

October 25, 2010

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

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
October 18, 2010, 8:30 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

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

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Adam Fyall, Community Development Coordinator; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Facilities Manager Roy Rogers; Mike Shuttleworth, Planning; Ed Thornbrugh, Human Services; Steve Becken, Public Works; Treasurer Duane Davidson; Auditor Brenda Chilton; DPA Ryan Brown; Randy Reid, Central Services Manager.

Workshop Agenda

Health District – Finance Committee

Commissioner Bowman said the Bi-County Health Board meeting was cancelled, but the Health District finance committee met and they were well within their budget for this year, however, still didn't have a proposed budget for next year. He said he did provide them with a copy of proposed state budget cuts.

Mr. Sparks said that canceling the Health Board meeting potentially put the lease agreement with the Health Board out another month. Chairman Beaver said he would try to contact the Franklin County Chairman to have a meeting. Mr. Sparks said they would be signing the architectural agreement and some costs would be incurred so they should have a lease agreement in place.

Commissioner Benitz said he agreed they should have a health board meeting and also needed to look at the organization of the Health Board.

Letter from KID

Commissioner Bowman said he reviewed the letter from KID and was hopeful that Commissioner Benitz could explain what it meant.

Commissioner Benitz said that Adam was the alternate on the Yakima River Basin Enhancement Committee and they had been participating to develop a proposed plan of action. He asked the Board to review two different scenarios so they could be better prepared for the November meeting, at which time the proposed projects would be identified. He said they had met w/KID and KID has identified some projects. The Board agreed to send a letter to KID outlining some of the Board's thoughts and declaring its support of the Kiona project point of diversion and mouth of the Yakima River.

Fairgrounds

Chairman Beaver said he had been meeting with the Fairgrounds user groups and requested more team members to attend so that questions regarding lease agreements, insurance, and disparity could be answered. He asked that Ryan Brown, Melina Wenner, and Loretta Smith Kelty join in the discussion so the County could move forward with a new process. Commissioner Benitz said there were current policies in place and Mr. Sparks could also identify those for Commissioner Beaver.

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

Approval of Minutes

The Minutes of October 11, 2010 were approved as corrected.

The Minutes of October 12, 2010 were approved.

Consent Agenda

MOTION: Commissioner Benitz moved to approve the consent agenda items "a" through "p", pulling, "c" (Ben Franklin Transit Letter) and "j" & "k" (Juvenile Payments). Commissioner Bowman seconded and said he also wanted to discuss item "f".

Commissioner Bowman asked if item "f" (Line Item Transfer for District Court) would be going back to current expense and Mr. Sparks said it would.

Upon vote, the Board approved the following:

Central Services

- a. Contract for Consulting Services for Developing Information Technology Strategic Plan

Commissioners

- b. Contract w/Bernardo Wills Architects for Tenant Improvement Project @ Health District
- d. Appointment of Citizen Representative to Hanford Advisory Board
- e. Cancer Awareness Proclamation

District Court

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

Facilities

- g. Contract w/Fire Systems West, Inc.

Human Services

- h. Agreement, #10/11-PREV-SHCN-00 w/Safe Harbor Crisis Nursery
- i. Appointment of County-Designated Mental Health Professional w/Appointment Limitations

Noxious Weed

- l. Line Item Transfer, Fund No. 134-101, Dept. 000

Parks

- m. Service Agreement w/Environmental Compliance Associates for Badger Mountain Properties

Public Works

- n. Service Contract w/Leslie & Campbell, Inc. for Roof Repair/Replacement
- o. Order and Agreement for Nonexclusive Franchise for Sundance Water Association
- p. Quit Claim Deed for Cottonwood Business Park

Item “c” Ben Franklin Transit Grant Fund Support Letter

Commissioner Benitz said he thought the Board would be asking those inside the district (i.e. Dept. of Energy) to help pay for services. Commissioner Bowman said he didn’t know about that and it would not be part of the letter. He said as far as he knew, the grant would provide 100% financing, without DOE. He asked if Commissioner Benitz was asking for a full cost recovery by those contractors and Commissioner Benitz said he wanted a fair and equitable cost recovery for all, including citizens and entities.

Chairman Beaver said it appeared Commissioner Benitz wanted to make sure Benton County was not subsidizing the program and the federal government was not taking advantage of the local tax payers by having a government program paid for by local taxpayers.

Commissioner Bowman said that Benton County was either in support or not in support of the regional mobility grant that would provide transportation, a safer commute, and less congestion. He added that the people that work out there typically lived within the transit district. Chairman Beaver said he thought the Board should send the letter in support to get a grant for an additional bus and as a separate issue have the Transit representative talk to the Board about the transit program.

MOTION: Commissioner Bowman moved to approve the letter in support of the regional mobility grant for Ben Franklin Transit. Chairman Beaver seconded.

Discussion

Commissioner Benitz said as long as we clearly understand if you are inside the transit district, you will pay your proportionate share of the transit services and as long as that is understood, he would support it. Commissioner Bowman said he didn’t know what that really meant. Employers, i.e. J.C. Penneys do not pay Ben Franklin Transit nor do the school districts pay Ben Franklin Transit that the kids ride on. It is paid for 13% by fares typically and other sales tax from around the county for operations. Commissioner Benitz said he concurred, but to be consistent, if you are inside the district, you are going to pay because that is what the voters

accepted and by providing services out to the Hanford site they also pay their proportionate share. Commissioner Bowman said that every retail sales taxed in Benton County or in the district paid that percentage, whether it was JC Penneys or a restaurant.

Upon vote, the motion carried unanimously.

The Board briefly recessed, reconvening at 9:10 a.m.

Breast Cancer Awareness Month

Mr. Lusk, representing the Prosser School District, provided shirts ordered by the Commissioners' office in honor of Breast Cancer Awareness month.

Human Services Update

Ed Thornbrugh updated the Board on the following issues:

Administrative Office

- Architectural contract with Ron Wright & Associates – ready for approval
- Proposed budget; staff change
- Administrative office lease – under review by PA offices

MOTION: Commissioner Benitz moved to approve the architectural services agreement with Ron Wright & Associates for the architectural design of the CCRC. Commissioner Bowman seconded and upon vote, the motion carried unanimously.

Development Disabilities Services

- Advisory Board application received and being reviewed
- Budget reductions – stopped enrollment of transition students
- Joint Legislative Audit Review Committee Report
- Employment services – contract amendment reduced funding

Commissioner Benitz expressed his concern about the Developmental Disabilities housing issue and asked that it be addressed.

Mental Health Services

- Reduction of state-only funding for mental health
- Funding/Fiscal operations subcommittee – GCBH
- Special Projects

Substance Abuse

- Budget reductions do not appear to target outpatient services
- Reduction in youth detox beds statewide

Housing

- New grant opportunity
- 2060 funds – interlocal signed last month

The Board briefly recessed, reconvening at 9:47 a.m.

Capital Improvement Plan - Workshop

David Sparks requested the Board postpone the workshop for two weeks until the November 1, 2010 meeting. The Board agreed.

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

Vouchers

Check Date: 10/15/2010
Warrant #: 231337-231360
Direct Deposit #: 58329-58535
Total all funds: \$114,109.87

Check Date: 10/15/2010
Warrant #: 20273-20471
Total all funds: \$739,123.32

Check Date: 10/15/2010
Taxes #: 10110104
Payroll Draw Deductions
Total all funds: \$34,584.46

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

Resolutions

- 10-609 Contract for Consulting Services for Developing Information Technology Strategic Plan
- 10-610 Contract w/Bernardo Wills Architects for Tenant Improvement Project @ Health District
- 10-611 Appointment of Citizen Representative to Hanford Advisory Board
- 10-612 Cancer Awareness Proclamation
- 10-613 Line Item Transfer, Fund No. 0000-101, Dept. 111
- 10-614 Contract w/Fire Systems West, Inc.
- 10-615 Agreement, #10/11-PREV-SHCN-00 w/Safe Harbor Crisis Nursery
- 10-616 Appointment of County-Designated Mental Health Professional w/Appointment Limitations
- 10-617 Line Item Transfer, Fund No. 134-101, Dept. 000

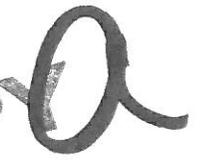
- 10-618 Service Agreement w/Environmental Compliance Associates for Badger Mountain Properties
- 10-619 Acquisition of Additional Property – Badger Mountain
- 10-620 Acquisition of Add – Badger Mountain
- 10-621 Service Contract w/Leslie & Campbell, Inc. for Roof Repair/Replacement
- 10-622 Order and Agreement for Nonexclusive Franchise for Sundance Water Association
- 10-623 Quit Claim Deed for Cottonwood Business Park
- 10-624 Human Services Agreement with Ron Wright & Associates for Architectural Design Agreement

There being no further business before the Board, the meeting adjourned at approximately 9:50 a.m.

Clerk of the Board

Chairman

RESOLUTION

COPY 

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN
ELECTION RESERVE FUND NUMBER 0111101

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: B. Chilton; Auditor; File

B. Chilton

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Dept Nbr:

Fund Name: Fund Nbr:

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
594.110	6401	Capital Outlay	\$35,772	511.700	4103	Professional Services	\$35,772
TOTAL			\$35,772	TOTAL			\$35,772

Explanation:

A HAVA grant was received to purchase tabulation scanners for elections. These funds had not been budgeted either in revenues or expenditures as it was not known what grant cycles would be open. Funds were transferred from Professional Services to cover the cost of the scanners. A supplement was requested and granted to Capital Outlay. These funds now need to be transferred back to Professional Services. The grant monies have already been received from the State of Washington.

Prepared by: Date:

Approved Denied Date: _____

Chairman

Member

Member

b

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN
CLERKS BUDGET, CURRENT EXPENSE FUND, FUND NUMBER 0000101
DEPARTMENT 106

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 _____, 2010

Chairman of the Board

Member

Member

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

Attest: _____
Clerk of the Board

cc: Clerk, Auditor, file

C

RESOLUTION

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

**IN THE MATTER OF NOTICE OF COMPLETION OF THE FINANCIAL IMPACT
STATEMENT FOR THE REMOVAL OF THE BENTON COUNTY SEAT**

WHEREAS, as per Resolution 10-335 dated June 14, 2010, the Board of Benton County Commissioners entered into a contract with Entrix, Inc., Portland, OR to prepare the financial impact statement for the removal of the Benton County Seat; and

WHEREAS, the Deputy County Administrator determined the project reached completion as of September 30, 2010; **NOW, THEREFORE**,

BE IT RESOLVED by the Board of Benton County Commissioners, Benton County, Washington, the Board accepts the financial impact statement for the removal of the Benton County Seat complete.

Dated this _____ day of _____, 2010

Chairman of the Board

Member

Member

Attest: _____
Clerk of the Board

d

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF REAPPOINTMENT TO THE BENTON COUNTY MOSQUITO CONTROL BOARD

WHEREAS, the two-year term for Mr. Donald E. Wiens will expire on December 31, 2010; and

WHEREAS, Mr. Wiens has expressed an interest to be reappointed for an additional two-year term representing district number 3; and

WHEREAS, the Mosquito Control District desires to have Mr. Wiens be appointed for an additional term to the Benton County Mosquito Control; **NOW, THEREFORE,**

BE IT RESOLVED that Donald Wiens is hereby reappointed to the Benton County Mosquito Control Board, said term ending on December 31, 2012.

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 County Mosquito Control District

October 19, 2010

RECEIVED

OCT 20 2010

BENTON COUNTY
COMMISSIONERS

Commissioner James Beaver
Benton County Board of Commissioners
P. O. Box 190
Prosser, WA 99350

Max	<input checked="" type="checkbox"/>
Leo	<input checked="" type="checkbox"/>
Jim	<input checked="" type="checkbox"/>
David	<input checked="" type="checkbox"/>
Loretta	<input checked="" type="checkbox"/>
Other	<i>agenda</i>

Dear Commissioner Beaver:

I am writing to inform you that the two year term of Mr. Donald E. Wiens as a trustee on the Benton County Mosquito Control Board will expire on December 31, 2010. Mr. Wiens has expressed interest in serving another two year term.

Mr. Wiens has been a valuable asset to the District during his term, therefore I recommend that the Board of Commissioners reappoint Mr. Wiens for another two year term beginning January 1, 2011 and ending December 31, 2012. The Board would appreciate notification of the appointment before the end of the year.

Thank you for your attention to this matter.

Sincerely,



Angela Balint
Manager



e

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN
CURRENT EXPENSE FUND NUMBER 0000-101, DEPARTMENT NUMBER 107.

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: Commissioners Dept Nbr: 107
 Fund Name: Current Expense Fund Nbr: 0000-101

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
511.100	1251	Financial Analyst	\$5,000	511.100	4301	Travel	\$5,000
TOTAL			\$5,000	TOTAL			\$5,000

Explanation:
 The travel budget has been exhausted and it has been estimated that an additional \$5,000 will cover any additional travel costs through the remainder of the year.

Prepared by: Keith Mercer Date: 18-Oct-2010

Approved Denied Date: _____

 Chairman

 Member

 Member

f

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF PROCLAIMING NOVEMBER 2010 AS *AMERICAN DIABETES MONTH*

WHEREAS, in the United States, nearly 24 million people, including 450,000 in Washington State have diabetes, a serious disease with potentially life-threatening complications such as heart disease, stroke, blindness, kidney disease, and amputation; and

WHEREAS, an additional 57 million people in the United States have pre-diabetes and are at high risk for developing type 2 diabetes; and

WHEREAS, one out of every three children, and one out of every two minorities, born today will face a future with diabetes if current trends continue; and

WHEREAS, an increase in community awareness is necessary to put a stop to the diabetes epidemic; **NOW, THEREFORE,**

BE IT RESOLVED the Board of Benton County Commissioners hereby proclaims November 2010 to be American Diabetes Month and encourage all citizens to recognize American Diabetes Month and join the American Diabetes Association's movement to stop diabetes by working together to change the future of this deadly disease.

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

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN
CURRENT EXPENSE FUND NUMBER 0000-101, DEPARTMENT NUMBER 110.

BE IT RESOLVED, by the Board of Benton County Commissioners, that funds shall be transferred as outlined in Exhibit "A", attached hereto.

Dated this _____ day of _____, _____

Chairman of the Board

Member

Member

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

Attest: _____
Clerk of the Board

cc: Facilities, Auditor, K. Mercer

C. McKenzie

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Facilities

Dept Nbr: 110

Fund Name: Current Expense

Fund Nbr: 0000-101

TRANSFER FROM:

TRANSFER TO:

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
539-500	4804	Repair/Maint. - Other	\$2,318	539-500	9101	Data Processing Admin	\$2,318
TOTAL			\$2,318	TOTAL			\$2,318

Explanation:

Amount needed to pay for 2010 Central Services data processing administration and support for blackberries for Dan Waggoner and Dean Docken. This amount was not budgeted in the 2010 budget.

Prepared by: Cami McKenzie

Date: 13-Oct-2010

Approved

Denied

Date: _____

Chairman

Member

Member

h

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF THE NOTICE OF COMPLETION FOR THE UTILITY INFRASTRUCTURE SERVICES PROVIDED BY ROUTH CONSULTING ENGINEERS, INC. FOR THE BENTON COUNTY FAIRGROUNDS

WHEREAS, Benton County entered into a personal engineering service agreement on March 17, 2008 with Routh Consulting Engineers, Inc. for utility infrastructure services located at the Benton County Fairgrounds per resolution 08-406; and

WHEREAS, the Deputy County Administrator determined the project reached completion as of October 18, 2010; **NOW, THEREFORE**,

BE IT RESOLVED, by the Board of Benton County Commissioners, Benton County, Washington, the Board hereby accepts the work performed by Routh Consulting Engineers, Inc. and considers the personal engineering service agreement, set forth by Resolution 08-406, complete.

Dated this _____ day of _____, 2010.

Chairman of the Board

Member

Member

Constituting the Board of Commissioners
of Benton County, Washington.

Attest.....
Clerk of the Board

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON IN THE MATTER OF AWARDING A BLANKET PUBLIC WORKS CONTRACT TO GODWIN VENTURES, INC. CONTRACTOR LICENSE NUMBER, AMERILDO54DP, DOING BUSINESS AS AMERICAN LEAK DETECTION SERVICE FOR "AS NEEDED" LEAK DETECTION AND REPAIR SERVICES THROUGHOUT BENTON COUNTY FACILITIES, CURRENT EXPENSE FUND 0000-101, SHERIFFS CUSTODY DEPARTMENT 120 AND COUNTY FACILITIES DEPARTMENT 110 AND FAIRGROUNDS OPERATING BUDGET FUND NUMBER 0124-101.

WHEREAS, per resolution 09-811, 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; and

WHEREAS, the Facilities Manager recommends a blanket service agreement with Godwin Ventures, Inc., Spokane WA to be put in place for "as needed" water leak detection and repair services and other miscellaneous services that are qualified to perform throughout Benton County Facilities; and

WHEREAS, this blanket contract would allow the Facilities Manager to move forward with services without requiring a contract for each service needed; and

WHEREAS, the prices for said services is in accordance to the agreement and Godwin Ventures, Inc. price rate attached hereto for an accumulative contract amount not to exceed \$10,000 for the contract period; NOW THEREFORE,

BE IT RESOLVED by the Board of Benton County Commissioners, Benton County, Washington, the Board concurs with the Facilities Manager's recommendation and hereby awards Godwin Ventures, Inc. the blanket public works contract for "as needed" services throughout Benton County facilities in an amount not to exceed \$10,000 for the contract period; and

BE IT FURTHER RESOLVED the Board hereby authorizes the chairman to sign the public works contract attached hereto; and

BE IT FURTHER RESOLVED the term of the attached contract begins July 1, 2010 and expires on December 31, 2012.

Dated the _____ day of _____, 2010

Chairman of the Board

Member

Member

Attest: _____
Clerk of the Board

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

Originals: Fairgrounds
Cc: Facilities; Sheriffs Office;
Auditor; R. Ozuna; Godwin Ventures

C. Bowen

**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 **GODWIN VENTURES, INC. DBA AMERICAN LEAK DETECTION, AMERILDO54DP** a Washington corporation with its principal offices at P.O. Box 155, Spokane, WA 99210, (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 - Contractor's Price List Proposal
- b. Exhibit B - Washington State Prevailing Wage Rates for Public Works Contracts

2. DURATION OF CONTRACT

The term of this Contract shall begin July 1, 2010 and shall expire on December 31, 2012. Price adjustments of this contract will only be effective with an executed amendment to this contract unless earlier terminated pursuant to Section 16 herein. 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 "as needed" water leak detection and repair services for all Benton County locations, to include the Benton County Fairgrounds, in accordance with the CONTRACTORS 2010 price list proposal attached hereto as Exhibit A. In the event that requested work encompasses work that is legally required to be completed by another type of contractor, CONTRACTOR shall inform COUNTY of that fact and shall coordinate with COUNTY to complete the work in conjunction with such other contractor. In the event that requested work requires, under State or local law, the issuance of a building permit, CONTRACTOR shall be responsible for procuring such building permit and arranging for inspection and certification of the work. CONTRACTOR may bill COUNTY for the full cost of the permit and any labor time for any of its employees

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: <u>10/25/10</u> Subject: Benton-Franklin Marine Corp League Toys for Tots Prepared by: cmb Reviewed by: <u>Isk</u>	Execute Contract Pass Resolution X Pass Ordinance Pass Motion Board Direction	Consent Agenda X Public Hearing 1st Discussion 2nd Discussion Workshop

BACKGROUND INFORMATION

Attached for Board review is the Lease Agreement with the Benton-Franklin Marine Corps League, Toys for Tots. The Lease Agreement has been reviewed and approved as to form by the Prosecuting Attorney's office.

The Lease Agreement allows the Benton-Franklin Marine Corps League Toys for Tots to hold a public children toys distribution at the Fairgrounds from December 11, 2010.

Compensation potentially represents a greater than 50% discount of the normal rental rate for the facilities being leased.

The Deputy County Administrator recommends approval of the Lease Agreement with the Benton-Franklin Marine Corps League, Toys for Tots.

RECOMMENDATION

Move the Lease Agreement with the Benton-Franklin Marine Corps League, Toys for Tots be approved.

RESOLUTION

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

**IN THE MATTER OF APPROVING THE LEASE AGREEMENT BETWEEN THE
BENTON COUNTY FAIRGROUNDS AND THE BENTON-FRANKLIN MARINE
CORPS LEAGUE, TOYS FOR TOTS**

WHEREAS, the Benton-Franklin Marine Corps League, Toys for Tots will provide the Benton County Fairgrounds \$257.50 to hold a public toy distribution for the holiday in Building 3 at the Fairgrounds from December 11, 2010; and

WHEREAS, compensation potentially represents a greater than 50% discount of the normal rental rate for the facilities being leased, and per Resolution 07-870, the agreement must be approved by the Board of Benton County Commissioners; and

WHEREAS, the Benton County Deputy Administrator recommends the Benton-Franklin Marine Corps League, Toys for Tots Lease Agreement be approved; **NOW THEREFORE**,

BE IT RESOLVED by the Board of Benton County Commissioners, Benton County, Washington, that the Lease Agreement with the Benton-Franklin Marine Corps League, Toys for Tots shall be granted; and

BE IT FURTHER RESOLVED that the Board authorizes the Chairman of the Board to sign the Lease Agreement with the Benton-Franklin Marine Corps League, Toys for Tots.

Dated this _____ day of _____ 2010.

Chairman of the Board

Member

Member

Attest: _____
Clerk of the Board

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

BENTON COUNTY FAIRGROUNDS

1500 South Oak Street, Bldg #20
Kennewick, WA 99337
(509) 586-9211 ext 200

LEASE AGREEMENT

TODAY'S DATE: **October 11, 2010**

LEASE AGREEMENT NUMBER: **047.10**

EVENT DATE(S): **December 11, 2010**

NUMBER OF DAYS: **1**

BUILDING(S) / AREA: **Building 3**

LESSEE: **Tri-Cities Detachment of the Marine Corps League**

MAILING ADDRESS: **820 Market Street, Prosser WA 99350**

CONTACT: **Bill Stott, Vice President /Lieutenant Commanding Officer**

CELLULAR PHONE: **509-781-2208**

TIME OF THE EVENT: **10:00 am until 5:00 pm**

TYPE OF EVENT: **Toys for Tots, toy distribution**

ESTIMATED ATTENDANCE: **6000**

SELLING TICKETS: YES NO

COPY
K

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

AGENDA ITEM	TYPE OF ACTION NEEDED	
Amendment #09/11-MH-MHPIHP-LCS-01 with Lutheran Community Services	<input checked="" type="checkbox"/> Execute Contract <input checked="" type="checkbox"/> Pass Resolution <input type="checkbox"/> Pass Ordinance <input type="checkbox"/> Pass Motion <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Consent Agenda <input type="checkbox"/> Public Hearing <input type="checkbox"/> 1 st Discussion <input type="checkbox"/> 2 nd discussion <input type="checkbox"/> Other
Prepared By: Maria Loera		

BACKGROUND INFORMATION

The Department of Human Services would like to amend the MH-PIHP agreement with Lutheran Social Services. The purpose of this amendment is to amend Section 4, Statement of Work to also include Family & Youth Resource and Training Center Services.

SUMMARY

Award: Remains the same
Period: December 1, 2010 through September 30, 2011
Funding Source: Greater Columbia Behavioral Health

RECOMMENDATION

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

FISCAL IMPACT

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

MOTION

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

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

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

**IN THE MATTER OF THE REQUEST FOR SIGNATURE FROM THE BOARDS OF
BENTON AND FRANKLIN COUNTY COMMISSIONERS FOR AMENDMENT
#09/11-MH-MHPIHP-LCS-01 BETWEEN THE BENTON AND FRANKLIN
COUNTIES DEPARTMENT OF HUMAN SERVICES AND LUTHERAN
COMMUNITY SERVICES NW FOR MENTAL HEALTH SERVICES, and**

WHEREAS, the purpose of this Amendment to Agreement #09/11-MHPIHP-LCS-00 serves to amend Section 4, Statement of Work to include Family & Youth Resource and Training Center services,

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

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, Amendment #09/11-MH-MHPIHP-LCS-01

Dated this day of 2010.

Dated this day of2010.

Benton County Board of Commissioners

Franklin County Board of Commissioners

Chair, Benton Co. Commissioners

Chair, Franklin Co. Commissioners

Chair Pro Tem

Chair Pro Tem

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

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

Attest:

Attest:

Clerk of the Board

Clerk of the Board

Originals: Benton County Commissioners
Franklin County Commissioners
Human Services

Loera

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

COPY

AGENDA ITEM	TYPE OF ACTION NEEDED	
Appreciation of an Administrative Board Member	<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 and Franklin Counties Substance Abuse Administrative Board currently meet every other month. In September Lois Powers resigned her membership to the Board, and the Department of Human Services would like to recognize her for her dedication and commitment to Benton and Franklin Counties.

RECOMMENDATION

Sign the resolution.

FISCAL IMPACT

There is no fiscal impact for this recognition.

MOTION

To approve signing the Resolution to allow Lois Powers to be recognized for her dedication and commitment to Benton and Franklin Counties.

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

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

IN THE MATTER OF APPRECIATION OF AN ADMINISTRATIVE BOARD MEMBER:

WHEREAS, Lois Powers has served on the Benton & Franklin Counties Substance Abuse Administrative Board for 5 ½ years, and

WHEREAS, Ms. Powers has been a valuable asset to the Board as well as the community, and

WHEREAS, the Benton & Franklin Counties' Department of Human Services wishes to thank her;
NOW THEREFORE,

BE IT RESOLVED, that Lois Powers is hereby recognized for her dedication and commitment to Benton and Franklin Counties.

Dated this day of, 2010

Dated this day of, 2010

James Beaver, Chair

Brad Peck, Chair

Leo M. Bowman, Chair Pro Tem

Rick Miller, Chair Pro Tem

Max E Benitz, Member
Constituting the Board of County Commissioners,
Benton County, Washington

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

Attest:

Attest:

Clerk of the Board

Clerk of the Board

Originals (3): Franklin County, Human Services, Lois Powers

Loera

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

COPY

AGENDA ITEM	TYPE OF ACTION NEEDED	
Appreciation of an Administrative Board Member	<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 and Franklin Counties Substance Abuse Administrative Board currently meet every other month. In September Jacqueline Van Wormer resigned her membership to the Board, and the Department of Human Services would like to recognize her for her dedication and commitment to Benton and Franklin Counties.

RECOMMENDATION

Sign the resolution.

FISCAL IMPACT

There is no fiscal impact for this recognition.

MOTION

To approve signing the Resolution to allow Jacqueline Van Wormer to be recognized for her dedication and commitment to Benton and Franklin Counties.

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

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

IN THE MATTER OF APPRECIATION OF AN ADMINISTRATIVE BOARD MEMBER:

WHEREAS, Jacqueline Van Wormer has served on the Benton & Franklin Counties Substance Abuse Administrative Board for 2 ½ years, and

WHEREAS, Ms. Van Wormer has been a valuable asset to the Board as well as the community, and

WHEREAS, the Benton & Franklin Counties' Department of Human Services wishes to thank her;
NOW THEREFORE,

BE IT RESOLVED, that Jacqueline Van Wormer is hereby recognized for her dedication and commitment to Benton and Franklin Counties.

Dated this day of, 2010

Dated this day of, 2010

James Beaver, Chair

Brad Peck, Chair

Leo M. Bowman, Chair Pro Tem

Rick Miller, Chair Pro Tem

Max E Benitz, Member
Constituting the Board of County Commissioners,
Benton County, Washington

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

Attest:

Attest:

Clerk of the Board

Clerk of the Board

Originals (3): Franklin County, Human Services, Jacqueline Van Wormer

Loera

m

AGENDA ITEM: <u>Consent</u>	<u>TYPE OF ACTION NEEDED</u> Executive Contract	Consent Agenda <u>xx</u>
MEETING DATE: B/C 10-18-10	Pass Resolution <u>XX</u>	Public Hearing
SUBJECT: Line Item Transfer	Pass Ordinance	1st Discussion
Prepared By: Donna A. Lee	Pass Motion	2nd Discussion
Reviewed By: Sharon Paradis	Other	Other

BACKGROUND INFORMATION

This line item transfer is requesting to move \$4,000 from Maintenance/Repair Supplies line item 3135 to Small Item - Equipment line item 3501. Juvenile has experienced higher costs in small equipment replacements than originally projected for 2010. The equipment necessary to maintain the facility is aging and requires replacement versus repair.

In an effort to avoid categorical overages this department is requesting the ability to move funds from line item 3135 (Maintenance/Repair supplies) to 3501 (Small Item - Equipment).

SUMMARY

This line item transfer shifts dollars from line item 3135 'Maintenance/Repair Supplies' to line item 3501 'Small Item - Equipment'

RECOMMENDATION

We recommend that the Boards of Commissioners of Benton County sign the Resolution authorizing the transfers of funds.

FISCAL IMPACT

There is no fiscal impact. The budget amount is included in the approved Juvenile Facilities Department 172.

MOTION

I move that the Boards of Commissioners of Benton County sign the Resolution for Line Item Transfers.

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON;

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN JUVENILE FUND NUMBER 0115-101, DEPARTMENT NUMBER 172, and

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 October, 2010

Chairman of Board

Member

Member

Constituting the Board of County
Commissioners of Benton County,
Washington

Attest: _____
Clerk of the Board

**BENTON COUNTY
LINE ITEM TRANSFERS**

Department: Juvenile Facilities

Department No: 172

Fund Name: Juvenile Justice Center

Fund: 0115-101

TRANSFER FROM:

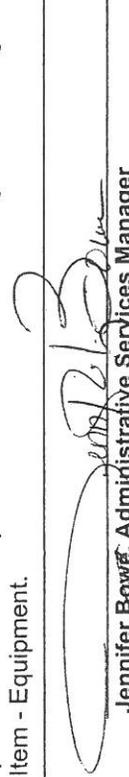
TRANSFER TO:

BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT	BASE SUB (6 digit)	LINE ITEM (4 digit)	LINE ITEM NAME	AMOUNT
527-800	172-3135	Maintenance/Repair Supplies	\$4,000	527-800	172-3501	Small Item - Equipment	\$4,000
Totals			\$4,000				\$4,000

EXPLANATION:

Juvenile has experienced higher costs in small equipment replacements than originally projected for 2010. The equipment necessary to maintain the facility is aging and requires replacement versus repair. In an effort to avoid categorical overages the Department would like to move funds from 3135 Maintenance/Repair Supplies to 3501 Small Item - Equipment.

Prepared by


Jennifer Bowe, Administrative Services Manager

Date: 10/12/10

Authorized by


Sharon Paradis, Administrator

Date: 10/12/10

Approved

Denied

Date _____

_____ Chairman

_____ Member

_____ Member

AGENDA ITEM: Consent	TYPE OF ACTION NEEDED	
MEETING DATE: B/C 10-25-10 F/C 10-13-10	Executive Contract	CONSENT AGENDA <u>xx</u>
SUBJECT: One Time Payment for additional excess compensation benefit charges associated with a PERS retiree.	Pass Resolution <u>xx</u>	PUBLIC HEARING <u>—</u>
	Pass Ordinance <u>—</u>	1ST DISCUSSION <u>—</u>
	Pass Motion <u>—</u>	2ND DISCUSSION <u>—</u>
	Other <u>—</u>	OTHER <u>—</u>
Prepared By: Donna A. Lee		
Reviewed By: Sharon A. Paradis		

BACKGROUND INFORMATION

The Benton-Franklin Counties Juvenile Justice Center requested a Supplemental Appropriation to the Benton-Franklin Counties Juvenile Fund No. 0115-101, Department 171, 2010 budget in the amount of \$13,765; and said supplement is for additional excess compensation benefit charges associated with a Public Employee Retirement System (PERS) retiree and computer equipment purchases utilizing AOC funds and \$2,510 is Franklin County's portion of the additional excess compensation benefit charges associated with a Public Employee Retirement System (PERS) retiree and a public hearing was held in Benton County on Monday, October 4, 2010 at 9:05 a.m. and the Boards find said supplement to be in the best interest of the citizens of Benton and Franklin Counties.

SUMMARY

Franklin County shall submit a one time flat payment in the amount of \$2,510 for their portion of the additional excess compensation benefit charges to the Benton County Treasurer on or by the 5th day of November 2010.

RECOMMENDATION

We recommend that the Boards of Commissioners of Benton County and Franklin County sign the resolution to approve the One Time Payment for the 2010 Juvenile Center Operations Budget and Facilities Budget.

FISCAL IMPACT

The impact to Franklin County is a one time flat payment in the amount of \$2,510 to Benton County to cover the Franklin County portion of the additional excess compensation benefits charges.

MOTION

I move that the Benton County Board of Commissioners and the Franklin County Board of Commissioners sign the resolution to approve the one-time, flat payment due by the 5th of November 2010 from Franklin County to the Benton County Treasurer in the amount of \$2,510.

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

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

RE: ONE TIME PAYMENT FOR THE 2010 JUVENILE CENTER OPERATIONS BUDGET AND FACILITIES BUDGET

WHEREAS, the Benton-Franklin Counties Juvenile Justice Center requested a Supplemental Appropriation to the Benton-Franklin Counties Juvenile Fund No. 0115-101, Department 171, 2010 budget in the amount of \$13,765; and said supplement is for additional excess compensation benefit charges associated with a Public Employee Retirement System (PERS) retiree and computer equipment purchases utilizing AOC funds; and

WHEREAS, \$2,510 is Franklin County's portion of the additional excess compensation benefit charges associated with a Public Employee Retirement System (PERS) retiree; and

WHEREAS, a public hearing was held in Benton County on Monday, October 4, 2010, at 9:05am at which time the public was given an opportunity to speak in favor or in opposition to the proposed supplement; and

WHEREAS, the Boards find said supplement to be in the best interest of the citizens of Benton and Franklin Counties; and

WHEREAS, Franklin County shall submit a one time flat payment in the amount of \$2,510 for their portion of the additional excess compensation benefit charges to the Benton County Treasurer on or by the 5th day of November 2010; NOW THEREFORE,

BE IT RESOLVED by the Board of Commissioners of Benton and Franklin Counties that the flat monthly payment due by the 5th of November 2010 from Franklin County, payable to Benton County Treasurer in the amount of \$2,510 is approved.

DATED this _____ day of October 2010

DATED this _____ day of October 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
Attest:

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

Clerk of the Board

Clerk of the Board

AGENDA ITEM: Consent	TYPE OF ACTION NEEDED	
MEETING DATE: B/C 10-25-10 F/C 10-13-10	Executive Contract	
SUBJECT: One Time Payment for Replacement of Electrical Panels, Computer & Software Upgrades That Control Lights and Doors in Detention Facility	Pass Resolution	<u>xx</u>
	Pass Ordinance	---
	Pass Motion	---
	Other	---
Prepared By: Donna A. Lee		CONSENT AGENDA <u>xx</u>
Reviewed By: Sharon A. Paradis		PUBLIC HEARING ---
		1ST DISCUSSION ---
		2ND DISCUSSION ---
		OTHER ---

BACKGROUND INFORMATION

The Benton-Franklin Counties Juvenile Justice Center requested a Supplemental Appropriation to the Benton-Franklin Counties Juvenile Fund No. 0115-101, Department 171, 2010 budget in the amount of \$61,685; and said supplement is for the replacement of electrical panels, computer and software upgrade that controls the lights and electric doors in the Juvenile Detention Facility and \$17,272 is Franklin County's portion. A public hearing was held in Benton County on Monday, October 4, 2010, at 9:05 a.m. at which time the public was given the opportunity to speak in favor or in opposition to the proposed supplement and the Boards find said supplement to be in the best interest of the citizens of Benton and Franklin Counties and Franklin County shall submit a one time flat payment in the amount of \$17,272 for their portion of the electrical panel replacement, computer and software upgrade that controls the lights and electric doors in the Juvenile Detention Facility to the Benton County Treasurer on or by the 5th day of November 2010.

SUMMARY

Franklin County shall submit a one time flat payment in the amount of \$2,510 for their portion of the additional excess compensation benefit charges to the Benton County Treasurer on or by the 5th day of November 2010.

RECOMMENDATION

We recommend that the Boards of Commissioners of Benton County and Franklin County sign the resolution to approve the One Time Payment for the 2010 Juvenile Center Operations Budget and Facilities Budget.

FISCAL IMPACT

The impact to Franklin County is a one time flat payment in the amount of \$17,272 to Benton County to cover the Franklin County portion for the replacement of electrical panels, computer and software upgrade that controls lights and electric doors in the Juvenile Detention Facility.

MOTION

I move that the Benton County Board of Commissioners and the Franklin County Board of Commissioners sign the resolution to approve the one-time, flat payment due by the 5th of November 2010 from Franklin County to the Benton County Treasurer in the amount of \$17,272.

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

FRANKLIN COUNTY RESOLUTION NO. _____

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

RE: ONE TIME PAYMENT FOR THE 2010 JUVENILE CENTER OPERATIONS BUDGET AND FACILITIES BUDGET

WHEREAS, the Benton-Franklin Counties Juvenile Justice Center requested a Supplemental Appropriation to the Benton-Franklin Counties Juvenile Fund No. 0115-101, Department 171, 2010 budget in the amount of \$61,685; and said supplement is for the replacement of electrical panels, computer and software upgrade that controls the lights and electric doors in the Juvenile Detention Facility; and

WHEREAS, \$17,272 is Franklin County's portion for the replacement of electrical panels, computer and software upgrade that controls the lights and electric doors in the Juvenile Detention Facility; and

WHEREAS, a public hearing was held in Benton County on Monday, October 4, 2010, at 9:05am at which time the public was given an opportunity to speak in favor or in opposition to the proposed supplement; and

WHEREAS, the Boards find said supplement to be in the best interest of the citizens of Benton and Franklin Counties; and

WHEREAS, Franklin County shall submit a one time flat payment in the amount of \$17,272 for their portion of the electrical panel replacement, computer and software upgrade that controls the lights and electric doors in the Juvenile Detention Facility to the Benton County Treasurer on or by the 5th day of November 2010; NOW

HEREFORE,

BE IT RESOLVED by the Board of Commissioners of Benton and Franklin Counties that the flat monthly payment due by the 5th of November 2010 from Franklin County, payable to Benton County Treasurer in the amount of \$17,272 is approved.

DATED this _____ day of October 2010

DATED this _____ day of October 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
Attest:

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

Clerk of the Board

Clerk of the Board

P

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF REMOVING SECTIONS OF THE BOAT DOCK LOCATED AT THE TWO RIVERS PARK BOAT RAMP

WHEREAS, portions of the dock located at Two Rivers Park are damaged and in need of removal; and

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

- Ray Poland & Sons, Inc., Kennewick, WA - \$3,600.00 plus WSST
- Allen, LLC, Kennewick, WA - \$7,500.00 plus WSST
- Lampson International LLC, Kennewick, WA – Did not respond

WHEREAS, the Benton County Parks Department reviewed the quotes and recommends awarding the removal of the dock located at Two Rivers Park to Ray Poland & Sons, Inc. – Contractors License No. RAYPOS*243JE as the lowest responsive bidder for a proposal amount of \$3,600.00 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 Ray Poland & Sons, Inc. for a contract amount of \$3,600.00 plus WSST with a total contract amount payable, including acceptable overages, incidentals and other unanticipated costs not exceed \$5,000.00 including 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

**PERSONAL SERVICES CONTRACT
TERMS AND CONDITIONS**

THIS CONTRACT is made and entered into by and between **BENTON COUNTY**, a political subdivision of the State of Washington, with its principal offices at 620 Market Street, Prosser, WA 99350 (hereinafter "COUNTY"), and **RAY POLAND & SONS, INC.** a corporation authorized to do business in the State of Washington with its principal offices at 503 W Columbia Drive, 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 the following documents:

- a. Exhibit A - Washington State Prevailing Wage Rates

2. DURATION OF CONTRACT

The term of this Contract shall begin upon signature of both parties and shall terminate February 28, 2011, unless earlier terminated pursuant to Section 16 herein. 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 shall perform the following services:

The CONTRACTOR agrees to remove seven sections of existing damaged boat docks located that the Two Rivers Boat Ramp. CONTRACTOR will remove the docks from the existing pilings and move to the top of the existing docks that are already stockpiled on the east side of the parking lot. All services shall be provided in a workmanlike manner consistent with current industry standards.

In the event that requested work requires, under State or local law, the issuance of a building permit, CONTRACTOR shall be responsible for procuring such building permit and arranging for inspection and certification of the work. CONTRACTOR may bill COUNTY for the full cost of the permit and any labor time for any of its employees involved in the permitting process, but may not charge any additional processing or other fees that it does not actually incur. The CONTRACTOR agrees to provide its own labor

9.

RESOLUTION

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

IN THE MATTER OF COUNTY ROADS, RE: INTERLOCAL COOPERATION AGREEMENT –
KEENE ROAD WIDENING – PHASE III

WHEREAS, on February 9, 2009, Benton County entered into an Interlocal Agreement with the City of Richland to have the City provide a two inch overlay on Queensgate Drive in conjunction with the City’s Keene Road Widening – Phase III project, and

WHEREAS, the overlay of Queensgate Drive is scheduled for 2011, and

WHEREAS, the termination date of the Interlocal Agreement is December 31, 2010, and

WHEREAS, it is the recommendation of Public Works that the Agreement be amended to extend the termination date to December 31, 2011 to allow the completion of the overlay, NOW, THEREFORE

BE IT RESOLVED that the amendment to the above reference Interlocal Agreement be approved and the Chairman of the Board of County Commissioners is hereby authorized to sign said amendment.

Dated this 25th day of October 2010

Chairman

Chairman Pro-Tem

Member

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

SWB

AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT, KEENE ROAD
WIDENING – PHASE III, BETWEEN THE CITY OF RICHLAND AND BENTON COUNTY,
WASHINGTON

Section 4 of the above referenced Agreement states the Agreement expires on or before
December 31, 2010. Construction of the County portion of the project is scheduled for 2011,
requiring extension of the Agreement. The below signed parties have agreed to renew the
Agreement for a period ending on or before December 31, 2011.

CITY OF RICHLAND,
WASHINGTON

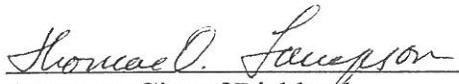
By: 
City Manager

Attest:


City Clerk

Date: 9/30/10

Approved as to form:


Attorney, City of Richland

Date: 9/29/10

BENTON COUNTY,
WASHINGTON

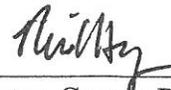
By: _____
Chairman, Board of County
Commissioners

Attest:

Clerk of the Board

Date: _____

Approved as to form:


Benton County Prosecuting Attorney

Date: 10/18/2010

Y

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY ROADS RE: CE 1944 VAC PROPOSED VACATION OF UNIMPROVED RIGHT OF WAY OF BOFER CANYON ROAD LOCATED IN SECTIONS 17, 20 AND 29, TOWNSHIP 7 NORTH, RANGE 29 EAST, WM;

WHEREAS, a request was received to vacate and abandon a portion of unimproved County Right of Way; said request being a strip of unimproved right of way lying 40 feet West of the existing centerline of Bofer Canyon Road right of way, received by Benton County as turnback from WSDOT when I-82 was constructed, which is located in Sections 17, 20, and 29, Township 7 North, Range 29 East, W.M.; NOW, THEREFORE,

BE IT RESOLVED that a Public Hearing be held at 9:05 a.m., Monday, November 29, 2010 in the Meeting Room of the Board of County Commissioners, Benton County Courthouse, Prosser, Washington, to consider the proposed plan for adoption.

Dated this 25th day of October, 2010.

Chairman of the Board.

Chairman Pro-Tem.

Member.

Attest: _____
Clerk of the Board

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

SWB:lss

S

BENTON COUNTY AGENDA ITEM

AGENDA ITEM: _____	Type of Action			
MEETING DATE: 10/25/10	Execute Contract		CONSENT AGENDA	X
SUBJECT: <u>Line Item Transfer</u>	Pass Resolution	<u>X</u>	PUBLIC HEARING	_____
_____	Pass Ordinance	_____	1 ST DISCUSSION	_____
_____	Pass Motion	_____	2 ND DISCUSSION	_____
Prepared By: <u>Pat Austin</u>	Other	_____	OTHER	_____
Reviewed By: <u>D. Sparks</u>	Approve for Hearing			
<u>L. Smith-Kelty</u>				
<u>K. Mercer</u>				

BACKGROUND INFORMATION

The Superior Court recently obtained a Blackberry telephone through Central Services for use by the Court's Family Court Services Investigator to insure the investigator's safety when performing home visits to families where allegations of child abuse and neglect are present. The investigator will also have the ability to use this phone to contact the families while away from the office and not be required to utilize her personal cell phone which would allow these individuals to have access to her personal phone number.

SUMMARY

See above.

RECOMMENDATION

Approve resolution.

FISCAL IMPACT

No impact at this time. Funds are available under the Family Court Services Division of the Superior Court budget and will be transferred to the appropriate line item to cover the expense of the Blackberry device for the remainder of the 2010 calendar year.

MOTION

I move to approve Resolution No. _____ in the matter of a Request to the Benton County Commissioners to authorize the line items transfers as outlined in Attachment "A" to the resolution.

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN
CURRENT EXPENSE FUND NUMBER 123.

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: BC Comm; Auditor; File, Superior Court



BENTON COUNTY AGENDA ITEM

AGENDA ITEM:		Type of Action		
MEETING DATE:	10/25/10	Execute Contract	CONSENT AGENDA	X
SUBJECT:	Transfer of Vehicle	Pass Resolution	_____ PUBLIC HEARING	_____
	From BC Sheriff to	Pass Ordinance	_____ 1 ST DISCUSSION	_____
	Superior Court Family Court Services Div.	Pass Motion	X 2 ND DISCUSSION	_____
Prepared By:	Pat Austin	Other	_____ OTHER	_____
Reviewed By:	D. Sparks	Approve for Hearing	_____	_____
	L. Smith-Kelty			
	K. Mercer			

BACKGROUND INFORMATION

The Superior Court is requesting to take possession of a Benton County Sheriff's Department vehicle, as identified in the attached letter, for use by the Superior Court – **Benton County Family Court Services CASA-Investigator**. This Division of the Court is not a bi-county division, and therefore, the vehicle would be used solely for Benton County services. The investigator's role is to investigate families with allegations of child abuse and neglect. It is critical, from a safety aspect, that the investigator not drive her personal vehicle which could then be identified while she and/or her family are enjoying their personal lives.

Sheriff Larry Taylor has identified a vehicle which is available for replacement in his fleet that would be appropriate for the above mentioned purpose. The Court is requesting the authorization to transfer the vehicle from the Sheriff to Superior Court Family Court Services Division.

SUMMARY

See above.

RECOMMENDATION

Approve resolution.

FISCAL IMPACT

No impact at this time.

MOTION

I move to authorize the Benton County Sheriff's Department to transfer the vehicle identified as a 1998 Dodge Intrepid 4 door, silver in color, license no. 059-NZV, VIN No. 2B3HD46R2WH208343 to the Benton County Superior Court Family Court Services Division.

Pat Austin - Vehicle Acquisition

From: Larry Taylor
To: Pat Austin
Date: 10/12/2010 11:17 AM
Subject: Vehicle Acquisition
CC: Brian White; Clay Vannoy; Keane, Steven; Paul Hart

Pat,

I have identified a vehicle that we can transfer ownership to Superior Court if the Board approves such transfer. The vehicle is in very good condition mechanically, and was just used to attend a function on the west side of the state and ran great. If you would like to take a look at this car first, please contact Lt. Brian White at extension 3837 and he will be more than happy to get the keys and let you look it over. The vehicle is described as follows:

1998 Dodge Intrepid 4 door, silver in color
Washington license: 059-NZV
VIN# 2B3HD46R2WH208343
Mileage: 137,535
Vehicle # 98-10

Thanks,

Larry

u

BENTON COUNTY AGENDA ITEM

AGENDA ITEM:	_____	Type of Action		
MEETING DATE:	10/25/10	Execute Contract		CONSENT AGENDA X
SUBJECT:	Amend Fee Schedule	Pass Resolution	X	PUBLIC HEARING _____
	For Court Appointed	Pass Ordinance	_____	1 ST DISCUSSION _____
	Special Advocate	Pass Motion	_____	2 ND DISCUSSION _____
Prepared By:	Pat Austin	Other	_____	OTHER _____
Reviewed By:	D. Sparks	Approve for Hearing	_____	
	L. Smith-Kelty			
	K. Mercer			

BACKGROUND INFORMATION

The Superior Court under Benton County Resolution No. 98-090 established a fee schedule for Court Appointed Special Advocate Investigation Services pursuant to RCW 26.12.220. The Court has reviewed the fee schedule and found that it has not been amended or updated since 1998. The Court is recommending to amend the fee schedule to more adequately reflect a broader range of salaries and fees charged to individuals utilizing this court service.

SUMMARY

See above.

RECOMMENDATION

Approve resolution.

FISCAL IMPACT

Ability to increase revenue collected for this court service.

MOTION

I move to approve Resolution No. _____ in the matter of a Request to the Benton County Commissioners to amend a fee schedule for Court Appointed Special Advocate Investigation Services pursuant to RCW 26.12.220.

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON
IN THE MATTER OF AMENDING A FEE SCHEDULE FOR COURT APPOINTED
SPECIAL ADVOCATE INVESTIGATION SERVICES PURSUANT TO RCW 26.12.220

WHEREAS, Benton County Resolution Number 96-569 established the Superior Court Family Court Services Fund, Fund Number 140-101 to support the Superior Court Family Court Services Program pursuant to RCW 26.12.220 (1); and

WHEREAS, RCW 26.12.220 (7) authorizes the legislative authority of any county to establish fees for family court investigation services, with such fees to be collected and deposited in the same manner as other county funds are collected and deposited and with such fees to be maintained in a separate account to be used as provided in RCW 26.12.220; and

WHEREAS, Benton County Resolution Number 98-090 established a fee schedule for Court Appointed Special Advocate Investigation Services pursuant to RCW 26.12.220; and

WHEREAS, the Superior Court Judges of the Superior Court for the State of Washington in and for Benton and Franklin Counties have proposed an amended fee schedule for Court Appointed Special Advocate investigation services provided by the Superior Court Family Court Services Program; and

WHEREAS, the Board of County Commissioners discussed the above at a public meeting and determined that it is in the best interest of the County to amend the fee schedule for Court Appointed Special Advocate investigation services provided by the Superior Court Family Court Services Program;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Benton County, Washington, that the fee schedule established February 18, 1998 by Resolution No. 98-090 be amended for Court Appointed Special Advocate investigation services provided by the Superior Court Family Court Services Program as detailed in Attachment A, attached hereto; and

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BE IT FURTHER RESOLVED that all funds collected under this resolution shall be deposited in the Superior Court Family Court Services Fund, Fund Number 140-101.

Dated this _____ day of _____, 2010.

James Beaver, Chairman

Leo Bowman, Member

Max Benitz, Member

Attest: _____
Clerk of the Board

ATTACHMENT A

FEE SCHEDULE FOR COURT APPOINTED SPECIAL ADVOCATE/FAMILY COURT INVESTIGATOR SERVICES PROVIDED BY THE SUPERIOR COURT FAMILY COURT SERVICES PROGRAM PURSUANT TO RCW 26.12.220

GROSS MONTHLY FAMILY INCOME	FEE TO BE ASSESSED (Number of Children of this Relationship Residing with Party)			
	1	2	3	4+
\$ 0 to \$ 1,499	\$ 0	\$ 0	\$ 0	\$ 0
\$ 1,500 to \$ 1,999	\$ 200	\$ 150	\$ 100	\$ 50
\$ 2,000 to \$ 2,999	\$ 400	\$ 350	\$ 300	\$ 250
\$ 3,000 to \$ 3,999	\$ 800	\$ 750	\$ 700	\$ 650
\$ 4,000 to \$ 4,999	\$ 1,200	\$ 1,150	\$ 1,100	\$ 1,050
\$ 5,000 to More	\$ 1,500	\$ 1,450	\$ 1,400	\$ 1,350

9:05

Prosser Economic Development Association
Quarterly Update

D Heintz

9:25

Benton - Franklin 4-H Update

M Ophardt

Steven W. Becken
Public Works Manager
Malcolm Bowie, P.E.
Benton County Engineer

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

Benton County

Department of Public Works

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

9:40

To: Board of County Commissioners
From: Steven W. Becken, Public Works Manager
RE: Wiser Parkway, et al Cost sharing
Date: October 19, 2010

In November, 2008, the Board approved the formation of County Road Improvement District (CRID) #20 authorizing the County construct Wiser Parkway, Wiser Loop and Cottonwood Creek Boulevard. Due to the fact that 80% the property was under one ownership, it became apparent that it would be difficult to sell bonds to finance the project. With the sale of the bonds questionable, the Board was reluctant to move forward on having plans prepared for the project and moving on into construction until it was determined that bonds could be sold.

Needing the project to move forward, Mr. Wiser asked that the CRID be dissolved and stated that he would construct the roads. He asked that the County pay their share of the construction of the road. He estimated that the cost of the road adjacent our lot to be \$145,350.00 with the County's half share being \$72,675.00. This was reported to the Board at the March 16, 2009 meeting. Although no formal opinion was requested, the cost sharing was discussed briefly in 2009 with Ryan Brown of the Prosecuting Attorney's Office who stated that he did not foresee a legal problem with paying our share of the construction costs adjacent our property as long as it was based on actual costs and the County received consideration for the costs.

Unfortunately no written agreement was ever prepared or executed. There was no written agreement stating which roads the County would share in the costs of or how the costs were to be determined. Virtually everything up to this point was verbal discussions between the landowner and staff. Two of the main players in this are no longer here, Mr. Wiser has passed away leaving the project to his sons and the County no longer employs former County Engineer Ross Dunfee.

Cottonwood Commercial Plaza, LLC has submitted an agreement to the County showing a total cost of \$973,859.80 and asking that the County pay its share of the costs in the amount of \$79,845.73. This is for the entire project, not just the road adjacent our property. County records show Cottonwood Commercial Plaza, LLC as the owner of the property, having purchased it from Badger Properties II, LLC, Thayne Wiser's development company.

When we started the railroad crossing for Wiser Parkway, our estimated cost was in excess of \$700,000.00. We had originally stated that the County would pay up to \$500,000.00. Both the school district and the County committed to an additional \$100,000.00 each. We had asked the Wisers for a commitment over the

\$700,000.00 estimate up to the County's share of the interior road construction. No response to our request was ever received. Our request was verbal, not in writing.

We need to have answers for the following questions:

1. Will the County share in the cost of the road construction? The rest of the questions need to be answered if your response to this question is yes. If you determine that the County will not participate in the cost, there are no answers needed for the remainder of the questions.
2. Do you want a commitment from Wisers' or Cottonwood Commercial Plaza regarding cost sharing on the railroad crossing, if so, we can insert that into the agreement?
3. What roads should be covered by the agreement, all of the roads or only the road adjacent our property?
4. How do you want to determine our cost? Acreage or front footage? Acreage is probably the fairest although it ups our share.
5. How much documentation of costs do you want? Cottonwood Commercial Plaza, LLC has provided some costs, however, we believe the documentation is inadequate to verify actual costs. They have provided copies of billings with limited detail and no documentation of payment of those billings.
6. Who do you want to prepare the agreement? No matter who prepares it, it will need to be approved by both parties.

R E S O L U T I O N

9:50

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF BENTON COUNTY ROADS RE: BENTON COUNTY 2011 ANNUAL ROAD PROGRAM

WHEREAS, the Board adopted the 2011 - 2016 Comprehensive Six-Year Road Program on August 30, 2010; and

WHEREAS, a copy of the proposed 2011 Annual Road Program was presented to the Board on October 4, 2010 for Board review in conjunction with the development of 2011-2012 budgets; and

WHEREAS, a copy of a revised 2011 Annual Road Program was presented to the Board on October 25, 2011 for Board review; and

WHEREAS, the Benton County Engineer recommends adoption of the One-Year Road Program for 2011, it appearing to be in the best public interest; NOW, THEREFORE,

BE IT HEREBY RESOLVED, by the Board of Benton County Commissioners, that the 2011 Annual Road Program, a copy of which is attached, is hereby adopted.

Dated this 25th day of October, 2010.

Chairman of the Board.

Chairman Pro-Tem.

Member.

Attest: _____
Clerk of the Board

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

2011 Benton County Road Program

Approved by the

Board of County Commissioners

On

October 25, 2010

James R. Beaver, Chariman

Leo M. Bowman, Pro-Tem

Max E. Benitz, Jr., Member

R E S O L U T I O N

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Dated this 25th day of October, 2010.

Chairman of the Board.

Chairman Pro-Tem.

Member.

Attest: _____
Clerk of the Board

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

SWB:MJB:LJM:slc

2011 PUBLIC WORKS ROAD FUND PURCHASES

<u>ROAD FUND #0101-101</u>		10/19/10	
<u>QTY</u>	<u>ITEM</u>	<u>COST</u>	<u>REPLACEMENT YES/NO</u>
6	AutoCAD Civil 3D Subscription	\$7,000	Yes
1	AutoCAD Standard Subscription	\$800	Yes
2	Geomedia Subscription	\$800	Yes
1	RoadENG Software Program & 1 year software maintenance	\$1,400	No
Total Road Fund #0101-101		\$10,000	

2011 EQUIPMENT RENTAL & REVOLVING FUND PURCHASES

ER&R FUND #0501-101

10/19/10

**REPLACEMENT
YES/NO**

QTY

COST

**REPLACEMENT
YES/NO**

A. GENERAL/SPECIAL PURPOSE VEHICLES/EQUIPMENT

1	Engineer Lab Trailer (new veh #534)	\$30,000	Yes
2	Truck Cab & Chassis with 2-way dump box & mid mounted sander	\$345,000	Yes
1	Full Size SUV	\$35,000	Yes
1	Trailer Mounted Jet Rodder	\$90,000	No
N/A	Grader Blade Cutting Bits (Steel)	\$20,000	Supply
N/A	Snowplow Cutting Bits (Carbide)	\$10,000	Supply
N/A	Equipment Tires (Car/Pickup/Truck/Heavy Equipment)	\$49,000	Supply
N/A	Shop Fabrication (Steel)	\$4,500	Supply
N/A	Tire Chain Parts	\$4,000	Supply
N/A	Small Shop Equipment & Tools	\$7,000	Yes
N/A	Jet Brand Metal Shear w/foot control	\$2,500	No

Total

\$597,000

E R & R VEHICLES FOR OTHER DEPARTMENTS

1	Fullsize 4-Door Sedan for B C Treasurer (new veh #1092)	\$22,000	Yes
1	Small 4x4 Pickup for Building Dept. (new veh #1093)	\$24,000	Yes
1		\$0	Yes

Total

\$46,000

B. OFFICE EQUIPMENT

1	Lab & Testing Equipment (for Eng'r Lab Trailer)	\$3,000	Yes
3	Computers	\$12,500	Yes
4	Flat Panel Computer Monitors (20" Monitors)	\$1,600	Yes
N/A	Office Equipment and Furnishings	\$3,000	Yes

Total

\$20,100

C. FACILITIES

Repairs at the Kennewick Shop (remove and replace of tainted soil, update washrack with high pressure washer, sealed water collection area, and oil/water separator)	\$200,000	
General Building Maintenance & Repairs	\$15,000	
Total	\$215,000	

D. INVENTORY

Aggregate Purchase (Crushing & Stockpiling at Cherry Lane Quarry R-52 & Coats Quarry R-139)	\$500,000	
Traffic Sign Materials	\$100,000	
Bulk Diesel Fuel	\$200,000	
Liquid De-icer (Magnesium Choride)	\$23,000	
Total	\$823,000	

Grand Total

\$1,701,100

10:10 am

EXECUTIVE SESSION – PENDING
LITIGATION

R Brown