Disabilities. **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 the proposed resolution for compensation to The Arc of the Tri-Cities, for providing program services for persons with developmental disabilities during the contract processing interim with DHS and authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

Benton County Resolution No. _____

Franklin County Resolution No. 2010 348

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

RE: IN THE MATTER OF COMPENSATION TO THE ARC OF TRI-CITIES FOR PROVIDING A COORDINATED AND COMPREHENSIVE PROGRAM OF SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES DURING THE CONTRACT-PROCESSING INTERIM PERIOD, TO BE PAID FROM THE BENTON-FRANKLIN DEPARTMENT OF HUMAN SERVICES FUND 0108.101

WHEREAS, the Benton-Franklin Department of Human Services had a contract with The Arc of Tri-Cities to provide a coordinated and comprehensive program of services for persons with developmental disabilities, Agreement #09/10-DD-ARC-00 and Amendment #09/10-DD-ARC-01, which expired on August 31, 2010; and

WHEREAS, the Benton-Franklin Department of Human Services has a contract in progress with the State of Washington Department of Social and Health Services (DSHS) Division of Developmental Disabilities to provide coordinated and comprehensive state and local program services for persons with developmental disabilities for the period July 1, 2010 through June 30, 2011; and

WHEREAS, the Benton-Franklin Department of Human Services is presently processing a contract amendment with The Arc of Tri-Cities, Amendment #09/10-DD-ARC-02, to provide a coordinated and comprehensive program of services for persons with developmental disabilities for the period July 1, 2010 through June 30, 2011; and

WHEREAS, in an effort to offer uninterrupted services to clients, The Arc of Tri-Cities has been providing services, and is expected to continue to provide services, until a signed contract is finalized; and

WHEREAS, the Benton-Franklin Department of Human Services seeks the Boards' approval to compensate The Arc of Tri-Cities during the contract-processing interim period, not to extend beyond June 30, 2011,

NOW THEREFORE, BE IT RESOLVED by the Boards of Benton and Franklin County Commissioners, that compensation to The Arc of Tri-Cities for providing a coordinated and comprehensive program of services for persons with developmental disabilities shall be approved during the contract-processing interim period, to be paid from the Benton-Franklin Department of Human Services Fund 0108.101; and

BE IT FURTHER RESOLVED, that such compensation shall commence September 1, 2010 and shall not extend beyond June 30, 2011.

Dated this . . . day of, 2010

Dated this 22 day of November, 2010

Chair, Benton County Commissioners

Brad Peck - Absent
Chair, Franklin County Commissioners

Chair, Pro Tem

[Signature]
Chair, Pro Tem

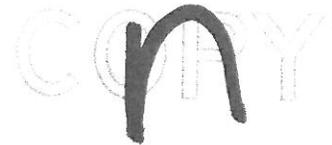
Member
Constituting the Board of County
Commissioners of Benton County, Washington

[Signature]
Member
Constituting the Board of County
Commissioners of Franklin County, Washington

Attest:
Clerk of the Board

Attest: Mary Witters
Clerk of the Board

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



AGENDA ITEM	TYPE OF ACTION NEEDED	
Compensation to Peopleworks Tri-Cities, LLC,-Program Services	<input type="checkbox"/> Execute Contract	<input checked="" type="checkbox"/> Consent Agenda
	<input checked="" type="checkbox"/> Pass Resolution	<input type="checkbox"/> Public Hearing
Prepared By: Maria Loera	<input type="checkbox"/> Pass Ordinance	<input type="checkbox"/> 1 st Discussion
	<input type="checkbox"/> Pass Motion	<input type="checkbox"/> 2 nd discussion
	<input type="checkbox"/> Other	<input type="checkbox"/> Other

BACKGROUND INFORMATION

The Benton-Franklin Department of Human Services (DHS) had a contract with Peopleworks Tri-Cities, LLC, to provide coordinated program services for persons with developmental disabilities, Agreement #09/10-DD-PTC-00 and Amendment #09/10-DD-PTC-01, which expired on August 31, 2010. The DHS seeks Board approval to compensate Peopleworks Tri-Cities, LLC, during the contract processing interim.

SUMMARY

Period: July 1, 2009 to June 30, 2011
Funding Source: Division of Developmental Disabilities

RECOMMENDATION

- Sign the proposed resolution.
- Approve the proposed resolution by signing all the copies where indicated.

FISCAL IMPACT

Funding for the services described in this Amendment is provided by the Division of Developmental Disabilities. **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 the proposed resolution for compensation to Peopleworks Tri-Cities, LLC, for providing program services for persons with developmental disabilities during the contract processing interim with DHS and authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

Benton County Resolution No. _____

Franklin County Resolution No. 2010 347

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

RE: IN THE MATTER OF COMPENSATION TO PEOPLEWORKS TRI CITIES, LLC, FOR PROVIDING A COORDINATED AND COMPREHENSIVE PROGRAM OF SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES DURING THE CONTRACT-PROCESSING INTERIM PERIOD, TO BE PAID FROM THE BENTON-FRANKLIN DEPARTMENT OF HUMAN SERVICES FUND 0108.101

WHEREAS, the Benton-Franklin Department of Human Services had a contract with Peopleworks Tri Cities, LLC, to provide a coordinated and comprehensive program of services for persons with developmental disabilities, Agreement #09/10-DD-PTC-00 and Amendment #09/10-DD-PTC-01, which expired on August 31, 2010; and

WHEREAS, the Benton-Franklin Department of Human Services has a contract in progress with the State of Washington Department of Social and Health Services (DSHS) Division of Developmental Disabilities to provide coordinated and comprehensive state and local program services for persons with developmental disabilities for the period July 1, 2010 through June 30, 2011; and

WHEREAS, the Benton-Franklin Department of Human Services is presently processing a contract amendment with Peopleworks Tri Cities, LLC, Amendment #09/10-DD-PTC-02, to provide a coordinated and comprehensive program of services for persons with developmental disabilities for the period July 1, 2010 through June 30, 2011; and

WHEREAS, in an effort to offer uninterrupted services to clients, Peopleworks Tri Cities, LLC, has been providing services, and is expected to continue to provide services, until a contract is finalized; and

WHEREAS, the Benton-Franklin Department of Human Services seeks the Boards' approval to compensate Peopleworks Tri Cities, LLC, during the contract-processing interim period, not to extend beyond June 30, 2011,

NOW THEREFORE, BE IT RESOLVED by the Boards of Benton and Franklin County Commissioners, that compensation to Peopleworks Tri Cities, LLC, for providing a coordinated and comprehensive program of services for persons with developmental disabilities shall be approved during the contract-processing interim period, to be paid from the Benton-Franklin Department of Human Services Fund 0108.101; and

BE IT FURTHER RESOLVED, that such compensation shall commence September 1, 2010 and shall not extend beyond June 30, 2011.

Dated this . . . day of, 2010

Dated this 22 day of November, 2010

Chair, Benton County Commissioners

Brad Peck - Absent
Chair, Franklin County Commissioners

Chair, Pro Tem

[Signature]
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: Mary Withers
Clerk of the Board

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

COPY

AGENDA ITEM	TYPE OF ACTION NEEDED	
Compensation to Columbia Industries-Program Services	<input type="checkbox"/> Execute Contract	<input checked="" type="checkbox"/> Consent Agenda
	<input checked="" type="checkbox"/> Pass Resolution	<input type="checkbox"/> Public Hearing
	<input type="checkbox"/> Pass Ordinance	<input type="checkbox"/> 1 st Discussion
	<input type="checkbox"/> Pass Motion	<input type="checkbox"/> 2 nd discussion
	<input type="checkbox"/> Other	<input type="checkbox"/> Other
Prepared By: Maria Loera		

BACKGROUND INFORMATION

The Benton-Franklin Department of Human Services (DHS) had a contract with Columbia Industries, to provide coordinated program services for persons with developmental disabilities, Agreement #09/10-DD-CI-00 and Amendment #09/10-DD-CI-01, which expired on August 31, 2010. The DHS seeks Board approval to compensate Columbia Industries during the contract processing interim.

SUMMARY

Period: July 1, 2009 to June 30, 2011

Funding Source: Division of Developmental Disabilities

RECOMMENDATION

- Sign the proposed resolution.
- Approve the proposed resolution by signing all the copies where indicated.

FISCAL IMPACT

Funding for the services described in this Amendment is provided by the Division of Developmental Disabilities. **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 the proposed resolution for compensation to Columbia Industries, for providing program services for persons with developmental disabilities during the contract processing interim with DHS and authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

Benton County Resolution No. _____

Franklin County Resolution No. 2010 346

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

RE: IN THE MATTER OF COMPENSATION TO COLUMBIA INDUSTRIES FOR PROVIDING A COORDINATED AND COMPREHENSIVE PROGRAM OF SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES DURING THE CONTRACT-PROCESSING INTERIM PERIOD, TO BE PAID FROM THE BENTON-FRANKLIN DEPARTMENT OF HUMAN SERVICES FUND 0108.101

WHEREAS, the Benton-Franklin Department of Human Services had a contract with Columbia Industries to provide a coordinated and comprehensive program of services for persons with developmental disabilities, Agreement #09/10-DD-CI-00 and Amendment #09/10-DD-CI-01, which expired on August 31, 2010; and

WHEREAS, the Benton-Franklin Department of Human Services has a contract in progress with the State of Washington Department of Social and Health Services (DSHS) Division of Developmental Disabilities to provide coordinated and comprehensive state and local program services for persons with developmental disabilities for the period July 1, 2010 through June 30, 2011; and

WHEREAS, the Benton-Franklin Department of Human Services is presently processing a contract amendment with Columbia Industries, Amendment #09/10-DD-CI-02, to provide a coordinated and comprehensive program of services for persons with developmental disabilities for the period July 1, 2010 through June 30, 2011; and

WHEREAS, in an effort to offer uninterrupted services to clients, Columbia Industries has been providing services, and is expected to continue to provide services, until a contract is finalized; and

WHEREAS, the Benton-Franklin Department of Human Services seeks the Boards' approval to compensate Columbia Industries during the contract-processing interim, not to extend beyond June 30, 2011,

NOW THEREFORE, BE IT RESOLVED by the Boards of Benton and Franklin County Commissioners, that compensation to Columbia Industries for providing a coordinated and comprehensive program of services for persons with developmental disabilities shall be approved during the contract-processing interim, to be paid from the Benton-Franklin Department of Human Services Fund 0108.101; and

BE IT FURTHER RESOLVED, that such compensation shall commence September 1, 2010 and shall not extend beyond June 30, 2011.

Dated this . . . day of, 2010

Dated this 22 day of November, 2010

Chair, Benton County Commissioners

Brad Peck - Absent

Chair, Franklin County Commissioners

Chair, Pro Tem



Chair, Pro Tem

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



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

Attest:
Clerk of the Board

Attest: 
Clerk of the Board

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

COPY

AGENDA ITEM	TYPE OF ACTION NEEDED	
Compensation to Ambitions Community Support Services, Inc.,-Program Services	<input type="checkbox"/> Execute Contract	<input checked="" type="checkbox"/> Consent Agenda
	<input checked="" type="checkbox"/> Pass Resolution	<input type="checkbox"/> Public Hearing
	<input type="checkbox"/> Pass Ordinance	<input type="checkbox"/> 1 st Discussion
	<input type="checkbox"/> Pass Motion	<input type="checkbox"/> 2 nd discussion
	<input type="checkbox"/> Other	<input type="checkbox"/> Other
Prepared By: Maria Loera		

BACKGROUND INFORMATION

The Benton-Franklin Department of Human Services (DHS) had a contract with Ambitions Community Support Services, Inc. to provide coordinated program services for persons with developmental disabilities, Agreement #09/10-DD-AWI-00 and Amendment #09/10-DD-AWI-01, which expired on August 31, 2010. The DHS seeks Board approval to compensate Ambitions Community Support Services, Inc., during the contract processing interim.

SUMMARY

Period: July 1, 2009 to June 30, 2011
Funding Source: Division of Developmental Disabilities

RECOMMENDATION

- Sign the proposed resolution.
- Approve the proposed resolution by signing all the copies where indicated.

FISCAL IMPACT

Funding for the services described in this Amendment is provided by the Division of Developmental Disabilities. **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 the proposed resolution for compensation to Ambitions Community Support Services, Inc., for providing program services for persons with developmental disabilities during the contract processing interim with DHS and authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

Benton County Resolution No. _____

Franklin County Resolution No. 2010 345

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

RE: IN THE MATTER OF COMPENSATION TO AMBITIONS COMMUNITY SUPPORT SERVICES, INC. FOR PROVIDING A COORDINATED AND COMPREHENSIVE PROGRAM OF SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES DURING THE CONTRACT-PROCESSING INTERIM PERIOD, TO BE PAID FROM THE BENTON-FRANKLIN DEPARTMENT OF HUMAN SERVICES FUND 0108.101

WHEREAS, the Benton-Franklin Department of Human Services had a contract with Ambitions Community Support Services, Inc., to provide a coordinated and comprehensive program of services for persons with developmental disabilities, Agreement #09/10-DD-AWI-00 and Amendment #09/10-DD-AWI-01, which expired on August 31, 2010; and

WHEREAS, the Benton-Franklin Department of Human Services has a contract in progress with the State of Washington Department of Social and Health Services (DSHS) Division of Developmental Disabilities to provide coordinated and comprehensive state and local program services for persons with developmental disabilities for the period July 1, 2010 through June 30, 2011; and

WHEREAS, the Benton-Franklin Department of Human Services is presently processing a contract amendment with Ambitions Community Support Services, Inc., Amendment #09/10-DD-AWI-02, to provide a coordinated and comprehensive program of services for persons with developmental disabilities for the period July 1, 2010 through June 30, 2011; and

WHEREAS, in an effort to offer uninterrupted services to clients, Ambitions Community Support Services, Inc. has been providing services, and is expected to continue to provide services, until a contract has been finalized; and

WHEREAS, the Benton-Franklin Department of Human Services seeks the Boards' approval to compensate Ambitions Community Support Services, Inc. during the contract-processing interim period, not to extend beyond June 30, 2011,

NOW THEREFORE, BE IT RESOLVED by the Boards of Benton and Franklin County Commissioners, that compensation to Ambitions Community Support Services, Inc., for providing a coordinated and comprehensive program of services for persons with developmental disabilities shall be approved during the contract-processing interim period, to be paid from the Benton-Franklin Department of Human Services Fund 0108.101; and

BE IT FURTHER RESOLVED that such compensation shall commence September 1, 2010 and shall not extend beyond June 30, 2011.

Dated this . . . day of, 2010

Dated this 23 day of November, 2010

Chair, Benton County Commissioners

Brad Peck - Absent

Chair, Franklin County Commissioners

Chair, Pro Tem

[Signature]

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: Mary Wittkeis
Clerk of the Board

AGENDA ITEM: Consent		TYPE OF ACTION NEEDED Executive Contract <u>xx</u> Pass Resolution <u>xx</u> Pass Ordinance Pass Motion Other	CONSENT AGENDA <u>xx</u> PUBLIC HEARING 1ST DISCUSSION 2ND DISCUSSION OTHER
MEETING DATE: B/C 11-29-10 F/C 12-08-10			
SUBJECT: Professional Services Agreement for Criminal Defense Panel Attorney - Julie A. Brown			
Prepared By:	Donna A. Lee		
Reviewed By:	Sharon A. Paradis		

9

BACKGROUND INFORMATION

Attached for Board review and approval is the Professional Service Agreement between the Benton-Franklin Counties Juvenile Justice Center (BFJJC) and Defense Panel Attorney, Julie A. Brown. Ms. Brown has served as a criminal defense panel attorney under contract with Walla Walla County for several years. This negotiated Professional Service Agreement meets the current Office of Public Defense standards.

SUMMARY

There are four (4) originals of the Professional Service Agreements for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division that need to be signed by both the Benton and Franklin County Boards of Commissioners.

RECOMMENDATION

We recommend that the Boards of Commissioners of Benton County and Franklin County approve and sign the Professional Service Agreement for Legal Representation of indigent individuals in Benton and Franklin Counties Superior Court, Juvenile Division, as written.

FISCAL IMPACT

Compensation for the panel attorney is set forth in Juvenile Court's budget.

MOTION

I move that the Chairman of the Board of Benton County Commissioners, and the Chairman of the Board Franklin County Commissioners be hereby authorized to sign, on behalf of their respective county, the Professional Services Agreement with Ms. Brown.

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

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

IN THE MATTER OF THE REQUEST FOR SIGNATURE FROM THE BOARDS OF BENTON AND FRANKLIN COUNTY COMMISSIONERS ON THE PROFESSIONAL SERVICE AGREEMENT FOR LEGAL REPRESENTATION OF INDIGENT INDIVIDUALS IN BENTON AND FRANKLIN COUNTIES SUPERIOR COURT, JUVENILE DIVISION, BETWEEN THE JUVENILE JUSTICE CENTER AND JULIE A. OVENS, and,

WHEREAS, Sharon Paradis, Administrator of the Juvenile Court, believes it is in the best interest of the Juvenile Justice Center that the Professional Service Agreement between the Juvenile Court and the criminal defense panel attorney, to-wit: Julie A. Brown, be approved as presented; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and they hereby are authorized to sign, on behalf of their respective county the Professional Service Agreement between the Juvenile Court and the defense panel attorney, to-wit: Julie A. Brown.

DATED this 29th day of November 2010
BENTON COUNTY BOARD OF COMMISSIONERS

DATED this 8th day of December 2010
FRANKLIN COUNTY BOARD OF COMMISSIONERS

Chairman of the Board

Chairman of the Board

Member

Chairman Pro Tem

Member

Constituting the Board of
County Commissioners,
Benton County, Washington

Attest:

Member

Constituting the Board of
County Commissioners,
Franklin County, Washington

Attest:

Clerk of the Board

Clerk of the Board

AGENDA ITEM: <u>Consent</u>	<u>TYPE OF ACTION NEEDED</u> Executive Contract <u>XX</u>	Consent Agenda <u>XX</u>
MEETING DATE: B/C 11-29-10 B/C 12-08-10	Pass Resolution <u>XX</u>	Public Hearing
SUBJECT: Personal Services Contract with Sierra Electric, Inc.	Pass Ordinance	1st Discussion
Prepared By: Donna A. Lee	Pass Motion	2nd Discussion
Reviewed By: Sharon A. Paradis	Other	Other

BACKGROUND INFORMATION

The existing electrical panels, computer and software that control the lights and electric doors in the detention facility are no longer being manufactured. The existing control system, which was installed during the expansion of the detention facility in 1997 is also no longer being manufactured therefore we are unable to secure replacement parts.

SUMMARY

Solicitation of bids from contractors off of the Small Works Roster was completed. Lee Electric Enterprises, LLC was unable to quote the project, Raines Electric, Inc. submitted a bid for \$10,320 excluding Washington State Sales Tax and Sierra Electric submitted a bid for \$9,895 excluding Washington State Sales Tax. Sierra Electric was deemed to be the best candidate to replace the existing lighting control system, 15 existing lighting control panels, and a communication line.

RECOMMENDATION

We recommend that the Boards of Commissioners of Benton and Franklin Counties sign the Personal Services Contract between Benton-Franklin Juvenile Justice Center and Sierra Electric, Inc.

FISCAL IMPACT

The amount is \$9,895.00, not including Washington State Sales Tax.

MOTION

I move that the Boards of Commissioners of Benton and Franklin Counties sign the Personal Services Contract between Benton-Franklin Counties Juvenile Justice Center and Sierra Electric, Inc.

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES,
WASHINGTON;**

**IN THE MATTER OF THE REQUEST FOR SIGNATURE FROM THE CHAIRMAN OF THE
BOARDS OF BENTON AND FRANKLIN COUNTY COMMISSIONERS ON THE PERSONAL
SERVICE CONTRACT BETWEEN THE BENTON FRANKLIN COUNTIES JUVENILE JUSTICE
CENTER AND SIERRA ELECTRIC, INC and**

WHEREAS, the Benton Franklin Counties Juvenile Justice Center has solicited quotes per
Resolution 05-765, from general contractors on the Benton County Small Works Roster, and;

WHEREAS, the Benton Franklin Counties Juvenile Justice Center received two quotes; one from
Sierra Electric, Inc. in the amount of \$9,895.00, exclusive of WSST, and one from Raines Electric,
Inc. in the amount of \$10,320.00 exclusive of WSST. Lee Electric Enterprises, LLC was did not
respond with a quote.

WHEREAS, the Benton Franklin Counties Juvenile Justice Center Administrative Services Manager
has reviewed the quote for correctness and recommends Sierra Electric, Inc as the most
appropriate responsive vendor equipped to perform the repairs per contract specifications.

WHEREAS, Sharon A. Paradis, Administrator of the Juvenile Court, believes it is in the best interest
of the Benton Franklin Counties Juvenile Justice Center that the Personal Service Contract between
Sierra Electric, Inc and Benton Franklin Counties Juvenile Justice Center be approved as presented;
NOW, THEREFORE,

BE IT RESOLVED that the Chairman of the Board of Benton County Commissioners and the
Chairman of the Board of Franklin County Commissioners are hereby authorized to sign, on behalf
of their respective county, the Personal Services Contract.

DATED this 29th day of November 2010

DATED this 8th day of December 2010

BENTON COUNTY BOARD OF COMMISSIONERS

FRANKLIN COUNTY BOARD OF COMMISSIONERS

Chairman of the Board

Chairman of the Board

Member

Chairman Pro Tem

Member

Constituting the Board of
County Commissioners,
Benton County, Washington

Member

Constituting the Board of
County Commissioners,
Franklin County, Washington

Attest:

Attest:

Clerk of the Board

Clerk of the Board

S

AGENDA ITEM: Consent	TYPE OF ACTION NEEDED	CONSENT AGENDA <u>xx</u>
MEETING DATE: B/C 11-29-09 F/C 12-08-10	Executive Contract <u>xx</u>	PUBLIC HEARING
SUBJECT: Personal Services Contract with Lutheran Community Services Northwest	Pass Resolution <u>xx</u>	1ST DISCUSSION
Prepared By: Donna A. Lee	Pass Ordinance	2ND DISCUSSION
Reviewed By: Sharon Paradis	Pass Motion	OTHER
	Other	

BACKGROUND INFORMATION

Under the Benton/Franklin Counties Models for Change project, numerous focus groups were conducted, as well as a large Community Needs Assessment Survey (n=530). Results from all of these activities revealed that parents generally lack an understanding of the juvenile court process, and are unfamiliar with support systems and available programs. Building off the successful, evidence-based wrap-around model, the Mental Health workgroup proposed the use of parent partner and support system at the BFJJC. A parent partner is someone who builds partnerships with parents and families of youth that are juvenile justice systems involved, as well as provides outreach to professionals. The Parent partner is someone who has had a child or family member that has processed through the juvenile justice system and has successfully navigated the juvenile justice system. Youth from these families may have suffered from mental/emotional challenges, substance abuse, gang affiliation, or learning disabilities, and their parents have successfully identified and engaged in successful connections within the community.

SUMMARY

Lutheran Community Services Northwest will develop a parent support project which will identify, train and supervise parent partners who will offer a shared connection to families who have limited understanding or experience with the juvenile justice system by providing information and support to assist those families to successfully navigate the juvenile justice system (the JJC family partner will work no more than 10 hours a week at \$13.50/hour). The Lutheran Community Services Northwest 3-Rivers Wraparound Program will provide training and guidance to the parent support project. Training will include engagement, cross system navigation and collaboration and roles and responsibilities of a parent partner. Supervision will be weekly with the Family Support Coordinator under the direction of the Program Director in consultation with the Benton-Franklin Counties Juvenile Justice Center's Model's for Change Mental Health workgroup. Lutheran Community Services Northwest will be expected to recruit 10 volunteer parent partners, including one to two parent partner "leads," by the end of 2011, as well as provide training, support and on-going education to the staff and volunteers participating in this parent partners project.

RECOMMENDATION

We recommend that the Boards of Benton and Franklin Counties sign the Personal Services Contract between Benton-Franklin Juvenile Justice Center and Lutheran Community Services Northwest, a Washington non-profit corporation.

FISCAL IMPACT

The fiscal impact is \$20,000.00, which has been budgeted for by our MacArthur Foundation – Models for Change grant funds

MOTION

I move that the Chairs of the Boards of County Commissioners be authorized to sign the Contract Between Benton-Franklin Counties Juvenile Justice Center and Lutheran Community Services..

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

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

IN THE MATTER OF THE REQUEST FOR SIGNATURE FROM THE CHAIRMAN OF THE BOARDS OF BENTON AND FRANKLIN COUNTY COMMISSIONERS ON THE PERSONAL SERVICES CONTRACT BETWEEN THE JUVENILE JUSTICE CENTER AND LUTHERAN COMMUNITY SERVICES NORTHWEST, and

WHEREAS, Sharon A. Paradis, Administrator of the Juvenile Court, believes it is in the best interest of the Juvenile Justice Center that the Personal Services Contract between the Lutheran Community Services Northwest, and Benton-Franklin Counties Juvenile Justice Center be approved as presented for a term commencing the date of the last signature below and terminating on December 31, 2011, NOW, THEREFORE

BE IT RESOLVED, that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and they hereby are authorized to sign, on behalf of their respective county, the Personal Services Contract.

DATED this 29th day of November 2010
BENTON COUNTY BOARD OF COMMISSIONERS

DATED this 8th day of December 2010
FRANKLIN COUNTY BOARD OF COMMISSIONERS

Chairman of the Board

Chairman of the Board

Member

Chairman Pro Tem

Member

Constituting the Board of
County Commissioners,
Benton County, Washington

Member

Constituting the Board of
County Commissioners,
Franklin County, Washington

Attest:

Attest:

Clerk of the Board

Clerk of the Board

+

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF CONTRACTING WITH MASTERPIECE COATING LLC FOR THE EXTERIOR PAINTING OF THE MOBILE HOME AND WELL HOUSE LOCATED AT HORN RAPIDS PARK

WHEREAS, as per Resolution 09-811 dated December 14, 2009 any contracts for public works services or materials involving less than twenty-five thousand (\$25,000), advertisement and competitive bidding may be dispensed with, and such contracts may be entered into after direct negotiation and authorization by the Board of Commissioners, with such authorization being in the form of a resolution containing the bid quotations obtained and being available for public inspection; and

WHEREAS, the need for exterior paint of the mobile home and well house located at Horn Rapids Park is necessary as the original coating has deteriorated; and

WHEREAS, proposals were solicited from the following contractors and quotes were received as follows:

- Masterpiece Coating LLC, Kennewick, WA - \$1,537.37 plus WSST
- Paintmaster Services, Inc., Benton City, WA - \$1,795.00 plus WSST
- Poseidon Painting Co, West Richland, WA - \$2,495.00 plus WSST

WHEREAS, the Benton County Parks Department reviewed the quotes and recommends awarding the exterior painting project to Masterpiece Coating LLC, Kennewick, WA – Contractors License No. MASTECL902CC as the lowest responsive bidder for a proposal amount of \$1,537.37 plus WSST; **NOW, THEREFORE**

BE IT RESOLVED, the Board of Benton County Commissioners, Benton County, Washington hereby agrees with the recommendation and awards said project to Masterpiece Coating LLC for a contract amount of \$1,537.37 plus WSST with a total contract amount payable, including acceptable overages, incidentals and other unanticipated costs not exceed \$1,790.00 plus WSST; and

BE IT FURTHER RESOLVED, the Board hereby authorizes the Chairman to sign the service agreement attached hereto.

Dated this day of, 20

Chairman of the Board

Chairman Pro-Tem

Member

Attest:
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

**PUBLIC WORKS CONTRACT
TERMS AND CONDITIONS**

THIS CONTRACT is made and entered into by and between **BENTON COUNTY**, a political subdivision, with its principal offices at 620 Market Street, Prosser, WA 99350 (hereinafter "COUNTY"), and **MASTERPIECE COATING LLC**, a Washington corporation with its principal offices at 4815 W Clearwater Trl #50, Kennewick, WA 99336 (hereinafter "CONTRACTOR").

In consideration of the mutual benefits and covenants contained herein, the parties agree as follows:

1. CONTRACT DOCUMENTS

This Contract consists of these terms and conditions and the following documents:

- a. Exhibit A - Contractors Proposal dated 11/19/10
- b. Exhibit B - Prevailing Wage Rates as of 10/18/2010

2. DURATION OF CONTRACT

The term of this Contract shall begin when executed by both parties and shall expire on March 31, 2011. Price adjustments of this contract will only be effective with an executed amendment to this contract. The CONTRACTOR shall complete all work by the time(s) specified herein, or if no such time is otherwise specified, no later than the expiration date.

3. SERVICES PROVIDED

The CONTRACTOR agrees to provide all labor and materials to pressure wash both the 28x48 mobile home and 6x6 well house located at 115803 North SR 225, Benton City, WA 99320; scrape any prime and failed paint on surfaces; caulk exposed spots such as trim, corner boards, soffit joints, siding joints, nail heads and door jams; cover all windows and objects attached to the house that are not to be painted; apply two coats of Sherwin Williams A-100 exterior body paint and trim paint of desired colors; and prep surfaces of all doors and door jams and apply two coats of paint on them as well.

CONTRACTOR agrees to provide said services at a rate of \$37.50 per hour for a maximum of four 8 hour days; and applying an

W

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF ESTABLISHING HOLIDAYS IN 2011 AND HOURS FOR THE TRANSACTION OF BUSINESS

WHEREAS, R.C.W. 36.16.100 authorizes the Board of Benton County Commissioners, by resolution, to prescribe the days and hours that all County offices shall be kept open for the transaction of business; NOW, THEREFORE,

BE IT RESOLVED:

- The following shall be paid legal holidays in 2011 for Benton County employees eligible for paid holidays unless said employee's holidays are established by bargaining unit contracts, in which case, the applicable bargaining contract shall be the determining document or said employee's office is directed by law to function on the designated holiday, in which case, the office's Elected Official shall select an alternate, in lieu of, day for the employee. In the event of a conflict between bargaining contract and law, the applicable law shall be the determining document:

Martin Luther King, Jr. Day	January 17, 2011
Presidents' Day	February 21, 2011
Memorial Day	May 30, 2011
Independence Day	July 4, 2011
Labor Day	September 5, 2011
Veteran's Day	November 11, 2011
Thanksgiving Days	November 24-25, 2011
Christmas Days	December 23 & 26, 2011
New Years Day	January 2, 2012

- Except as provided by law, all Benton County offices shall stay closed all day during Saturdays, Sundays, and legal holidays in 2011.
- All Benton County offices shall, unless otherwise provided by law, remain open for the transaction of business with the public at least seven hours each business day. Each Elected Official and appointed department manager shall hereby determine hours of public opening for their respective offices and departments. Such hours shall be filed with the Board and posted in conspicuous public locations.

Dated this day of , 20

Chairman of the Board

Chairman Pro-Tem

Member

Attest:
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: 11/29/10 Subject: Service Agreement Prepared by: <u>M. Wenner</u>	Execute Contract Pass Resolution <u> X </u> Pass Ordinance Pass Motion Other	Consent Agenda <u> X </u> Public Hearing 1st Discussion 2nd Discussion Other

BACKGROUND INFORMATION

Benton County entered into an agreement with J & J Security to provide a law enforcement officer commissioned to have arrest authority to perform security services and maintain a safe work environment for courthouse staff and the general public that attend or are in the vicinity of the Benton County Superior Court domestic docket at the Prosser Courthouse. The agreement is being renewed for 2011 with no changes from the previous year's contract.

SUMMARY

See above.

RECOMMENDATION

Approve resolution.

FISCAL IMPACT

Currently budgeted for in the Insurance Management budget.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD OF BENTON COUNTY COMMISSIONERS TO SIGN THE PERSONAL SERVICES CONTRACT FOR SECURITY SERVICES FOR BENTON COUNTY SUPERIOR COURT PROSSER WA COURTHOUSE

BE IT RESOLVED that the Chairman of the Board of Benton County Commissioners is hereby authorized to sign the attached personal services contract for security services for Benton County Superior Court at the Benton County Courthouse in Prosser, WA.

Dated this day of, 20

Chairman of the Board

Chairman Pro-Tem

Member

Attest:
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

**PERSONAL SERVICES CONTRACT
FOR SECURITY SERVICES
FOR BENTON COUNTY SUPERIOR COURT
PROSSER WA COURTHOUSE**

THIS CONTRACT is made and entered into by and between Benton County, a political subdivision, with its principal offices at 620 Market Street, Prosser, WA 99350, ("County") and J & J Security and Transport, Inc., a Washington Corporation ("Contractor"), with its principal offices at PO Box 4459, West Richland, WA 99353-4459.

In consideration of the mutual benefits and covenants contained herein, the parties agree as follows:

1. DURATION OF CONTRACT

The effective date of this Contract shall be January 1, 2011, and it shall expire on December 31, 2011.

2. SERVICES TO BE PROVIDED

The Contractor shall perform service(s) as follows:

The Contractor shall provide one law enforcement officer commissioned to have arrest authority at the Prosser Courthouse to perform security services and maintain a safe work environment for courthouse staff and the general public that attend or are in the vicinity of the Benton County Superior Court domestic docket every Thursday at the Prosser Courthouse at 620 Market Street, Prosser, WA from 8 a.m. until completion of the docket each Thursday as determined by the presiding judge. Benton County Superior Court Prosser Clerk's Office will notify by phone the contract representative either in person or by leaving a message at (509) 308-3601 twenty-four (24) hours in advance if there is no Superior Court domestic docket. If the required notice is not given, the County agrees to pay the Contractor for one hour of service.

The Contractor agrees to provide its own labor and materials. Unless otherwise provided in this Contract, no material, labor, equipment or facilities will be furnished by the County.

The Contractor shall perform the work requested by the County and specified in this Contract according to standard law enforcement policy and practice.

The Contractor shall confer with the County from time to time during the progress of the work. The Contractor shall prepare and present status reports and other information that may be pertinent and necessary, or as may be requested by the County.

3. CONTRACT REPRESENTATIVES

Each party to this Contract shall have a contract representative. Each party may change its representative upon providing written notice to the other party. The parties'

W

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: November 29, 2010 Subject: Contract Prepared by: <u>M. Wenner</u>	Execute Contract Pass Resolution X Pass Ordinance Pass Motion Other	Consent Agenda X Public Hearing 1st Discussion 2nd Discussion Other

BACKGROUND INFORMATION

Western States has been providing Insurance Agent/Broker Services as well as Consulting Services to Benton County for over 15 years. Services which have been provided include consultation services in the area of insurance, safety, workers' compensation and risk management. A service agreement with Western States has been in place over the last year. Melina Wenner, Personnel/Risk Manager, recommends continuation of the service agreement with Western States for 2010-2012 to provide consulting services and insurance agent/broker services to Benton County.

SUMMARY

Please see Exhibit A and Exhibit B which further outline the scope of work for the Consulting Services and the Insurance Agent/Broker Services.

RECOMMENDATION

Having been reviewed by Melina Wenner, Personnel Manager, and Jonathan Young, Civil DPA, we recommend the agreement be signed.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF AUTHORIZING THE SERVICES CONTRACT AND BROKER/AGENT OF RECORD BETWEEN WESTERN STATES INSURANCE AGENCY, INC. AND BENTON COUNTY TO PROVIDE CONSULTING SERVICES AND INSURANCE AGENT/BROKER SERVICES TO BENTON COUNTY.

WHEREAS, the effective date of this agreement shall begin immediately upon execution by Benton County; and

WHEREAS, that the Board of Benton County Commissioners signs the service contract; and

BE IT RESOLVED that the Chairman of the Board of Benton County Commissioners is hereby authorized to sign the Broker/Agent of Record between Benton County and Western States Insurance Agency, Inc.

Dated this day of, 20

Chairman of the Board

Chairman Pro-Tem

Member

Attest:
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

**PERSONAL SERVICES CONTRACT
TERMS AND CONDITIONS**

THIS CONTRACT is made and entered into by and between BENTON COUNTY, a political subdivision, with its principal offices at 620 Market Street, Prosser, WA 99350 (hereinafter "COUNTY"), and Western States Insurance Agency, Inc. with its principal offices at 390 Bradley Blvd., Richland, WA 99352, (hereinafter "CONTRACTOR").

In consideration of the mutual benefits and covenants contained herein, the parties agree as follows:

1. CONTRACT DOCUMENTS

This Contract consists of the following documents:

- a. Exhibit A, "Scope of Work for Consulting Services and Compensation"
- b. Exhibit B, "Scope of Work for Insurance Agent/Broker Services and Compensation"

2. DURATION OF CONTRACT

The term of this Contract is as follows:

- a. Consulting Services as outlined in Exhibit A shall begin "immediately upon execution by the COUNTY" and shall expire 24 months from the date the contract is executed by the "COUNTY". The CONTRACTOR shall complete all work by the time(s) specified herein, or if no such time is otherwise specified, no later than the expiration date.
- b. Insurance Agent/Broker Services as outlined in Exhibit B shall begin "immediately upon execution by the COUNTY" and continue until terminated by either party with 90 days written notice but no sooner than the expiration date of the respective policy being replaced

3. SERVICES PROVIDED

The CONTRACTOR shall perform the following services:

- a. A detailed description of the services to be performed by the CONTRACTOR is set forth in Exhibit "A, Scope of Work for Insurance Agent/Broker Services and

AGENDA ITEM: MTG. DATE: November 29, 2010 SUBJECT: Short Plat Vacation - SPV 10-11 Earl Norman Memo Date: November 23, 2010 Prepared By: Donna Hutchinson Reviewed By: Michael Shuttleworth	<u>TYPE OF ACTION</u> <u>NEEDED</u>	Consent Agenda X Public Hearing 1st Discussion 2nd Discussion Other
	Execute Contract Pass Resolution X Pass Ordinance Pass Motion Other	

BACKGROUND INFORMATION

On November 15, 2010, the Board of County Commissioners conducted a public hearing on SPV 10-11 regarding the vacation of the 15-foot access easement located within the Lot 3 of Short Plat 2854. At the conclusion of the public hearing the Board made a motion to approve the vacation conditioned on the applicant recording a new 15-foot access easement. The Planning Department has been provided with copies of the recorded easement and the resolution for signature by the Board has been prepared.

SUMMARY

The resolution approving the Short Plat Vacation has been prepared for signature per the motion of the Board at the public hearing.

RECOMMENDATION

It is the recommendation of Staff that the Board sign the resolution approving the Short Plat Vacation File No. SPV 10-11.

MOTION

No motion is needed at this time, just the Board's signature on 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 THE 15-FOOT
ACCESS EASEMENT LOCATED WITHIN LOT 3 OF SHORT PLAT 2854. APPLICANT: EARL NORMAN -
PARCEL NUMBER: 1-3606-101-2854-002 FILE NO. SPV 10-11

WHEREAS, the Board of County Commissioners did conduct a public hearing on Monday, November 15, 2010, at 9:30 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 10-11; 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 15 foot access easement located within Lot 3 of Short Plat 2854 lying south of the 50 foot turn around access easement in the Northeast Quarter of Section 36, Township 10 North, Range 26 East, W.M, is hereby vacated.

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

Mike Shuttleworth/djh

Y

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN SUSTAINABLE DEVELOPMENT FUND NUMBER 0135-101, 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

cc: Dept., Auditor, File, LSK

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Sustainable Development

Dept Nbr: 000

Fund Name: Sustainable Development

Fund Nbr: 0135-101

TRANSFER FROM: Dept

TRANSFER TO: Dept

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
558.610	1573	Community Development Coordinator	\$2,645	558.610	1571	Sustainable Development Coordinator	\$6,121
558.610	4102	Contract Services	\$4,490	558.610	2102	Social Security	\$266
				558.610	2103	Medical Insurance	\$502
				558.610	2104	Retirement	\$185
				558.610	9908	Accumulated Leave	\$61
TOTAL			\$7,135	TOTAL			\$7,135

Explanation:

Promotion from Community Development Coordinator to Sustainable Development Coordinator

Prepared by: Keith Mercer

Date: 29-Nov-2010

Approved

Denied

Date: _____

Chairman

Member

Member

Steven W. Becken
Public Works Manager

Malcolm Bowie
County Engineer

Benton County

Department of Public Works

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

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

9:05

November 23, 2010

Board of County Commissioners
Benton County Courthouse
Prosser, WA 99350

RE: Proposed Right of Way Vacation
Bofer Canyon Road
CE 1944 VAC

Commissioners:

In accordance with Resolution #10-642, dated October 25, 2010, setting a public hearing for November 29, 2010, for a proposed road right of way vacation of right of way for Bofer Canyon Road, the following report is submitted:

We have reviewed and examined the right of way proposed for vacation and abandonment. The attached print depicts said right of way proposed by the petitioner Mr. Robert Barnwell for vacation. The right of way requested for vacation and abandonment is a strip of land of variable width, located in Sections 17 and 20, and 29, T 7 N, R 29 E, WM., as deeded as turnback from WSDOT as part of the I-82 construction as a frontage road, as shown on SR 82 MP 113.64 TO MP 129.57 JCT SR 14 TO PLYMOUTH ROAD RIGHT OF WAY AND LIMITED ACCESS PLAN Sheets 19 through 21 of 38 dated Jan 18, 1980 and filed as a deed under Benton County Auditor Fee Number 85-12358 on September 20, 1985 and also on Sheets 16 through 18 of 38 of the same titled plans dated Jan 18, 1980 and filed as a deed under Benton County Auditor Fee Number 87-5131 dated April 2, 1987.

The right of way deeded to Benton County by the WSDOT is variable in width and is in excess of the right of way Benton County usually retains for roads. This right of way proposed for vacation is adjacent to and parallel Bofer Canyon Road.

Public Comments have been received by the following:

- 1) Benton PUD requested a 15-foot utility easement lying 15 feet east of a line 40 feet east of the centerline of Bofer Canyon Road, and running parallel and southerly to said centerline, through Sections 20 and 29, T 7 N, R 29 E, WM.
- 2) Frontier, formally know as Verizon Telephone, requested a 10 foot utility easement lying 10 feet east of a line 40 feet east of the centerline of Bofer Canyon Road, and running parallel and southerly to said centerline, through

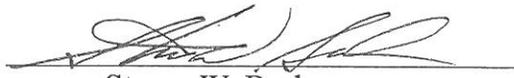
Sections 17, 20, and 29, T 7 N, R 29 E, WM.

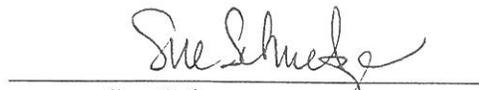
In conclusion, it is the opinion of Benton County Public Works that it is in the best interest of the County to only vacate a portion of the right of way as shown on the attached map as petitioned by Robert Barnwell, and the public will be benefited by the vacation and abandonment of that portion of said right of way. It is also our opinion that it is advisable to retain the remaining portion of the right of way not vacated for the County road system of the future.

The Benton County Engineer recommends that a portion of the right of way as requested by Robert Barnwell be vacated, and that the vacated portion be subject to the following conditions:

That a 15 foot wide utility easement lying 15 feet east of a line 40 feet east of the centerline of Bofer Canyon Road, be retained for Frontier and Benton PUD, said easement running parallel and southerly through 20, and 29, T 7 N, R 29 E, WM which shall be recorded as a part of the Resolution Vacation if approved by the Board. No easement will be needed in Section 17, or any other portion not vacated.

Sincerely,


Steven W. Becken
Public Works Manager


Sue Schuetze
Engineer II

9:10

AGENDA ITEM: MTG. DATE: Nov. 29, 2010 MEMO. DATE: Nov. 22, 2010 SUBJECT: Short Plat Vacation -SPV 10-10, Don Reddout Prepared By: R.J. Lott 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 September 27, 2005, Short Plat 2898 was created. Short Plat 2898, included a large-scale drainage easement. Don Reddout, owner of lot 1 of Short Plat 2898, has submitted an application requesting that the large-scale drainage easement, be vacated off the face of the Short Plat, and be replaced with drainage easements of specific width and location, as indicated by bearings and distances. The Lot is currently vacant.

Owners of property within 300 feet of the outer perimeter of short plat 2898 have been notified. All concerned agencies such as Health Department, Benton County Engineer, Benton County Fire Marshal and any utility companies have been notified of this proposal. Attached are the submitted comments from the Benton-Franklin Health District and the Public Works Department. The Health District has commented that there has been no indication that justifies the removal and relocation of the existing drainage easement. Public Works is requiring that a mylar be submitted to Public Works for their approval. The mylar must be produced by a Washington State Licensed Engineer and it must show the contours of the parcel along with the ditches and the locations of the new easements.

The Benton County Code requires the Board of County Commissioners to conduct a public hearing on the proposed vacation and allow for public comments regarding the vacation request. The public hearing notice for application SPV 10-10 was published on November 18, 2010, and the public hearing is scheduled for November 29, 2010 at 9:10 a.m.

SUMMARY

Benton County has received a request for the vacation of the large-scale drainage easement within Lot 1 of Short Plat 2898. Public Works requires that a Washington State Licensed Engineer design the new drainage easements. The Board of County Commissioners is scheduled to conduct a public hearing on November 29, 2010 at 9:10 a.m.

RECOMMENDATION

It is the recommendation of the Planning Department that the Board of County Commissioners conducts 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 recommends that the proposed vacation of the large-scale drainage easement be approved with the condition that the requirements of the Public Works Department have been met.

MOTION

The Benton County Planning Department recommends the following motion: The Benton County Board of Commissioners approve the vacation of the large-scale drainage easement located within Lot 1 of Short Plat 2898 in the Northwest Quarter of Section 24, Township 9 North, Range 25 East, Willamette Meridian with the following condition:

) That the applicant provides the Benton County Planning Department with a drainage study completed and signed by a Washington State licensed Engineer. The study shall include a mylar with a signature line for the County Engineer. The mylar shall show the locations, contours and/or profiles of the new and existing drainage easements/ditches.

9:15

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

**IN THE MATTER OF THE BOARD OF BENTON COUNTY COMMISSIONERS
CERTIFYING THE CURRENT EXPENSE LEVY FOR 2011 COLLECTION**

WHEREAS, the Board of Benton County Commissioners has properly given notice of the public hearing held November 22, 2010, and continued on November 29, 2010, to consider Benton County's 2011 - 2012 budget and 2011 property tax levy and possible increases thereto for the Current Expense budget pursuant to RCW 36.40 et. seq. and RCW 84.55.120; and,

WHEREAS, the Board of Benton County Commissioners, after hearing, and after duly considering all relevant evidence and testimony presented, has determined that Benton County's Current Expense fund for 2011 - 2012 requires sustainability in property tax revenue from the previous year, in addition to that resulting from the addition of new construction, improvements to property, newly constructed wind turbines, and any increase in the value of state assessed property, and any annexations that have occurred and refunds made, in order to discharge the expected expenses and obligations of Benton County's Current Expense fund for 2011 - 2012; and,

WHEREAS, the rate of inflation based on the percentage of change in the Implicit Price Deflator (IPD), as defined in RCW 84.55.005(1), published in the Bureau of Economic Analysis' September 2010 *Survey of Current Business* is 1.539%; and,

WHEREAS, under RCW 84.55.005(2)(c), the limit factor for a taxing district with a population of 10,000 or over is the lesser of 101% or 100% plus inflation; and,

WHEREAS, the Board of Benton County Commissioners has determined, that to provide adequate funding for general maintenance and operation expenses in years 2011 and thereafter, there is a substantial need for the establishment of a limit factor of 101% for 2011 to ensure adequate funding in future years and to levy necessary property taxes for 2011; and,

WHEREAS, the previous year Current Expense highest lawful levy was \$17,930,192.49; and,

WHEREAS, the previous year Current Expense levy base was \$17,757,171.68, which is the previous years actual levy of \$17,963,598.68 less administrative refund of \$206,427.00; **NOW THEREFORE**,

BE IT RESOLVED, the Board of Benton County Commissioners has determined that the property tax levy shall not be decreased and that an increase in the 2011 regular property tax levy in the amount of \$0.00 (which includes a State mandated \$0.025/\$1,000 for mental health and \$0.0113/\$1,000 for veterans' assistance), is hereby necessary and authorized for the 2011 Current Expense levy, and that this is a percentage increase of 0.00% from the previous year; and

BE IT FURTHER RESOLVED, the Board of Benton County Commissioners has determined there is a substantial need for the establishment of a limit factor of 101% for 2011 and decided to bank the one percent (1.00%) to ensure adequate funding in future years; and,

BE IT FURTHER RESOLVED, that the above described increase is exclusive of additional revenues resulting from the County administrative refund levies for 2011; and,

BE IT FURTHER RESOLVED, that the above described increase is exclusive of additional revenues resulting from new construction, improvements to property, newly constructed wind turbines, and any increase in the value of state assessed property, and any annexations that have occurred and refunds made; and,

BE IT FURTHER RESOLVED, the Clerk is hereby directed to certify a copy of this resolution and forward the same to the Benton County Assessor so that the levies set herein can be extended upon the assessment roll of the County in the manner and at the time set forth by law.

Dated this day of, 20

Chairman of the Board

Chairman Pro Tem

Member

Constituting the Board of County
Commissioners of Benton County,
Washington

Attest:
Clerk of the Board

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF THE BOARD OF BENTON COUNTY COMMISSIONERS CERTIFYING THE COUNTY ROAD LEVY FOR 2011 COLLECTION

WHEREAS, the Board of Benton County Commissioners has properly given notice of the public hearing held November 22, 2010, and continued on November 29, 2010, to consider Benton County's 2011 - 2012 budget and 2011 property tax levy and possible increases thereto for the County Road budget pursuant to RCW 36.40 et. seq. and RCW 84.55.120; and,

WHEREAS, the Board of Benton County Commissioners, after hearing, and after duly considering all relevant evidence and testimony presented, has determined that Benton County's Road fund for 2011 - 2012 requires sustainability in property tax revenue from the previous year, in addition to that resulting from the addition of new construction, improvements to property, newly constructed wind turbines, and any increase in the value of state assessed property, and any annexations that have occurred and refunds made, in order to discharge the expected expenses and obligations of Benton County's Road fund for 2011 - 2012; and,

WHEREAS, the rate of inflation based on the percentage of change in the Implicit Price Deflator (IPD), as defined in RCW 84.55.005(1), published in the Bureau of Economic Analysis' September 2010 *Survey of Current Business* is 1.539%; and,

WHEREAS, under RCW 84.55.005(2)(c), the limit factor for a taxing district with a population of 10,000 or over is the lesser of 101% or 100% plus inflation; and,

WHEREAS, the Board of Benton County Commissioners has determined, that to provide adequate funding for the road projects expected in years 2011 and thereafter, there is a substantial need for the establishment of a limit factor of 101% for 2011 to ensure adequate funding in future years and to levy necessary property taxes for 2011; and,

WHEREAS, the previous year County Road highest lawful levy was \$5,737,162.44; and,

WHEREAS, the previous year County Road levy base of \$5,432,788.52, which is the previous years actual levy of \$5,467,788.52 less administrative refund of \$35,000.00; **NOW THEREFORE**,

BE IT RESOLVED, the Board of Benton County Commissioners has determined that the property tax road levy shall not be decreased and that an increase in the 2011 road property tax levy in the amount of \$0.00, is hereby necessary and authorized for the 2011 road levy, and that this is a percentage increase of 0.00% from the previous year; and,

BE IT FURTHER RESOLVED, the Board of Benton County Commissioners has determined there is a substantial need for the establishment of a limit factor of 101% for 2011 and decided to bank the one percent (1.00%) to ensure adequate funding in future years; and,

BE IT FURTHER RESOLVED, that the above described increase is exclusive of additional revenues resulting from the County administrative refund levies for 2011; and,

BE IT FURTHER RESOLVED, that the above described increase is exclusive of additional revenues resulting from new construction, improvements to property, newly constructed wind turbines, and any increase in the value of state assessed property; and

BE IT FURTHER RESOLVED, the Clerk is hereby directed to certify a copy of this resolution and forward the same to the Benton County Assessor so that the levies set herein can be extended upon the assessment roll of the County in the manner and at the time set forth by law.

Dated this day of, 20

Chairman of the Board

Chairman Pro Tem

Member

Attest:
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF CERTIFYING BUDGETED TAXES FOR COLLECTION IN THE YEAR 2011 FOR BENTON COUNTY

WHEREAS, the Board of Benton County Commissioners has properly given notice of the public hearing held November 22, 2010, and continued on November 29, 2010, to consider Benton County's 2011 - 2012 budget and 2011 property tax levy and possible increases thereto pursuant to RCW 36.40 et. seq. and RCW 84.55.120; **NOW THEREFORE,**

BE IT RESOLVED, pursuant to RCW 84.52.070, the Board of Benton County Commissioners hereby certifies the following estimated levy amounts for Benton County for 2011 collection:

Current Expense*	\$18,238,029.00
Including: Mental Health	\$ 348,669.00
Veteran's Assistance	\$ 157,598.00
County Road	\$ 5,561,199.00
Including: Diverted Road	\$ 494,757.00
Administrative Refunds:	
Current Expense	\$ 248,118.39
County Road	\$ 38,639.26
Veterans' Assistance	\$ 2,042.19
Mental Health	\$ 4,517.62

BE IT FURTHER RESOLVED, the actual levy amounts should be as requested and allowed by Resolutions _____ and _____.

*Note: The collections for Mental Health is to be collected at \$0.025/\$1,000 of assessed value and Veterans' Assistance is to be collected at \$0.0113/\$1,000 of assessed value.

Dated this day of, 20

Chairman of the Board

Chairman Pro Tem

Member

Attest:
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF ADOPTION OF FINAL 2011 - 2012 BENTON COUNTY BUDGETS

WHEREAS, after notice given pursuant to RCW 36.40 et. seq. the first public hearing on the 2011 - 2012 budgets was held on November 22, 2010, and continued on November 29, 2010, for the purpose of fixing the final budgets and making tax levies; **NOW THEREFORE,**

BE IT RESOLVED, the 2011 - 2012 budgets are herein adopted by the Board of County Commissioners at the bottom line level in regards to supplies and other services and charges and category level in regards to salaries, benefits, interfund payments and capital; and,

BE IT FURTHER RESOLVED, each department is required to account for expenditures and revenues within the BARS-assigned account numbers including the prime and base sub-field, element and sub-element field, and unit and sub-unit field as detailed by each departmental budget; and,

BE IT FURTHER RESOLVED per the detailed attachments to this resolution, the Benton County budgets for 2011 - 2012 are hereby adopted:

Total Current Expense Revenues	\$109,009,370
Total Current Expense Expenditures	\$109,099,900
To Balance	\$ 90,530
Total Road Fund Revenues	\$ 26,947,839
Total Road Fund Expenditures	\$ 31,030,108
To Balance	\$ 4,082,269
Total Other Funds Revenues	\$110,338,446
Total Other Funds Expenditures	\$129,195,401
To Balance	\$ 18,856,955
Total Revenues	\$246,295,655
Total Expenditures	\$269,325,409
To Balance	\$ 23,029,754

Dated this day of, 20

Chairman of the Board

Chairman Pro-Tem

Member

Attest:
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

9:45

EXHIBIT LIST FOR ORDINANCE AMENDMENTS TO BCC TITLE 9.04

Planning Commission Application Exhibit List

		DATED
PCR 1	PCR 1.1 Draft Ordinance for BCC 9.04	
Includes:	PCR 1.4 Environmental Checklist	April 20, 2010

Planning Commission Staff Memo Exhibit List

PCM 1	PCM 1.1 Staff Memo	April 30, 2010
Includes:	PCM 1.2 Determination of Non Significance issued	April 1, 2010
	PCM 1.3 Comments from Benton Co. Public Works	April 29, 2010
	PCM 1.4 Comments from Benton Co. Fire Marshal	April 22, 2010
PCH1	PCH 1.1 Letter from Permit Surveying	April 30, 2010
PCM 2		
Includes:	PCM 2.1 Staff Memo for continued hearing	June 1, 2010
PCH 2	PCH 2.1 Drawing submitted by Ryan Liddicoat	June 8, 2010

Board of County Commissioners Exhibit List

CCR 1	CCR 1.1 Planning Commission Findings of Fact	June 14, 2010
Includes:	CCR 1.2 Proposed Ordinance with Planning Commission changes	June 15, 2010
CCM1	CCM 1.1 Board of County Commissioners Agenda Sheet	July 6, 2010
CCW 1	CCW 1.1 Planning Staff Recommended Ordinance	July 28, 2010
	CCW 1.2 Board of County Commissioners Workshop Agenda Sheet	July 28, 2010
CCW 2	CCW 2.1 Board of County Commissioners Agenda Sheet	Sept. 8, 2010
	CCW 2.2 Board of County Commissioners Recommended Ordinance	Sept. 8, 2010
CCW 3	CC2 3.1 Board of County Commissioners Agenda Sheet	November 22, 2010
CCH 2	CCH 2.1	
Includes:	CCH 2.2	
	CCH 2.3	

The Exhibit Numbers are found in the Top Right Hand Corner of each document.

PCR = Planning Commission Record Exhibits

PCM = Planning Commission Memo Exhibits

PCH = Exhibits submitted during Hearing

CCR = County Commissioner Record Exhibits

CCM = County Commissioner Memo Exhibits

CCW= County Commissioner Workshop Exhibits

CCH=Exhibits submitted during Hearing

AGENDA ITEM MTG. DATE: November 29, 2010 SUBJECT: Ordinance amending Title 9.04 Memo Date: November 23, 2010 Prepared By: Michael Shuttleworth	<u>TYPE OF ACTION NEEDED</u> Execute Contract Pass Resolution Pass Ordinance Pass Motion	Consent Agenda Public Hearing 1st Discussion 2nd Discussion Public Workshop X
---	---	---

BACKGROUND INFORMATION

On May 11th and June 8th, the Benton County Planning Commission conducted public hearings on a draft ordinance that would amend Chapter 9.04 (Short Plat Ordinance) of the Benton County Code. On July 12, 2010 the Board of County Commissioners considered the proposed ordinance drafted by staff and the Planning Commission's recommended draft ordinance. On August 4, 2010, The Board of County Commissioner's held a workshop at the Justice Center concerning a proposed ordinance amending the short plating process.

After the discussion at the workshop, the Board directed staff to make several changes to the draft ordinance and asked that draft ordinance with the changes be reviewed by the Board during a regular schedule workshop. The changes that were made as a result of the workshop are shown in **Pink** on pages 1, 10, 11 and 13 on the attached draft ordinance.

The Board of County Commissioner's held a workshop September 13, 2010 to discuss the changes. After the workshop, the Board postponed action of the proposed ordinance to allow Board members more time to review the draft. Attached is the draft ordinance that was submitted to the Board at the September 13, 2010 meeting.

RECOMMENDATION

The Planning Department recommends that the Board review the attached draft ordinance with the changes requested by the Board. If the Board agrees with those changes, the Planning Staff will prepare the draft ordinance for consideration at a public hearing.

FISCAL IMPACT

None

MOTION

At the conclusion of the workshop, the Board will need to provide direction to the Planning Department regarding the draft ordinance and any changes thereto, so that a public hearing before the Board can be scheduled.

ORDINANCE NO. _____

AN ORDINANCE relating to short plat subdivisions, amending Ordinance 103, Section 1.02, Ordinance 215, Section 1 and BCC 9.04.012; amending Ordinance 107, Section 2, Ordinance 127, Section 2, Ordinance 184, Section 1, Ordinance 215, Section 2 and BCC 9.04.014; amending Ordinance 103, Section 1.04 and BCC 9.04.016; amending Ordinance 103, Section 2.01, Ordinance 215, Section 3 and BCC 9.04.020; amending Ordinance 103, Section 3.01, Ordinance 132, Section 2, Ordinance 215, Section 4 and BCC 9.04.030; amending Ordinance 103, Section 3.02, Ordinance 107, Section 4, Ordinance 111, Section 2, Ordinance 215, Section 5 and BCC 9.04.032; amending Ordinance 103, Section 3.03 and BCC 9.04.033; amending Ordinance 103, Section 3.04, Ordinance 107, Section 5 and BCC 9.04.034; amending Ordinance 103, Section 3.05, Ordinance 107, Section 6, Ordinance 286, Section 1 and BCC 9.04.035; amending Ordinance 103, Section 3.06, Ordinance 286, Section 2 and BCC 9.04.036; amending Ordinance 215, Section 6 and BCC 9.04.037; amending Ordinance 103, Section 4.01, Ordinance 185, Section 6 and BCC 9.04.040; amending Ordinance 103, Section 4.02, Ordinance 215, Section 7 and BCC 9.04.042; amending Ordinance 103, Section 4.03, Ordinance 215, Section 8 and BCC 9.04.043; amending Ordinance 215, Section 9 and BCC 9.04.045; and adding six new sections.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

NEW SECTION. SECTION 1. There is hereby added to Chapter 9.04 BCC a new section which shall read as follows:

PURPOSE. The purpose of this chapter is to provide procedures and consistent criteria for the efficient and timely review and approval of division of land for the purpose of lease, sale or transfer into four (4) or fewer lots, parcels or tracts. The purpose of this chapter is also to ensure that such divisions do not create non-conformities with zoning and other county regulations; to provide a permanent record of such divisions; and to ensure that provisions are made for access, utility and other necessary easements.

SECTION 2. Ordinance 103, Section 1.02, Ordinance 215, Section 1 and BCC 9.04.012 are hereby amended to read as follows:

APPLICABILITY. Every division of land for the purpose of lease, sale, or transfer into (~~two or more, but less than five (5-)~~) four (4) or fewer lots, parcels or tracts within the unincorporated area of Benton County shall proceed in compliance with this chapter; provided, divisions of land wholly within a designated urban growth area portion of unincorporated Benton County that are not exempted from this chapter under Section 3 below, must meet the requirements of Chapter 9.08 of the Benton County Code and not the requirements of this chapter.

NOTE: This ordinance is continued on the following page.

SECTION 3. Ordinance 107, Section 2, Ordinance 127, Section 2, Ordinance 184, Section 1, Ordinance 215, Section 2 and BCC 9.04.014 are hereby amended to read as follows:

EXEMPTIONS. The provisions of this chapter shall not apply to the following:

(a) Any cemetery or burial plot, while used for that purpose. (b) Division of land into lots or tracts each of which is one-thirty-second (1/32) of a section of land or larger, or twenty (20) acres or larger((7)) if the land is not capable of description as a fraction of a section of land((7)); provided, that there is no dedication of land to a public body in connection with such division and for the purposes of computing the size of any lot under this section ((which)) that borders on a street or road, the lot size shall be expanded to include that area which would be bounded by the centerline of the road or street and the side lot lines of the lot running perpendicular to such centerline.

(c) Any division made by testamentary provision or the laws of descent.

(d) Any division made in compliance with Chapter 9.08 BCC.

(e) A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, or site ((or division)) nor create any lot, tract, parcel, or site ((or division which)) that contains insufficient area and dimension to meet minimum requirements ((for width and area for a building site)) lot area, lot depth, setbacks, or lot coverage requirements set forth in Title 11 of the Benton County Code; provided, the provisions of Ordinance 473 relating to boundary line adjustments are complied with.

When adjusting boundaries between an unplatted and platted lot or two platted lots from different subdivisions or short plats, a short plat or an amended short plat must be approved and recorded((7)) if the portion of land being combined to the platted lot meets minimum requirements for width and area for a building site.

(f) Any division of property made by recorded survey or contract sale prior to July 1, 1974.

(g) Any division made pursuant to court order.

(h) Any division for the purpose of leasing land for facilities providing personal wireless services while used for that purpose. "Personal wireless services" means any federally licensed personal wireless service. "Facilities" means unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters, and support structures.

(i) Any division of land into lots or tracts of less than three (3) acres that is recorded in accordance with Chapter 58.09 RCW and

will be used only for the purpose of establishing a site for construction and operation of consumer-owned or investor-owned electric utility facilities. For purposes of this subsection, "electric utility facilities" means unstaffed facilities, except for the presence of security personnel, that are used for or in connection with or to facilitate the transmission, distribution, sale, or furnishing of electricity including, but not limited to, electric power substations. This subsection does not exempt a division of land from any other zoning or permitting laws and regulations of Benton County. Furthermore, this subsection only applies to electric utility facilities that will be placed into service to meet the electrical needs of a utility's existing and new customers. New customers are defined as electric service locations not already in existence as of the date that electric utility facilities subject to the provisions of this subsection are planned and constructed.

SECTION 4. Ordinance 103, Section 1.04 and BCC 9.04.016 are hereby amended to read as follows:

ADMINISTRATOR. The Benton County Planning (~~(Director)~~) Manager or his designated representative hereafter referred to as the Administrator is vested with the responsibility of administration of this chapter with authority to summarily approve, approve with conditions or disapprove proposed short plats. The Administrator shall initiate such procedure and/or forms and request such additional information as he deems essential to his duties.

SECTION 5. Ordinance 103, Section 2.01, Ordinance 215, Section 3 and BCC 9.04.020 are hereby amended to read as follows:

DEFINITIONS. Whenever the following words and phrases appear in this chapter they shall be given the meaning attributed to them by this section. When not inconsistent with the context, words used in the present tense shall include the future; the singular shall include the plural, and the plural the singular; the word "Shall" is always mandatory, and the word "May" indicates a use of discretion in making a decision.

~~((Other definitions related to platting and subdivision shall be found in Chapter 9.08, the Benton County Subdivision Code.))~~

(a) "Administrator" (~~(The)~~) means the Benton County Planning (~~(Director)~~) Manager or his designated representative who shall be responsible for the administration of the (~~(Subdivision)~~) Short Plat Code.

(b) "Block" (~~(A)~~) means a piece or parcel of land entirely surrounded by public highways, streets, stream, railroad rights-of-way, park, etc., or a combination thereof.

(c) "Board of County Commissioners" (~~(The)~~) means the Board of County Commissioners of Benton County, Washington.

(d) "Comprehensive Plan" (~~(That)~~) means that plan or plans adopted by the Benton County Planning Commission and the Board of

County Commissioners indicating the general locations recommended for major arterials, parks, streets, public buildings, other public improvements, and zoning districts.

(e) "County Auditor" shall have the definition as set forth in Chapter 36.22 RCW as it now exists or is hereafter amended.

(f) "County Engineer" shall have the definition as set forth in Chapter 36.80 RCW as it now exists or is hereafter amended.

(g) "County Treasurer" shall have the definition as set forth in Chapter 36.29 RCW as it now exists or is hereafter amended.

~~((e))~~ (h) "Cul-de-sac" ~~((A))~~ means a street ~~((opening))~~ closed at one end with such closed end of sufficient size to allow vehicles of normal size ~~((and having a turn-around at the other end))~~ to turn around.

~~((f))~~ (i) "Dedication" ~~((The))~~ means the deliberate appropriation of land by its owner for any general or public uses, reserving unto himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by an owner's presentment for filing of a signed final short plat showing the dedication thereon; and, the acceptance by the public shall be evidenced by the final approval of the short subdivision.

(j) "Department" ~~((The))~~ means the Benton County Planning and Building Department.

~~((g))~~ (k) "Developer," "Subdivider," or "Platter" ~~((Any))~~ means any person, firm, or corporation undertaking the subdivision or resubdivision of any lot, tract, or parcel of land.

~~((h))~~ (l) "Discrepancy" ~~((A))~~ means a boundary hiatus, an overlapping boundary or a physical appurtenance, which indicates encroachment, lines of possession, or conflict of title.

~~((i))~~ (m) "Easement" ~~((A))~~ means a grant by the property owner to the public, a corporation, or persons of the use of a strip of land for a specific purpose and on or over which the owner will not erect any permanent improvements which serve to interfere with the free exercise of that right.

~~((j))~~ (n) "Final Approval" ~~((That))~~ means that approval given by the ~~((administrator))~~ Administrator which authorizes recording of the short subdivision.

(o) "Final Short Plat" means the final drawing of the short subdivision and dedication prepared for filing for record with the County Auditor and containing all elements and requirements set forth in this chapter.

~~((k))~~ (p) "Improvements" ~~((Street))~~ means street grading or gravelling, permanent street and corner monuments, street pavement,

curbs and sidewalks, pedestrian ways, water mains, and storm and sanitary sewers.

~~((1))~~ (g) "Lot" ~~((A))~~ means a fractional part of subdivided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels.

(r) "Private Road" means a road not dedicated to nor maintained by Benton County.

(s) "Public Road" means any improved road maintained by a city, the state or County at public expense.

(t) "Registered Engineer" means an individual, licensed by the State of Washington to practice civil engineering.

~~((m))~~ (u) "Short Plat" ~~((The))~~ means the map or representation of a short subdivision.

~~((n))~~ (v) "Short Subdivision" ~~((The))~~ means the division or redivision of land into four (4) or fewer lots, tracts, parcels, sites, or divisions for the purposes of sale, lease, or transfer ~~((of ownership)).~~

(w) "Surveyor," "Land Surveyor" or "Registered Land Surveyor" means a professional land surveyor registered in the State of Washington in accordance with Chapter 18.43 RCW.

(x) "Urban Growth Area" means an area designated as such by the Benton County Board of Commissioners pursuant to RCW 36.70A.110.

SECTION 6. Ordinance 103, Section 3.01, Ordinance 132, Section 2, Ordinance 215, Section 4 and BCC 9.04.030 are hereby amended to read as follows:

SHORT ~~((PLAT))~~ SUBDIVISION PROCEDURE - APPLICATION. Any person desiring to subdivide a parcel of land in unincorporated Benton County under the provisions of this chapter ~~((into not more than four (4) parcels, any one of which is less than twenty (20) acres in size,))~~ shall submit to the ~~((administrator))~~ Administrator an application for a short subdivision. An application for short subdivision shall consist of the following:

(a) ~~((An))~~ A short subdivision application form completed and signed by the subdivider. ~~((+))~~ The forms shall be supplied by the ~~((administrator))~~ Administrator. ~~((+))~~

(b) ~~((Seven (7)))~~ Ten (10) copies of a short plat map prepared in accordance with the provisions of BCC 9.04.032 and one (1) reduced copy of the short plat map on eight and one-half (8 1/2) inch by eleven (11) inch or eleven (11) inch by seventeen (17) inch paper.

(c) A title ~~((certificate,))~~ report not over two (2) months old at time of recording, showing the names of anyone with interest in the land being subdivided. The title report shall also show all encumbrances on the property being divided.

(d) A non-refundable application fee as established by resolution of the Board of Benton County Commissioners.

SECTION 7. Ordinance 103, Section 3.02, Ordinance 107, Section 4, Ordinance 111, Section 2, Ordinance 215, Section 5 and BCC 9.04.032 are hereby amended to read as follows:

PLAT MAP--REQUIREMENTS. A short plat map shall be made by or under the supervision of a registered land surveyor of the State of Washington as a result of a land survey in compliance with the requirements of the Survey Recording Act, Chapter 58.09 RCW and the Washington Administration Code (WAC) 332-130 as they now exist or are hereafter amended, and all other requirements of this chapter pertaining to short subdivision of land. A short plat map (~~submitted for short plat~~) shall be drawn in ink on good quality (~~mylar~~) paper, sheet size eighteen (~~18"~~) (18) inches (~~(*)~~) by twenty-four (~~24"~~) (24) inches to a scale not to exceed (~~1"=100'~~) one (1) inch equal to one-hundred (100) feet unless a larger scale has been specifically approved by the (~~administrator~~) Administrator.

The plat map shall be a sketch of the entire contiguous tract owned by the (~~applicant~~) applicant(s) showing the following information:

(a) Boundaries of the total parcel included in the short plat and of each individual lot being created. The perimeter of the short subdivision shall be depicted with heavier lines than appear elsewhere on the short plat.

(b) Legal description of the total parcel included in the short plat.

(c) Land Surveyor Certificate:

"I, _____, a registered land surveyor, hereby certify that the short plat as shown is based upon actual field survey of the land described and that all angles, distances, and courses are hereon correctly shown and that the lot corners have been staked on the ground as shown on the map."

Signed _____ Registered Land Surveyor

SEAL

(d) Location of any roads, easements or rights-of-way proposed to serve the short plat.

(e) All existing or proposed easements or right-of-ways proposed to be dedicated for any public use or for the common use of the property owners of the short subdivision. All easements shall be depicted with dashed lines. The County Auditor's fee number shall be shown for all existing easements.

~~((e))~~ (f) The notarized signatures of all owners and contract purchasers of lands being subdivided as well as notarized signatures of all owners of property over which access or utility easements pass (unless such easements are already recorded by separate instrument with the County ~~((auditor's))~~ Auditor's office) certifying the following statement:

(1) "We _____ hereby certify that we are the owners of the tract of land described hereon, that ~~((we have caused))~~ said land ~~((to))~~ has ~~((be))~~ been surveyed and short platted into lots as shown with our consent and in accordance with our desires and that the easements on the short plat are hereby granted for the uses shown thereon~~((+))~~; and

(2) In the case of a short subdivision containing a dedication of a public road:

"DEDICATION AND WAIVER OF CLAIMS"

"Know all persons by these present that _____ are all parties having ownership interest in the land hereon described; have with their free consent and in accordance with their desires caused the same to be surveyed and short platted as shown hereon; do hereby dedicate those roads and or rights-of-way shown as public dedications hereon to the use of the public; do hereby waive on behalf of themselves and their successors in interest all claims for damages against Benton County and other governmental authority which may occasioned to the adjacent land by the established construction, drainage and maintenance of said dedicated roads and/or rights-of-way; and do hereby grant and reserve the easements as shown hereon for the uses indicated."

Name

Name

~~((f))~~ (g) ~~((following short forms of))~~ notarial certificates ~~((may be))~~ used for notarization of signatures shall comply with the requirements of RCW 42.44.100 as it now exists or is hereafter amended or the law of the state where the notarization of signatures are completed~~((+))~~.

~~((1) For an acknowledgment in an individual capacity:))~~

~~((State of Washington))~~

~~((County of _____))~~

~~((I certify that I know or have satisfactory evidence that (name of person) signed this instrument and acknowledge it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.))~~

~~((Dated: _____))
((Signature of notary public))~~

~~((Seal or stamp) _____))
((Title))~~

~~((My appointment expires:))~~

~~((_____))~~

~~((2) For an acknowledgment in a representative capacity:))~~

~~((State of Washington))~~

~~((County of _____))~~

~~((I certify that I know or have satisfactory evidence that (name of person) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the (type of authority, e.g., officer, trustee, etc.) of (name of party on behalf of whom instrument was executed) to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.))~~

~~((Dated: _____))
((Signature of notary public))~~

~~((Seal or stamp) _____))
((Title))~~

~~((My appointment expires:))~~

~~((_____))~~

~~((g)) (h) ((A space for approval of the administrator.))~~ A signature block for the Benton County Short Plat Administrator stating that the short plat is hereby approved by and for the County of Benton, State of Washington;

(i) For short plats with road dedications, a signature block for the Benton County Engineer stating that the proposed dedication and road improvements have been completed and approved by the Benton County Engineer.

NOTE: This ordinance is continued on the following page.

~~((+h))~~ (j) County Treasurer's office ((signature)) certificate
~~((indicating current year taxes and assessments have been paid.))~~
in substantially the following form:

"I hereby certify that all chargeable regular and special assessments collectible by this office that are due and owing on the property described hereon on the date of this certification have been paid."

Dated this _____ day of _____,
Parcel Number: _____

Benton County Treasurer's Office

(k) A County Auditor's certificate that states:

"Filed for record at the request of _____ at _____ minutes past this day of _____ and recorded in Volume _____ of short plats at page _____ records of Benton County, Washington."

Benton County Auditor Fee Number

~~((+i))~~ (l) A vicinity map.

~~((+j))~~ (m) When the property lies wholly or in part within an irrigation district, a certificate of approval of the irrigation district ((the requirements)) and/or the manager or administrator of the project for the bureau of reclamation, if required ((of)) by RCW 58.17.310 as it exists or is hereafter amended ((must be satisfied)). ((The signature of an authorized representative of the irrigation district shall certify that assessments, if any, have been paid through the current year, that property has been provided with an irrigation water right of way for each parcel of land and all other irrigation district requirements of RCW 58.17.310 have been satisfied.))

~~((In the event that the irrigation district or the applicant requests to use county road rights of way for all or part of a proposed irrigation distribution facility, prior consultation and approval will be required from the county engineer's office.))~~

~~((Unless public and/or county rights of way are involved, all standards and specifications shall be as required by the respective irrigation district. Each district shall provide the planning department with a copy of its standards for public inspection/availability.))~~

~~((+k))~~ (n) When a survey of a proposed short plat reveals a discrepancy, the discrepancy shall be noted on the face of the short plat. Any discrepancy shall be disclosed in a title report prepared by a title insurer and issued after the filing of the short plat.

SECTION 8. Ordinance 103, Section 3.03 and BCC 9.04.033 are hereby amended to read as follows:

SHORT SUBDIVISION APPLICATION--ADMINISTRATIVE REVIEW. Upon receipt of a complete application for a short subdivision, the Administrator shall distribute copies of the information to the County Engineer, the Benton-Franklin Health Department, and other involved parties or agencies as necessary for review. The Administrator with the assistance of other reviewing agencies shall determine whether:

(a) The proposed short subdivision meets the requirements of this title.

~~((a))~~ (b) The proposed (~~lots~~) short subdivision (~~conform~~) is in compliance (~~to~~) with the Benton County Comprehensive Plan, (~~and~~) any applicable zoning requirements or other land use controls that may exist, and the provisions of Chapter 58.17 RCW.

~~((b))~~ (c) The proposed lots are served with adequate means of drainage, water supply, sewage disposal, or other necessary services and contains all necessary easements related thereto.

~~((e))~~ (d) The proposed lots have adequate means of ingress and egress.

~~((d))~~ (e) The public use and interest will be served by permitting the proposed division of property, which includes but is not limited to considering any objections to the proposed short subdivision submitted by the Benton-Franklin Health District or the Benton County Public Works Department.

(f) The applicable irrigation district has reviewed the proposed short subdivision to ensure compliance with RCW 58.17.310.

(g) The proposed short subdivision is in compliance with the Benton County Critical Areas Ordinance, Title 15 BCC.

SECTION 9. Ordinance 103, Section 3.04, Ordinance 107, Section 5 and BCC 9.04.034 are hereby amended to read as follows:

ACCESS. (a) All lots in a short plat must have a means of legal access to a city street, county road or state highway. In those cases where the lots are served by private access easement, the access shall be labeled on the plat map as "Private Road Easement," and a statement placed on the plat that construction and maintenance responsibility for the easement is not Benton County's. If the private road easement extends to land outside (~~is not contained within~~) the boundaries of the short plat, recording details and parcels served outside the short plat shall be shown.

(b) (~~Minimum design widths for private~~) Private access easements (~~to lots~~) are permissible to meet the access requirements for a new short plat imposed by subsection (a) above only if four (4) or fewer lots within the short plat are accessed by said private access easement; provided, the width of such easement shall be (~~as~~

follows)) at least forty (40) feet and shall not serve additional lots((+)).

((a)) ((Serving 1 or 2 lots)) ((20 feet))
((b)) ((Serving 3 or 4 lots)) ((30 feet))

(c) Private access easements may be combined with utility easements, but not irrigation easements.

(d) A private access easement does not constitute adequate means of ingress and egress for the proposed lots if approval of the short plat would result in one private access easement serving more than four (4) lots. In such instances, access must be by a dedicated and constructed public road with widths and standards as required by the County Engineer.

(e) Private access easements are not built, improved, or maintained by Benton County, and the enforcement of all easement rights are the responsibility of the holder(s) of such rights and not Benton County.

(f) Road encroachment permits for all proposed private access easements abutting a county maintained public road shall be obtained prior to final short plat approval. When adjacent to a public road, the approach shall be shown on the final short plat.

(g) All dead-end private access easements shall be designed to include provisions for emergency vehicle turnarounds in accordance with standards established by the Benton County Code.

(h) A second public road must be provided for ingress and egress if the requested creation of lots otherwise would result in access to 50 lots or more by a single public road.

(i) Cul-de-sacs will be permitted where topography or other conditions justify their use. Cul-de-sacs shall be limited to six hundred (600) feet in length. Any cul-de-sac exceeding six hundred (600) feet must be approved in writing by the Fire Marshal.

NEW SECTION. SECTION 10. There is hereby added a new section to Chapter 9.04 BCC which shall read as follows:

RESIDENTIAL DENSITY--LOT SIZE. (a) Residential densities and lot sizes shall conform to the Benton County Comprehensive Plan and Benton County Code. Residential density and lot size shall also conform to the lot size requirements of the Benton-Franklin Health District's on-site waste disposal standards, if applicable.

(b) Lot sizes in excess of minimum standards may be required for reason of sanitation, steep slopes, geological hazards, poor drainage, flood hazards or other unique conditions or features that warrant protection of the public interest.

SECTION 11. Ordinance 103, Section 3.05, Ordinance 107, Section 6, Ordinance 286, Section 1 and BCC 9.04.035 are hereby amended to read as follows:

SHORT SUBDIVISION APPLICATION--((APPROVAL AND FILING)) ADMINISTRATOR'S DECISION. Within thirty (30) days of the receipt of a complete application for a short subdivision, unless a longer period is agreed to by the applicant or the Administrator makes written findings justifying a need for an additional amount of processing time, the Administrator shall notify the applicant of approval, approval with conditions or denial of the application. ~~((If the application is denied, the))~~ The applicant shall be notified in writing of ((denial and reasons for denial)) the Administrator's decision, sent by regular mail.

~~((If the application is either approved or conditionally approved, the applicant after satisfying the necessary conditions may submit the original of the map to the Administrator for final approval. Once the original has been signed by the Administrator, the Administrator shall record the original with the county auditor. The short subdivision is not a legal subdivision until it has been recorded with the auditor.))~~

SECTION 12. Ordinance 103, Section 3.06, Ordinance 286, Section 2 and BCC 9.04.036 are hereby amended to read as follows:

PROCEDURE - APPEAL OF ADMINISTRATOR'S DECISION TO BOARD OF COUNTY COMMISSIONERS. ~~((Any person aggrieved by the decision of the Administrator to approve or disapprove a proposed short plat may appeal the decision to the Board of Benton County Commissioners within fourteen (14) days following the issuance of the decision. The Board, following an open record hearing thereon, may affirm or reverse the Administrator's decision, or may remand the application to the Administrator with instruction to approve the same upon compliance with conditions imposed by the Board.))~~

(a) Not later than fourteen (14) days following the mailing of the written decision of the Administrator regarding a short plat, the decision may be appealed to the Benton County Board of Commissioners by the applicant or any interested parties as defined below. The notice of appeal shall be on a form provided by the Department and shall be filed with the Administrator.

(b) Only persons or entities that have submitted written comments on the proposed short plat prior to the Administrator's decision shall be considered interested parties for the purpose of this section.

(c) A written appeal shall include:

(1) A statement containing specific references to any portions of the written findings contained in the Administrator's decision alleged to be in error and any alleged errors of law.

(2) A statement of the relief sought, such as reversal of the Administrator's decision or modification of conditions.

(3) The signature, mailing address, and telephone number of the appellant or the appellant's representative.

(4) An appeal fee as set by resolution of the Board of County Commissioners.

(d) The Administrator shall notify the applicant and all interested parties, as defined in subsection (b) above, that an appeal has been filed. The Administrator shall also forward the appeal to the Board of County Commissioners and schedule an open record appeal hearing.

(e) The Board of County Commissioners shall conduct an open record appeal hearing to consider the appeal. Written notice of the open record appeal hearing shall be mailed to the appellant and all interested parties, as defined in subsection (b) above, and shall be published in the official county newspaper at least ten (10) days prior to the open record appeal hearing.

(f) The Board of County Commissioners shall review the written appeal, the record of the Administrator's decision, and receive any written or verbal public testimony at the open record appeal hearing. After reviewing the record and any testimony presented, the Board of County Commissioners shall either:

(1) Deny the appeal and affirm the Administrator's decision;
or

(2) Amend, reverse, or remand the Administrator's decision.

(g) The Board of County Commissioners shall enter findings of fact and conclusions of law based in support of its decision.

NEW SECTION. SECTION 13. There is hereby added a new section to Chapter 9.04 BCC which shall read as follows:

PRELIMINARY SHORT SUBDIVISION--CONDITIONAL APPROVAL--EXPIRATION--NULL & VOID STATUS. Conditional approval of an application for a short subdivision shall automatically expire one (1) year after any conditional approval is granted unless the final short plat is recorded within such time in accordance with this chapter or an application for time extension is approved. If a short plat is not so recorded or an application for an extension of time is not timely submitted and approved within the one (1) year period, the conditional approval of the short plat shall be null and void.

NEW SECTION. SECTION 14. There is hereby added a new section to Chapter 9.04 BCC which shall read as follows:

CONDITIONAL APPROVAL--EXPIRATION--EXTENSION OF TIME. (a) A completed application for an extension of time, together with supporting information, must be submitted to the Administrator not less than thirty (30) days prior to the expiration of the conditional approval of a preliminary short plat.

(b) The Administrator may, but is not required to, approve an extension of time only if:

(1) there has been significant changes in conditions since the approval that would render filing of the final short plat contrary to the public health, safety or general welfare, and

(2) the applicant has taken substantial steps toward satisfying conditions of approval.

(c) The Administrator may grant only one (1) extension for one (1) year under this section. The Administrator shall issue a written decision approving or denying the time extension request and provide copies to affected agencies, the applicant, and those parties requesting a copy of such decision. No additional time extensions may be granted.

NEW SECTION. SECTION 15. There is hereby added a new section to Chapter 9.04 BCC which shall read as follows:

SHORT PLAT MAP--FINAL APPROVAL. If the short subdivision application is either approved or conditionally approved, the applicant may submit the short plat to the Administrator for final approval after satisfying all conditions of approval. The submittal of a final short plat map to the Administrator shall include the following:

(a) A short plat drawn on an eighteen (18) inches by twenty-four (24) inches sheet of Mylar. All information provided on the short plat shall be in permanent black ink. The scale shall not exceed one hundred (100) feet to the inch, unless specifically approved by the Administrator. If the entire plat cannot be contained on one sheet, two (2) or more sheets shall be used. Each sheet used shall have a title block in the lower right hand corner showing the name of the plat, the sheet number and the total number of sheets. Each sheet shall have a two (2) inch margin on the left side and a one-half (1/2) inch margin on all other sides;

(b) The short plat shall contain all signatures as required in BCC 9.04.032, except for those of the County Treasurer, County Auditor, County Engineer and the Administrator;

(c) A digital copy of the final short plat in a format that is compatible with the County's current geographic information system;

(d) The signature of the Benton County Treasurer, on forms provided by the County, certifying that all property taxes due and owing for the affected property have been paid; and

(e) A title certificate, dated not more than two (2) months old at recording of the final short plat, showing the names of everyone with an interest in the land being divided. The title report shall also show all encumbrances on the property being divided.

NEW SECTION. SECTION 16. There is hereby added a new section to Chapter 9.04 BCC which shall read as follows:

RECORDING OF SHORT PLAT. Once the original short plat has been signed by the Administrator, the Administrator shall record the original with the County Auditor. The short subdivision is not a legal subdivision until it has been recorded with the County Auditor.

SECTION 17. Ordinance 215, Section 6 and BCC 9.04.037 are hereby amended to read as follows:

AMENDING A RECORDED SHORT PLAT. Once a short plat has been recorded with the Benton County (~~auditor~~) Auditor, no further division shall be made of any portion of said property for a period of five (5) years from the date of recording the short plat, unless the division has been granted an exemption under this chapter. A recorded short plat shall be amended only by recording an amended short plat in accordance with the following provisions:

(a) The amended short plat must meet all requirements of this chapter; except, that if the amendment does not alter the sizes of the lots, the requirements of the zoning ordinance and intent of the comprehensive plan in effect at the time of submittal of the short plat being amended shall be satisfied, rather than the zoning ordinance and comprehensive plan in effect at the time of the amendment.

(b) The title of the amended short plat shall be:

"Short Plat No. _____
Amending Short Plat No. _____"

(c) The amended short plat shall show all of the parcels shown in the original short plat and shall bear notarized signatures of all parties with an interest in any of the lots in the original short plat.

(d) An amended short plat may increase the number of lots to a total of four (4) lots if the original short plat contained less than four (4) lots.

(e) The required five-year period before resubdivision shall run from the recording date of the short plat being amended rather than the recording date of the amended short plat if no new lots are created.

(f) An amended short plat may not be recorded until real property taxes and assessments on all lots changed or affected by the amendment have been paid through the current year.

Nothing in these requirements shall preclude the ability to correct a minor error by the affidavit of correction procedure outlined in Benton County Resolution No. 2477 dated October 13, 1970.

SECTION 18. Ordinance 103, Section 4.01, Ordinance 185, Section 6 and BCC 9.04.040 are hereby amended to read as follows:

~~((ADMINISTRATION AND ENFORCEMENT))~~ FEES--APPLICATION FEES--
STATUTORY FILING FEES. (a) At the time of the filing of a
~~((preliminary))~~ short subdivision application, the applicant shall
pay a non-refundable filing fee as established by resolution of the
Board of Benton County Commissioners.

(b) At the time of final approval of a short plat map, the
subdivider shall pay to the Administrator the statutory filing
fees.

SECTION 19. Ordinance 103, Section 4.02, Ordinance 215,
Section 7 and BCC 9.04.042 are hereby amended to read as follows:

VIOLATIONS AND PENALTIES. No person shall transfer, sell,
lease, or offer for transfer, sale or lease any land subject to the
requirements of short plat approval, until a short plat has been
approved and ~~((filed))~~ recorded with the Benton County Auditor in
accordance with this chapter.

No lot, tract, parcel, site or subdivision subject to the
provisions of this chapter shall be placed on the assessment rolls
until an approved short plat has been ~~((filed))~~ recorded with the
County ((auditor)) Auditor.

The violation of any of the provisions of this chapter shall
constitute an infraction subject to a maximum penalty of \$500.00,
plus costs and assessments. Each such violation shall constitute a
separate infraction for each and every day or portion thereof
during which such violation is committed, continued, or permitted.

SECTION 20. Ordinance 103, Section 4.03, Ordinance 215,
Section 8 and BCC 9.04.043 are hereby amended to read as follows:

RESUBDIVISION PROCEDURE. Land within a short subdivision may
not be further divided in any manner within a period of five (5)
years without the ~~((filing))~~ recording of a final plat in
compliance with Chapter 9.08 BCC ((, except that when the short
plat contains fewer than four (4) lots, the owner who filed the
short plat may file an amendment)) or an amended short plat as
allowed by BCC 9.04.037 ((within the five (5) year period to create
up to a total of four (4) lots within the original short plat
boundaries, unless the division has been granted an exemption under
this chapter)).

SECTION 21. Ordinance 215, Section 9 and BCC 9.04.045 are
hereby amended to read as follows:

PROCEDURE - VACATION OF SHORT SUBDIVISION WITH OR WITHOUT
DEDICATION. When any person wishes to vacate any short plat or
portion thereof, or any area designated or dedicated for public
use, that person shall file an application for vacation, provided
by the ~~((administrator))~~ Administrator, with the ((Board))
Department and pay a non-refundable fee as established by
resolution of the Board of County Commissioners. The application
shall set forth the reasons for vacation and shall have the written

approval of all parties having an encumbered or unencumbered fee ownership interest in any land within the boundaries of ~~((the portion of))~~ the short plat ~~((subject to vacation))~~. If the vacation will result in the violation of a restrictive covenant, the application shall contain written approval signed by all parties subject to the covenants agreeing to terminate or alter the relevant covenants to accomplish the purpose of the vacation.

When the vacation application is ~~((specifically))~~ to vacate ~~((for))~~ a county road or city or town street, the procedures for road vacation or street vacation found in ~~((RCW))~~ ~~((Chapters))~~ Chapter 36.87 RCW or Chapter 35.78 RCW shall be utilized. An application for vacation of a county road shall be supplied by the Benton County Engineer's ~~((office))~~ Office. When the application is for the vacation of the plat together with the roads and/or streets, the procedure for vacation in this section shall be followed. Vacations of streets prohibited under RCW 35.79.030 and vacation of roads prohibited under RCW 36.87.130 shall not be approved.

The Board of County Commissioners shall give notice and shall conduct a public hearing on the application for a vacation. The Board of County Commissioners shall determine whether the public use or benefit is served by the vacation of the short plat. If the vacation of the plat is approved, ~~((These))~~ those portions of the land ~~((contained))~~ in the short plat dedicated to the public for public use or benefit as a road or street, if any, shall be deeded by all owners of land within the short plat to ~~((the))~~ a city, town, or county as determined by the Board of County Commissioners unless the Board of County Commissioners determines that the public use or benefit would not be served in retaining title to those lands.

Title to the vacated property shall vest with the rightful owner as shown in the county records. If the vacated land ~~((is land))~~ that was dedicated to the public for public use, other than a road or street, and the Board of County Commissioners has found that retaining title to the land is not in the public interest, title thereto shall vest with the person or persons owning the property on each ~~((site))~~ side thereof, as determined by the Board of County Commissioners. When the road or street that is to be vacated is contained wholly within the short plat and is part of the boundary of the short plat, title to the vacated road or street shall vest with the owner or owners of property contained within the vacated short plat.

This section shall not be construed as applying to the vacation of any plat of state granted - tide or shore lands.

SECTION 22. SEVERABILITY. If any provision of this ordinance is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the ordinance and the applicability thereof to other persons and circumstances shall not be affected thereby.

SECTION 23. EFFECTIVE DATE. This ordinance shall take effect and be in full force upon its passage and adoption.

ADOPTED AND PASSED this _____ day of _____, 2010.

Chairman of the Board.

Chairman Pro-Tem.

Member.

Approved as to Form:



Deputy Prosecuting Attorney

Constituting the Board of
County Commissioners of
Benton County, Washington

Attest: _____
Clerk of the Board

10:05

Benton County Commissioners' Office
PO Box 190
Prosser, WA 99350
(509) 786-5600 - Prosser
(509) 736-3080 - Tri Cities
(509) 786-5625 - Fax

memo

To: Board of Commissioners and County Administrator
From: Loretta Smith Kelty
Date: November 29, 2010
Re: Fair Association Lease Agreement Direction

The Fair Association Lease Agreement with Benton County will expire on December 31, 2010. The Fair Association President, Doug Elliott, has met with both Commissioner Beaver and myself, to discuss renewing their Lease Agreement and several options have been discussed. Of these options I'd like to discuss the two that I feel best summarize these discussions.

1. The Fair Association would like to enter into a 3 year lease agreement as follows:
 - a. lease the entire fair grounds for 12 months;
 - b. manage the Sundowns Training Lease Agreement;
 - c. honor all other lease agreements whether 1 or more years;
 - d. annual lease payment will be less than the current amount;
 - e. agreed upon capital improvements will be matched by Benton County.

2. Extend the current lease agreement for another 2 years.

From the Desk of:
Loretta Smith Kelty
Deputy County Administrator