

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, October 11, 2011, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Leo Bowman
Commissioner James Beaver
Commissioner Shon Small
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Adam Fyall, Sustainable Development Manager; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Human Services Manager Ed Thornbrugh; Public Works Manager Steve Becken; DPA Ryan Brown; DPA Ryan Lukson; Safety Coordinator Bryan Perry; Clark Posey, Planning; Sue Schuetze, Public Work; Central Services Manager Randy Reid; Eric Hsu, Office of Public Defense; Susan Walker, Planning; Public Works Manager Steve Becken; Erhiza Rivera and Nick Kooiker, Treasurer's Office.

Approval of Minutes

The Minutes of October 4, 2011 were approved.

Review Agenda

Item "j" (Mid-Biennium Letter) was added to the consent agenda.

Consent Agenda

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

Commissioners

- a. License Renewal for Columbia Generating Station

Facilities

- b. Contract w/Superior Tree Service, Inc. for Tree Pruning Services

Fairgrounds

- c. First Lease Amendment w/Atomic City Rollergirls
- d. Line Item Transfer, Fund No. 0123-101, Dept. 000
- e. Purchase Authorization of an Arena Vator from Blueline Mfg Co.
- f. Purchase Authorization of 12 Breezeway Doors from Barns Northwest

Human Services

- g. Agreement w/Nueva Esperanza for Substance Abuse Prevention Services

Sheriff

- h. Payment Authorization to R Sabin for Pilot Services
- i. Personal Services Contract w/Columbia Industries for Shredding Services

Commissioners

- j. Letter – Mid-Biennium Message

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

Public Hearing – Proposed Right of Way Vacation – Finley

Sue Schuetze and Steve Becken reviewed the petition from Kennewick Irrigation District to vacate several unimproved right of ways. After review by the Public Works Department they recommended vacation of the right of way between Parcel 1 and Parcel 2. However, did not recommend vacation of the right of way between Parcel 3 and Parcel 4 because it would leave a ¾ mile dead-end right of way and would be detrimental to vacate since this section of right of way had the potential to be constructed in the next 20 years.

Mr. Becken recommended the public hearing be continued to October 25, 2011 since Kennewick Irrigation opposed this recommendation. Additionally, KID had a preliminary plat coming in and they wanted to review that before making final recommendation.

Testimony

Scott Revell, Kennewick Irrigation District, said that KID filed these petitions as part of land use actions in that area. He said there were two short plat applications pending and they were trying to “master plan” the property as a single unit. He indicated they were working with the County Engineer’s office and needed to have at least one follow up meeting before final action and requested the Board continue the public hearing.

MOTION: Commissioner Beaver moved to continue the public hearing to 9:05 a.m. on October 25, 2011. Commissioner Small seconded and upon vote, the motion carried.

Continued Public Hearing – Short Plat Vacation – SPV 11-03

Clark Posey said the public hearing was previously continued to obtain signatures and they were now ready to proceed.

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

MOTION: Commissioner Beaver moved to approve the vacation of the portion of the 5-foot irrigation easement located in the north 5 feet of the south 15 feet of Lot 4 of Short Plat 731, in the Northwest Quarter of Section 20, Township 9 North, Range 28 East. Commissioner Small seconded and upon vote, the motion carried unanimously.

Redistricting Plan – Public Hearing

Loretta Smith Kelty said after the census data was received and updated, they met with the League of Women’s Voters and Judy Golberg agreed to oversee the redistricting process. Ms. Golberg said the commissioners and political parties appointed the committee members and after completion of the review process, made the following recommendation to reach the goal of 58,392 in each district:

District #1: Goal to add 544
Add precinct 275 from #2 (total added 541)

District #2: Goal to delete 1,188
Delete precinct 275 and 610 (total deleted 1,150)

District #3: Goal to add 643
Add precinct 610 from #2 (total added 609)

Sage District be moved from District #2 to District #3.

Additionally, Ms. Golberg asked who was responsible for changing precinct boundaries themselves and Mr. Sparks said he believed the County Auditor would make those changes.

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

Chairman Bowman said the RCW stated that adoption of the new plan could take place one week after the public hearing process.

MOTION: Commissioner Beaver moved to continue the public hearing to 9:05 a.m. on Tuesday, October 18, 2011. Commissioner Small seconded and upon vote, the motion carried.

Chairman Bowman requested Ms. Smith Kelty work with Ms. Golberg on putting together thank you letters for the Committee.

Noxious Weed Discussion

Mark Stairot gave a brief history of the Noxious Weed Board and said that in 1996 the current assessment was established and had not increased since that time. He said they normally were able to keep a reserve of \$100,000 in the first four months before assessments were received but this year they were expecting a sizeable shortfall. He said they operated at \$22,000/month with four permanent employees. He said the Board voted and agreed to ask about increasing the assessment to \$5.00.

He also reviewed the following comparables:

- Yakima County: \$7.10 and 1 cent/acre (two full-time and two part-time summer)
- Franklin County: \$5.00 and 30 cents/acre (irrigated); 15 cents/acre (dry); and 5 cents/acre (range); (three full-time and hire returning inspectors)

- Walla Walla County - general fund and operates at 20 hours/week

He said it was the recommendation of the Noxious Weed Board to go forward with an assessment increase to sustain the department for the next six years and they were requesting the Commissioners hold a public hearing.

Commissioner Small said he previously expressed his concerns regarding an increased assessment. Additionally, it was his understanding the Finance Manager came forward a year ago and cautioned Mr. Staiert the department would be in the red. Mr. Staiert replied his recollection was they would be looking at an assessment increase at that time.

Mr. Mercer confirmed that at that time he was given two options; either increase revenue or reduce expenditures.

Commissioner Beaver said other agencies were facing the same problem and his answer was not to raise taxes. He said he would like to see financial statements for the last three years and the organizational chart; before they started talking about raising taxes they needed to look at reducing expenses.

Commissioner Small suggested they look at merging agencies (pest board and noxious weed) and have Ryan Brown review that issue. He told Mr. Staiert that he specifically asked for alternatives to raising taxes.

Chairman Bowman said the Board indicated it was not interested in going to a public hearing at this time and would like to see some alternatives.

Mr. Staiert said they would be having a board meeting in one week and would reassess the situation.

Office of Public Defense - Mid Year Operating Update

Eric Hsu presented his Mid-Year Operating Budget for the Office of Public Defense. It included the following:

- District Court – Caseload Update
- Jail – Bed-Day Usage
- Superior Court – Caseload Update
- Financial/Operational Update
- New Staff Training Program for Homicides

Executive Session – Pending Litigation

The Board went into executive session with David Sparks and attorney Ken Miller (via/telephone conference) at approximately 10:05 a.m. for approximately 15 minutes to discuss pending litigation. Also present were Cami McKenzie, Loretta Smith Kelty, Bryan Perry, and

Melina Wenner. The Board came out at 10:21 a.m. Mr. Sparks said that no decisions were made.

Executive Session – Current/Pending Litigation

The Board went into executive session with DPA Ryan Lukson at 10:22 a.m. for approximately 30 minutes to discuss current and pending litigation. Also present were David Sparks, Cami McKenzie, Bryan Perry, Ryan Brown, Loretta Smith Kelty, and Melina Wenner. Lt. Clay Vannoy was present via/video conference. The Board came out at 10:38 a.m. and Mr. Lukson stated the Board took no action.

Commissioner Assignment Update

Commissioner Beaver said he would be attending a Health District finance meeting and YRBWEB (water) meeting in Yakima this week.

Commissioner Small said he attended the Greater Columbia Behavioral Health meeting and the State was looking at reducing the State’s RSN’s from 11 to 6 (looked like Benton County would be one of the 6).

Chairman Bowman presented the 2012 proposed supplemental budget highlights from the WSAC Legislative Steering Committee and said he also gave a copy to Ms. Smith Kelty, David Sparks, and Keith Mercer for their review. He said he would appreciate any comments by the Board and would forward those to WSAC.

Vouchers

Check Date: 10/5/2011
Taxes #: 10111102-10111104
Warrant #: 42881-42906
Total all funds: \$1,879,613.72

Check Date: 10/5/2011
Warrant #: 233000-233120
Direct Deposit #: 67712-68300
Total all funds: \$2,086,771.40

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

Resolutions

- 11.640: License Renewal for Columbia Generating Station
- 11.641: Contract w/Superior Tree Service, Inc. for Tree Pruning Services
- 11.642: First Lease Amendment w/Atomic City Rollergirls
- 11.643: Line Item Transfer, Fund No. 0123-101, Dept. 000
- 11.644: Purchase Authorization of an Arena Vator from Blueline Mfg Co.

- 11.645 : Purchase Authorization of 12 Breezeway Doors from Barns Northwest
- 11.646 : Agreement w/Nueva Esperanza for Substance Abuse Prevention Services
- 11.647 : Payment Authorization to R Sabin for Pilot Services
- 11.648 : Personal Services Contract w/Columbia Industries for Shredding Services
- 11.649 : Vacation of Irrigation Easement – SPV 11-03

There being no further business before the Board, the meeting adjourned at approximately 10:46 a.m.

Clerk of the Board

Chairman