

*September 13,
2010*

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

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
August 30, 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; Facilities Manager Roy Rogers; Human Services Administrator Ed Thornbrugh; Planning Manager Mike Shuttleworth; Steve Becken, Public Works; DPA Ryan Brown; RJ Lott, Planning; Deputy Treasurer Erhiza Rivera; Central Services Manager Randy Reid; County Engineer Malcolm Bowie; Larry Moser, Steve Becken, Bryan Thorp, and Norm Childress, Public Works.

Workshop Agenda

Candidate Forum - CBC

Commissioner Bowman said he had received an invitation to a candidate forum at CBC regarding developmental disabilities and that he would attend.

Transportation Partnership

Commissioner Bowman said they had a meeting last week and provided the purpose and vision statement. He asked the Board to review it and decide whether Benton County should sign on as a Board or individually.

Red Mountain Brochure

Commissioner Bowman provided a copy of the latest and greatest Red Mountain brochure that was being distributed.

Fair Concert

Commissioner Bowman said he wanted to write a letter to the Fair Association expressing concern about the content of the Ted Nugent concert and requesting they do a better job of screening.

Commissioner Benitz said according to the lease the Fair Association had the right to bring in what they felt was the best entertainment. He said he was not sure if it was appropriate to send a letter but maybe a phone call instead.

Commissioner Bowman said that everything about the Fair was family oriented and it would be inappropriate for the Board not to address the concerns of the community. He said it was the Board's expectation, without it being in writing, that the Fair would be a family oriented event.

Chairman Beaver said he received complaints from citizens and it would be appropriate for the Board to pass along those citizens' concerns that were expressed to him. Chairman Beaver said he would get with Adam Fyall to draft a letter for the Board to review.

The Board agreed.

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

Approval of Minutes

The Minutes of August 23, 2010 were approved.

Consent Agenda

MOTION: Commissioner Benitz moved to approve the consent agenda items "a" through "o". Commissioner Bowman seconded requesting that item "e" be pulled for discussion. Upon vote, the Board approved the following:

Central Services

- a. Fujitsu Scanner Maintenance Contract w/Image Source

Commissioners

- b. Line Item Transfer, Fund No. 0000-101, Dept. 115
- c. Letter to Benton Franklin Fair Association

Coroner

- d. Service Agreement w/D Selove, MD for Forensic Pathology Services

Fairgrounds

- f. Payment to American Leak Detection for Leaking Well Services
- g. License Agreement w/Behavioral Health Laboratories
- h. Line Item Transfer, Fund No. 0108-101, Dept. 504

Juvenile

- i. Truancy Contract for Finley School District
- j. Master Services Agreement w/Evercom Systems, Inc.

Parks

- k. First Contract Amendment w/SunScapes, Inc.

Prosecuting Attorney

- l. Line Item Transfer, Fund No. 0000-101, Dept. 117
- m. Opt Out of the Revitalization Financing w/City of Richland

Superior Court

- n. Line Item Transfer, Fund No. 0000-101, Dept. 123
- o. Purchase Reimbursement Agreement w/WA State Administrative Office of the Courts

Item “e” – District Court – Line Item Transfer – Pro Tem Judge

Commissioner Bowman said he thought that pro tems would not be needed anymore with the addition of the new judges.

Jacki Lahtinen via/videoconference said the two new judicial positions replaced the court commissioners but it was still necessary to have pro tems to run the system. She said the Court did not ever say they didn't need pro tems because judges need time off for vacations, etc. She said they eliminated two full-time commissioners and replaced them with two full-time judges so the amount of judicial officers was the same as before.

MOTION: Commissioner Benitz moved to approve item “e” (Line Item Transfer). Commissioner Bowman seconded.

Discussion

Chairman Beaver asked for copy of the minutes to review the process regarding approval of the new judges.

Commissioner Bowman asked why the pro tems had to be funded mid-term. Mr. Sparks said the budget process eliminated pro tem money during the budget process by specific request from the Commissioners.

MOTION: Commissioner Bowman moved to table the pending motion until the next meeting so the Board could review the matter further. Commissioner Benitz seconded and upon vote, the motion carried.

The pending motion regarding consent agenda item “e” will be brought up at the next meeting.

Public Hearing – Short Plat Vacation – SPV 10-05

Mike Shuttleworth said that Benton County received a request to vacate a 60-foot ingress-egress, 10-foot irrigation and utility easement and replace it with a 20-foot private road easement. All concerned agencies were notified and they received comments from the Fire Marshal and Benton PUD requesting an approved turnaround and replacement 10-foot easement adjacent to the proposed road easement.

Mr. Shuttleworth said that based on the information received, his office recommended approval, conditioned on a replacement 10-foot utility easement and turnaround easement.

Testimony

Leonard McGriff, applicant, asked for a correction on the plat (he said they lived on lots 2 & 3, not 1). Additionally, he said there was room for a fire truck to turnaround and asked about the new requirement for a turnaround and Mr. Shuttleworth explained that it was because of the distance.

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

MOTION: Commissioner Bowman moved to approve the vacation of the 60-foot ingress-egress, irrigation and utility easement with the conditions as described in the staff report. Commissioner Benitz seconded and upon vote, the motion carried unanimously.

Public Hearing – Short Plat Vacation - SPV 10-06

Mike Shuttleworth summarized the application for request for vacation of a 40-foot natural drainage easement and said his office recommended the vacation be approved.

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

MOTION: Commissioner Benitz moved to approve the vacation of the 40-foot natural drainage easement as described in the staff report. Commissioner Bowman seconded and upon vote, the motion carried unanimously.

Meeting Cancellation

The Board agreed to cancel the meeting of September 7, 2010 due to the Labor Day holiday.

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

Public Hearing – Short Plat Vacation - SPV 10-07

Mike Shuttleworth summarized the request for vacation of the 20-foot drainage easement. He said the Public Works Department recommended denial of the easement unless a newly relocated easement was installed and engineered. He said it was the recommendation of the Planning Department to approve the vacation with that condition.

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

MOTION: Commissioner Benitz moved to approve the vacation of the drainage easement with the conditions as described in the staff report that a new easement be relocated and engineered. Upon vote, the motion carried unanimously.

Health District Building Tenant Improvements

David Sparks said it was agreed at the last bi-county meeting that Benton County would come up with a proposal for Franklin County to review regarding cost to improve the space at the Health

Building for Human Services to occupy. He said they worked with the architect and a proposal was submitted in the amount of \$246,800 for FF&E. Mr. Sparks said that Human Services could pay \$90,000 down, leaving general construction at approximately \$150,000 to be paid by Benton County. Mr. Sparks recommended the Board look at a lease structure in the amount of \$65,000 over a 15-year lease. The Board agreed to send the proposal to Franklin County to review.

Commissioner Bowman asked Mr. Thornbrugh if the money saved on their current lease could be diverted into client programs and Mr. Thornbrugh indicated it potentially could.

The Board recessed, reconvening at 10:20 a.m.

Public Hearing - Six-Year Road Program – 2011-2016

Malcolm Bowie, County Engineer, presented the proposed Six-Year Road Program outlining the projects and possible funding. He discussed in some detail the following:

Piert Road

Mr. Bowie said that had met with all the property owners and partners to discuss the project. He said it was a pretty attractive project with half of the funds already committed by grant and there was a good chance they would come to the Board to adopt alternate 8.

Hanks Road

Mr. Bowie said the strategy was to get some commitment from CRAB that the County wouldn't have to pay back what was spent and the next step would be to withdraw the project and reapply under a different program. He said they have a nice design in place, have improved the road this summer to make it better but it is a very important farm to market road and the project needs to be done.

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

MOTION: Commissioner Benitz moved to approve the resolution adopting the Comprehensive Six-Year Road Program 2011-2016. Commissioner Bowman seconded and upon vote, the motion carried unanimously.

The Board briefly recessed, reconvening at 10:45 a.m.

As there were no unscheduled visitors, the Board recessed until 1:30 p.m.

Benton County Seat Relocation Report by Entrix

Chairman Beaver stated that Entrix would be giving its report on the financial impact statement for relocating the County Seat and the Board would not be taking any public testimony. He said the report would be presented again at 5:30 p.m. at the Kennewick Justice Center and the Boardroom in Prosser would also be open for the public and employees to watch the presentation

via/videoconference. He said the Board of Commissioners would not be taking any action and the issue would be decided by a vote of Benton County residents.

David Sparks said the RFQ scope was created to handle the legally required questions about moving the county seat.

Susan Burke, Cynthia Berne, Sian Roberts, team leaders for this project, gave a Powerpoint presentation on the financial impact statement for relocating the county seat, as required by Washington State Law. The presentation included information on the following:

- Precedent of County Seat Removals; Background
- Benton County Seat and Population
- Benton County Government, Employees, Facilities & Services
- Washington State Law regarding location of county seat
- What Moving the County Seat Means
- Financial Impact Statement
 - Current Conditions/Analyzed Changes to Current Conditions
 - Examples/Alternatives – Range of Outcomes (Minimum; Prosser Satellite Office; Maximum Employee Relocation)
 - Cost to County; Net Cost to Employees; Impact to Retail Sales

In summary, at a minimum, a yes vote would require two new offices in Kennewick (one for a commissioner and one for the road engineer) and the regular commissioner meetings would need to be held in Kennewick. The outcome of moving the county seat was not a black and white issue.

Commissioner Bowman asked why leasing space was considered and not the cost of construction. It was answered that a lease analysis was more stable to understand, land and construction costs were very different, and leasing was more cost effective for this analysis.

Commissioner Benitz wanted to know if the unfinished space currently available at the Justice Center was considered in the equation as allocated for future growth. It was stated that future space needs and growth plans were not considered in the financial impact statement.

Chairman Beaver said the cost analysis didn't appeal deal with future needs or whether or not there would be enhanced services in Kennewick. That was apparently a policy decision because it was a financial decision that was going to cost a lot of money. He stated that given the current economic situation, whether the vote was a yes or not, there would probably not be any enhanced services.

Chairman Beaver said the full financial report would be available on the County website by this afternoon.

The Board recessed, reconvening at 5:30 p.m. at the Benton County Justice Center.

Benton County Seat Relocation Report by Entrix

Entrix repeated its Powerpoint presentation on the financial impact statement for relocating the county seat.

After the presentation, Commissioner Benitz asked for an opportunity to make changes to the brochure that would be made available to the public. Chairman Beaver suggested that Commissioner Benitz bring back any suggested changes to the Board for approval.

Vouchers

Check Date: 08/27/2010
Warrant #: 17347-17562
Taxes Wire # 810 and 1160810
Total all funds: \$1,318,237.33

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

Resolutions

- 10-494 Fujitsu Scanner Maintenance Contract w/Image Source
- 10-495 Line Item Transfer, Fund No. 0000-101, Dept. 115
- 10-496 Service Agreement w/D Selove, MD for Forensic Pathology Services
- 10-497 Payment to American Leak Detection for Leaking Well Services
- 10-498 License Agreement w/Behavioral Health Laboratories
- 10-499 Line Item Transfer, Fund No. 0108-101, Dept. 504
- 10-500 Truancy Contract for Finley School District
- 10-501 Master Services Agreement w/Evercom Systems, Inc.
- 10-502 First Contract Amendment w/SunScapes, Inc.
- 10-503 Line Item Transfer, Fund No. 0000-101, Dept. 117
- 10-504 Opt Out of the Revitalization Financing w/City of Richland
- 10-505 Line Item Transfer, Fund No. 0000-101, Dept. 123
- 10-506 Purchase Reimbursement Agreement w/WA State Administrative Office of the Courts
- 10-507 Approval of Vacation of Drainage Easement – SPV 10-06
- 10-508 Approval of Comprehensive Six-Year Road Program 2011-2016

There being no further business before the Board, the meeting adjourned at approximately 6:20 p.m.

Clerk of the Board

Chairman

Draft

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Special Emergency Board Meeting
September 1, 2010, 11:30 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman James Beaver
Commissioner Leo Bowman (via/video conference -Justice Center)
Commissioner Max E. Benitz, Jr.
County Administrator David Sparks (via/video conference – Justice Center)
Clerk of the Board Cami McKenzie (via/video conference – Justice Center)

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Facilities Manager Roy Rogers; Safety Coordinator Bryan Perry; Personnel Manager Melina Wenner.

Chairman Beaver said he called the special emergency board meeting to address a water leak that had occurred at the Benton County Courthouse in Prosser, Washington. He read into the record the resolution addressing the situation, said he witnessed the damage first hand, and wanted to evacuate areas where the leak had occurred. He said with the Board's concurrence he would close the offices at the Courthouse.

Commissioner Bowman asked if the issue had been resolved. Roy Rogers said the leak was stopped and they were replacing a gasket and the area should be cleaned up within an hour. Commissioner Bowman asked why it constituted an emergency.

Commissioner Benitz stated that all restrooms were shut off, ceiling tiles were down, the area was slippery and wet, and the HVAC and chillers were shut off.

Commissioner Bowman said he was not convinced there was any imminent danger but maybe they could close affected offices.

Commissioner Benitz stated there was water in the hallway, near the elevator, communications area, and into the Auditor's office.

Commissioner Bowman again stated he did not see the need to shut down the Courthouse for the entire day. Mr. Rogers said they were in the process of fixing the problem and believed it would be complete in approximately an hour. Additionally, the water was turned on and the bathrooms were in working order.

Bryan Perry said there was a slip and trip hazard on the first floor until it was cleaned up, however, there was not a problem on the 2nd and 3rd floors.

Commissioner Benitz said he wanted to give the Chairman authority to authorize any future delays or closures.

Commissioner Bowman suggested the Courthouse continue to operate but give the Managers and Elected Officials authority to send people home.

Chairman Beaver read the section of the resolution stating that elected officials and department directors shall grant paid leave to non-essential public safety workers and discretion to determine what employees were essential.

MOTION: Commissioner Benitz moved to approve the resolution in the matter of declaring county offices closed due to an emergency resulting from a hazardous broken water pipe inside the County Courthouse. Chairman Beaver seconded.

Discussion

Commissioner Bowman said he believed it was wrong to close the Courthouse and it was his understanding the situation was under control.

Upon vote, the motion carried with Commissioner Bowman opposing.

Resolutions

10-509: Approving Closure of Benton County Courthouse

There being no further business before the Board, the meeting adjourned at approximately 11:48 a.m.

Clerk of the Board

Chairman

A

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 137.

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: Animal Control

Dept Nbr: 137

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
521.230	1146	Animal Control Officer III	\$27,240	521.230	9305	Computer Hardware & Software	\$2,280
				521.230	9401	Computer Purchase	\$19,550
				521.230	9402	Computer Purchase - Software	\$5,410
TOTAL			\$27,240	TOTAL			\$27,240

Explanation:

These are costs for network equipment, professional services, and fiber installation associated with connecting the new Animal Control facility to the county network in order to provide full voice and data services. It also includes a standard desktop computer and network printer.

Prepared by: Keith Mercer

Date: 31-Aug-2010

Approved

Denied

Date: _____

Chairman

Member

Member

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE ADDENDUM TO THE WARRANTY, SUPPORT AND LEASE AGREEMENT WITH HART INTERCIVIC,

WHEREAS, Hart and Benton County entered into a Warranty, Support, and License Agreement on or about November 28, 2005; and

WHEREAS, Hart Intercivic proposed the Addendum to the Warranty, Support and Lease Agreement whereby Hart Intercivic will provide leases, support, and maintenance for the Hart Voting System version 6.x through November 27, 2015.

BE IT RESOLVED that James Beaver, Chairman of the Board of Benton County Commissioners, is hereby authorized to sign the Addendum to the Warranty, Support and Lease Agreement with Hart Intercivic.

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

Renewal Date 11/28/2010

For estimation purposes only.

Taxes are not included in these calculations.

Enter Annual Increase

3.0%

5 Year Commitment	Business As Usual		Five Year Commitment	
	2010	\$ 28,309.00	2010	\$ 28,309.00
	2011	\$ 29,158.27	2011	\$ 28,309.00
	2012	\$ 30,033.02	2012	\$ 28,309.00
	2013	\$ 30,934.01	2013	\$ 28,309.00
	2014	\$ 31,862.03	2014	\$ 28,309.00
	2015	\$ 32,817.89	2015	\$ 28,309.00
	Total	\$ 154,805.22	Total	\$ 141,545.00
			5 Year Savings	\$ 13,260.22
	2016	\$ 33,802.43	2016	\$ 29,441.36
	2017	\$ 34,816.50	2017	\$ 29,441.36
	2018	\$ 35,860.99	2018	\$ 29,441.36
	Total	\$ 104,479.92	Total	\$ 88,324.08
			3 Year Savings	\$ 16,155.84
			Total Savings	\$ 29,416.06

3 Year Commitment	Business As Usual		Three Year Commitment	
	2010	\$ 28,309.00	2010	\$ 28,309.00
	2011	\$ 29,158.27	2011	\$ 28,309.00
	2012	\$ 30,033.02	2012	\$ 28,309.00
	2013	\$ 30,934.01	2013	\$ 28,309.00
	Total	\$ 90,125.30	Total	\$ 84,927.00
			3 Year Savings	\$ 5,198.30
	2014	\$ 31,862.03	2014	\$ 29,441.36
	2015	\$ 32,817.89	2015	\$ 29,441.36
	2016	\$ 33,802.43	2016	\$ 29,441.36
	Total	\$ 98,482.35	Total	\$ 88,324.08
			3 Year Savings	\$ 10,158.27
			Total Savings	\$ 15,356.56



**ADDENDUM TO THE
WARRANTY, SUPPORT, AND LICENSE AGREEMENT**

This Addendum to the Warranty, Support and License Agreement (“Addendum”) is made as of August 31, 2010 (“Addendum Effective Date”) by and between Hart InterCivic, Inc., a Texas corporation (“Hart”), and Benton County (“Client”), a governmental subdivision of the State of Washington.

WHEREAS, Hart and Client entered into a Warranty, Support, and License Agreement on or about November 28, 2005, (the “Agreement”); and

WHEREAS, Hart and Client desire to amend the Agreement as set forth herein.

NOW THEREFORE, in consideration of the mutual covenants contained herein, Hart and Client hereby agree to amend certain of the provisions of the Agreement as follows:

1) **Definitions.** The following terms shall have the following respective definitions. Capitalized terms not defined in this Addendum shall have the meaning set forth in the Agreement for such term.

- a) “Base Year” means 2010 (\$28,309).
- b) “Initial Term Commitment Period” means 5 years.
- c) “Revised Termination Date” means November 27, 2015.
- d) “Second Term Commitment Period” means three (3) years.

2) **Initial Term Commitment.** The term of the Agreement shall be extended by the Initial Term Commitment Period such that it now ends on the Revised Termination Date. The Annual Fee for each year of the Initial Term Commitment Period shall be equal to the Annual Fee for the Base Year.

3) **Second Term Commitment.** After the Initial Term Commitment Period, Client may elect to renew for a period equal to the Second Term Commitment Period by sending written notice to Hart. For the Second Term Commitment Period, Hart may increase the Annual Fee one time at the beginning of such period by a maximum of four percent (4%) of the Annual Fee for the Base Year, and such adjusted fee shall apply for the remainder of the Second Term Commitment Period.

4) **Post-Commitment.** After the Initial Term Commitment Period and, if elected by the Client pursuant to Section 3 above, the Second Term Commitment Period, the Agreement may be renewed for subsequent one (1) year renewal terms at Client’s discretion pursuant to the renewal provisions set forth in the Agreement. For each such one (1) year period, the Annual Fee may be increased in Hart’s discretion subject to any maximum increase limits set forth in the Agreement.

5) **Applicability and Additional Equipment.** This Addendum and the services provided pursuant thereto apply only to the Hart Voting System version 6.x. Notwithstanding the rest of this Addendum, to the extent that Client purchases additional equipment or software during the Revised Term or thereafter, Client’s Annual Fee will be increased accordingly pursuant to the Agreement and as mutually agreed upon by and between Client and Hart.



6) **Early Termination.** In the event that the Agreement is terminated prior to the end of the Revised Term either by Client for any reason other than as a result of Hart's default as defined in the Warranty, Support and License Agreement or by Hart as a result of Client's breach, Client shall pay to Hart a termination fee equal to the Annual Fee determined in accordance with Section 1 above, multiplied by the number of years remaining in the Revised Term for which the Annual Fee has not yet been paid. In addition, Client shall not be entitled to any refund or credit for Annual Fee payments made prior to such early termination.

7) **Representations.** Each party hereto represents and warrants that (i) it has obtained all necessary approvals, consents and authorizations to enter into this Addendum and to perform and carry out its obligations hereunder, (ii) the persons executing this Addendum on its behalf have express authority to do so, and, in so doing, to bind the party thereto; and (iii) the execution, delivery, and performance of this Addendum does not violate any provision of any bylaw, charter, regulation, or any other governing authority of the party.

8) **General.** This Addendum supersedes the relevant provisions of the Agreement and any prior amendments thereto. All unaffected provisions of the Agreement are and shall remain valid and binding in accordance with the terms of the Agreement. This Addendum is governed by the laws of the State of Texas without regard to principles of conflict of laws. This Addendum may be executed in multiple counterparts. Facsimile signatures shall be valid and binding. Client is responsible for payment of any taxes related to the license and support fees referenced in this addendum.

IN WITNESS WHEREOF, the parties have entered into this Addendum to the Agreement as of the Addendum Effective Date.

Agreed and Accepted:

	<i>Client</i>	Hart
Name:	Benton County, Washington	Hart InterCivic, Inc.
Address:	620 Market St Prosser, WA 99350 Attention: Central Services	15500 Wells Port Drive Austin, Texas 78728 Attn.: Phillip W. Braithwaite
Primary Phone:	509-786-5603	800-223-4278
Facsimile:	509-786-5601	800-831-1485
E-mail:		pbraithwaite@hartic.com

Executed By:	_____	_____
Name:	James Beaver	Phillip W. Braithwaite
Title:	Chairman, County Commissioners	Senior Vice President & General Manager

This Addendum is not effective until executed by both parties.

C

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN
CURRENT EXPENSE FUND NUMBER 0000-101, DEPARTMENT NUMBER 115.

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

Dated this _____ day of _____, _____

Chairman of the Board

Member

Member

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

Attest: _____
Clerk of the Board

cc: Dept., Auditor, File, LSK

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Non-Departmental

Dept Nbr: 115

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
519.900	4931	Fenced Item Contingency	\$5,682	597.100	9914	County Road Operating Transfer	\$5,682
TOTAL			\$5,682	TOTAL			\$5,682

Explanation:

In 2009, \$449,237.84 was diverted for traffic law enforcement and \$443,556.42 was certified as expended. Therefore, \$5,681.42 needs to be refunded to the County Road Fund #0101-101. Per RCW 36.79.140, Benton County's eligibility for the Rural Arterial Trust Account Funds will be jeopardized if these funds are not returned to the County Road Fund.

Prepared by: Keith Mercer

Date: 31-Aug-2010

Approved

Denied

Date: _____

Chairman

Member

Member

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RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN JAIL DEPRECIATION FUND NUMBER 0142-101, 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: Jail Depreciation

Dept Nbr: 000

Fund Name: Jail Depreciation

Fund Nbr: 0142-101

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
523.500	3135	Maintenance/Repair Supplies	\$47,500	523.500	9101	Data Processing Administration	\$47,500
TOTAL			\$47,500	TOTAL			\$47,500

Explanation:

The new Jail Wireless system was awarded to Embarq in Oct-2008. Due to some delays with subcontractors, the project was not completed until late in 2009. The initial budget estimate was put into the 2009 budget as a place holder, but no expenses were billed to the Jail Depreciation fund. Since the 2010 budget was submitted before the project completion, the same place holder amount was inadvertently carried over into 2010. This line item transfer is needed in order to make the revised payment.

Prepared by: Keith Mercer

Date: 31-Aug-2010

Approved

Denied

Date: _____

Chairman

Member

Member

e

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE FIRST CONTRACT AMENDMENT BETWEEN BENTON COUNTY AND CUT ABOVE INCORPORATED AND AMENDING THE CONTRACT APPROVED BY RESOLUTION 10-021

WHEREAS, per resolution 10-021 dated January 11, 2010, the Board of Benton County Commissioners entered into a contract with Cut Above Incorporated, Kennewick, WA – Contractors License No. CUTABAI934LK in the amount \$17,782.86 including WSST for grounds maintenance spraying services located at the Benton County Fairgrounds; and

WHEREAS, Cut Above Incorporated and the Fairgrounds Office Manager reevaluated the current conditions of the Benton County Fairgrounds and found the need for additional bare ground treatment, bug control, fertilizations, and chlorine treatments; and

WHEREAS, this additional service and treatments will allow Benton County Fairgrounds to maintain its proper appearance and safety for public use for the remainder of 2010; and

WHEREAS, Cut Above Incorporated has submitted an amended quote for \$22,331.46 including WSST , which includes the additional bare ground treatment, bug control, fertilizations, and chlorine treatments; and

WHEREAS, the Deputy County Administrator and the Fairgrounds Office Manager are satisfied with the services provided by Cut Above Incorporated and wish to amend the current contract for additional bare ground treatment, bug control, fertilizations, and chlorine treatments; **NOW, THEREFORE**

BE IT RESOLVED, by the Board of Benton County Commissioners, Benton County, Washington, the Board hereby concurs with the Deputy County Administrator and Fairgrounds Office Manager’s recommendation and hereby approves the First Contract Amendment between Benton County and Cut Above Incorporated for a contract amount of \$22,331.46 and a total contract amount not to exceed \$23,000 not including WSST; and

BE IT FURTHER RESOLVED, the Board hereby authorizes the Chairman of the Board to sign the First Contract Amendment attached hereto; and

BE IT FURTHER RESOLVED, the Contract approved by Resolution 10-021 is hereby amended.

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**

Originals: Fairgrounds; Cut Above Incorporated
cc: Auditor; R. Ozuna; File

Prepared by: C. Bowen

FIRST CONTRACT AMENDMENT

THIS FIRST CONTRACT AMENDMENT, 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 **CUT ABOVE, INC.**, 109106 E 297 PR SE, Kennewick, WA 99338 a firm licensed to do business in the State of Washington, (hereinafter "CONTRACTOR").

WHEREAS, per Resolution 10-021 the parties entered into a Contract (the "CONTRACT") to provide ground maintenance spraying services for the Benton County Fairgrounds; and

WHEREAS, the parties wish to amend the CONTRACT terms and conditions so that, in addition to the other rights and duties conferred within the CONTRACT, CONTRACTOR shall apply additional spray treatments for bug control, bare ground application, fertilizations, and chlorine treatment on Fairgrounds livestock facilities; and

WHEREAS, Cut Above, Inc. will be compensated \$4,200.00 for the itemized additional services listed in Exhibit "C"; and

NOW, THEREFORE, in consideration of the payments, provisions, and agreements set forth in the CONTRACT, the parties agree as follows:

1. CONTRACT DOCUMENTS the existing paragraph shall be amended by adding the following Exhibit:

Exhibit "C" – Contractor's Proposal

2. SERVICES PROVIDED the existing paragraph shall be amended by adding the following to the end of the paragraph in section 3 "SERVICES PROVIDED":

The CONTRACTOR agrees to provide additional spray applications and treatments to the existing spray maintenance program for the Fairgrounds as listed in Exhibit "C".

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

The CONTRACTOR shall be paid in accordance with the proposal provided in Exhibit A and Exhibit C attached hereto. The total amount payable by the COUNTY to the CONTRACTOR under this Contract is Twenty two thousand three hundred and thirty one dollars and forty six cents (\$22,331.46) including W.S.S.T. Total amount payable, including acceptable overages, incidentals and other unanticipated costs shall not exceed Twenty three thousand dollars (23,000.00) not including W.S.S.T. **Prior to any compensation being paid, CONTRACTOR shall submit a Statement of Intent to Pay Prevailing Wages in a form approved and certified**

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

COPY 

AGENDA ITEM	TYPE OF ACTION NEEDED	
Amendment to correct line items with Benton-Franklin Community Action Committee, #07/10-HGAP-CAC-4	<input checked="" type="checkbox"/> Execute Contract	<input checked="" type="checkbox"/> Consent Agenda
	<input checked="" type="checkbox"/> Pass Resolution	<input type="checkbox"/> Public Hearing
Prepared By: Carol Carey	<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 subcontracts with the Benton-Franklin Community Action Committee to provide services for a pilot early release program for persons who are released from local jails. The Community Action Committee provides these persons with housing and case management services in order to successfully return to the community. This amendment is to correct two line errors in the program budget.

SUMMARY

Award: Remains at \$544,200.00

Period: July 1, 2007 through June 30, 2010.

Funding Source: Washington State Department of Commerce and Benton County Match

RECOMMENDATION

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

FISCAL IMPACT

Funding for the services described in the Agreement is provided by the Washington State Department of Community Trade and Economic Development. **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 Amendment #07/10-HGAP-CAC-4 and authorize the Chairs of Benton and Franklin Counties Commissioners to sign on behalf of the Board.

JOINT RESOLUTION

Franklin County Resolution Number _____

Benton County Resolution Number _____

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

IN THE MATTER OF EXECUTION OF AMENDMENT #07/10-HGAP-CAC-4 BETWEEN THE BENTON AND FRANKLIN COUNTIES DEPARTMENT OF HUMAN SERVICES AND BENTON-FRANKLIN COMMUNITY ACTION COMMITTEE (BFCAC) TO CORRECT TWO LINE ITEM ERRORS IN THE PROGRAM BUDGET,

WHEREAS, the Benton and Franklin Counties' Department of Human Services funding from the Department of Commerce for the Homeless Grant Assessment Program (HGAP) project. The Department of Human Services subcontracts with Benton-Franklin Community Action Committee to provide housing and case management services in order for these persons return successfully to the community with funding awarded by the Department of Commerce; and

WHEREAS, two funding lines in the program budget were in error, and

WHEREAS, the Department of Human Services corrected these line errors, **NOW THEREFORE**,

BE IT RESOLVED by the Boards of Benton and Franklin County Commissioners that Amendment #07/10-HGAP-CAC-4 between Benton and Franklin Counties' Department of Human Services and the Benton-Franklin Community Action Committee be approved; and

BE IT FURTHER RESOLVED that the Chairman 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

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

cc: Human Services, Benton and Franklin Co. Commissioners

Carey

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

COPY 

AGENDA ITEM	TYPE OF ACTION NEEDED	
Amendment #0963-68016-03 with the Division of Alcohol and Substance Abuse	<input checked="" type="checkbox"/> Execute Contract	<input checked="" type="checkbox"/> Consent Agenda
	<input checked="" type="checkbox"/> Pass Resolution	<input type="checkbox"/> Public Hearing
Prepared By: Carol Carey	<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 Department of Human Services has an agreement with the Health and Recovery Services Administration, Division of Alcohol and Substance Abuse to provide treatment services to clients. HRSA is increasing the total amount by \$60,350.00. This increase includes prevention services.

SUMMARY

Award: Increase \$60,350.00 for a maximum consideration of \$4,011,226.00.
Period: June 30, 2010 through June 30, 2011.
Funding Source: Division of Alcohol and Substance Abuse

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 Division of Alcohol and Substance Abuse and the US Department of Justice. **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 #0963-68016-03 with the Division of Alcohol and Substance Abuse and to authorize the Chair to sign on behalf of the Board.

JOINT RESOLUTION

Benton County Resolution # _____

Franklin County Resolution # _____

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

IN THE MATTER OF EXECUTION OF AN AMENDMENT TO INCREASE THE TOTAL AMOUNT IN THE AGREEMENT FOR PROVIDING SUBSTANCE ABUSE TREATMENT SERVICES BETWEEN THE DIVISION OF ALCOHOL AND SUBSTANCE ABUSE AND BENTON AND FRANKLIN COUNTIES' DEPARTMENT OF HUMAN SERVICES, AGREEMENT #0963-68016-03

WHEREAS, the Division of Alcohol and Substance Abuse would like to amend the original agreement with the Department of Human Services to increase the contract amount for prevention services.

WHEREAS, the amendment increases the contract by \$60,350.00 to a maximum consideration of \$4,011,266.00 and

WHEREAS, the amendment is effective June 30, 2010 through June 30, 2011, NOW THEREFORE,

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

BE IT FURTHER RESOLVED that the Chairman 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 Amendment with the Division of Alcohol and Substance Abuse.

Dated this . . . day of, 2010.

Dated this . . . day of, 2010.

Chair

Chair

Chair Pro-tem

Chair Pro-tem

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

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

Attest _____
Clerk of the Board

Attest _____
Clerk of the Board

cc: Human Services; Benton and Franklin County Commissioners

Prepared by M. Loera

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 09-13-10 F/C 09-22-10		
SUBJECT: Signature on Contract Amendment with ARAMARK Correctional Services		
Prepared By: Donna A. Lee		
Reviewed By: Sharon Paradis		

BACKGROUND INFORMATION

The Benton-Franklin Counties Juvenile Justice Center has a current contract with ARAMARK Correctional Services for detention food services. The Contract was amended in January of 2010 to extend the duration of the contract to June 30, 2011. This Amendment, Amendment #2, replaces Attachment A correcting an error on Attachment A of the original contract. The original Attachment A presumed that the detention population would always be above 30 and did not address the costs for meals when population is below 30. This Amendment corrects that oversight.

SUMMARY

ARAMARK continues to provide for food services to the Benton-Franklin Counties Juvenile Justice Center, Detention Unit and agrees to this correction.

RECOMMENDATION

We recommend that the Boards of County Commissioners approve the Food Services Contract Amendment between the Benton-Franklin Counties Juvenile Justice Center and ARAMARK Correctional Services, as written.

FISCAL IMPACT

The food service rates are included in Juvenile's 2010 approved budget.

MOTION

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be hereby are authorized to sign, on behalf of their respective county, the Food Services Contract Amendment between ARAMARK Correctional Services and the Benton-Franklin Counties Juvenile Justice Center.

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 FOOD SERVICES CONTRACT AMENDMENT BETWEEN THE JUVENILE JUSTICE CENTER AND ARAMARK CORRECTIONAL SERVICES, and

WHEREAS, Sharon A. Paradis, Administrator of the Juvenile Court, believes it is in the best interest of the Juvenile Justice Center that the Food Service Contract Amendment, replacing Attachment A of the Contract, between ARAMARK Correctional Services and Benton-Franklin Counties Juvenile Justice Center be amended 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 be and they hereby are authorized to sign, on behalf of their respective county, the Personal Services Contract.

DATED this 13th day of September 2010
BENTON COUNTY BOARD OF COMMISSIONERS

DATED this 22nd day of September 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

RESOLUTION

BENTON COUNTY RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF TERMINATING THE CONTRACT RUNNING FROM JANUARY 1, 2008 TO DECEMBER 31, 2010, PREVIOUSLY EXECUTED VIA RESOLUTION 07-881, WITH ATTORNEY SHELLEY AJAX (“ATTORNEY”) TO PROVIDE INDIGENT DEFENSE SERVICES IN SUPERIOR COURT.

WHEREAS, Benton County (“County”) currently has a contract with Attorney whereby Attorney provides indigent defense services in Benton County Superior Court;

WHEREAS, Attorney has accepted an indigent defense contract in Franklin County and has therefore provided County with written notice of termination of her Benton County contract, with a desired effective date of August 31, 2010;

WHEREAS, the wind-down provisions in the contract with Attorney require 90 days notice prior to termination but also require County to continue to compensate Attorney during these 90 days;

WHEREAS, since County will not be soliciting a replacement attorney for Attorney’s contract in Benton County Superior Court, it is in County’s best interests to accept Attorney’s termination for its desired effective date of September 1, 2010 and reassign Attorney’s existing Benton County cases to other attorneys currently providing indigent defense services in Benton County Superior Court;

NOW THEREFORE, BE IT RESOLVED THAT the contract with Attorney Shelley Ajax, for indigent defense services in Benton County Superior Court, previously executed via Resolution 07-881, is hereby terminated at the request of Attorney Shelley Ajax with an effective date of August 31, 2010, at which point all further compensation due Attorney, and all contract obligations of Attorney, shall end.

Dated this day of, 20

Chairman of the Board

Chairman Pro-Tem

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

Attest:
Clerk of the Board

RESOLUTION 07 881

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF A PROFESSIONAL SERVICE AGREEMENT WITH SHELLEY AJAX, ATTORNEY AT LAW FOR LEGAL REPRESENTATION OF INDIGENT INDIVIDUALS CHARGED WITH FELONIES IN BENTON COUNTY SUPERIOR COURT

WHEREAS, the Board of County Commissioners and Shelley Ajax, Attorney at Law, both desire to enter into an agreement effective on January 01, 2008 for legal representation of indigent individuals charged with Felonies in Superior Court;

NOW, THEREFORE,

BE IT RESOLVED that the Board of Benton County Commissioners hereby approves the attached Professional Service Agreement for Legal Representation of Indigent Individuals Charged with Felonies in Superior Court with Shelley Ajax, Attorney at Law for the period January 01, 2008 through December 31, 2010.

Dated this 17 day of Dec, 2007.

Leo M. Buenon
Chairman of the Board
Claudia A. Olney
Chairman Pro-Tem
May E. Benoit
Member

Attest: Camille M. G. i
Clerk of the Board

Constituting the Board of County Commissioners of Benton County, Washington

Original: File
Cc: Rosie Sparks; Shelley Ajax; Pat Austin; Rosemary Ozuna

Judy Paxton

<u>AGENDA ITEM</u>	<u>TYPE OF ACTION NEEDED</u>	
Meeting Date: Sept. 13, 2010 Subject: <u>Line Item</u> <u>Transfer</u> Prepared by: <u>Melina 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

j

BACKGROUND INFORMATION

Please see attached Exhibit A.

SUMMARY

Same as above

RECOMMENDATION

Pass resolution.

FISCAL IMPACT

None

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY FUNDS RE: TRANSFER OF FUNDS WITHIN
INSURANCE MANAGEMENT FUND NUMBER 0504-101, 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, Personnel

BENTON COUNTY LINE ITEM TRANSFER

Dept Name: Personnel Resources Dept Nbr: 000
 Fund Name: Insurance Management Fund Nbr: 0504-101

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
514.770	4917	Liability Claims	\$3,290	514.710	9305	Computer Hardware & Software	\$3,290
TOTAL			\$3,290	TOTAL			\$3,290

Explanation:

Request to transfer money into computer hardware and software line item for the purchase of desk top scanners for personnel/risk management staff.

Prepared by: Melina Wenner Date: 31-Aug-2010
 Approved Denied Date: _____

 Chairman

 Member

 Member

K

<p>AGENDA ITEM MTG. DATE: Sept. 13, 2010 SUBJECT: Appointment of Mark Reis to the Planning Commission MEMO DATE: August 30, 2010 Prepared By: Donna Hutchinson Reviewed By: Michael Shuttleworth</p>	<p>TYPE OF ACTION NEEDED Execute Contract Pass Resolution X Pass Ordinance Pass Motion X Other</p>	<p>Consent Agenda X Public Hearing 1st Discussion 2nd Discussion Other</p>
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BACKGROUND INFORMATION

Mr. Eugene Johnson resigned his position on the Planning Commission leaving a vacancy in an "at large" position. Mr. Mark Reis has made application requesting to be appointed to fill the unexpired term. The members of the Board have indicated their approval of the appointment of Mr. Reis to the Planning Commission and have instructed staff to prepare a resolution for their signature.

SUMMARY

The attached resolution has been prepared for signature at the request of the Board appointing Mr. Reis to the Planning Commission.

RECOMMENDATION

It is the recommendation of the Planning Staff that the Board of County Commissioners sign the resolution appointing Mr. Reis to the Planning Commission.

FISCAL IMPACT

None

MOTION

Approve the consent agenda and sign the resolution finalizing the appointment of Mr. Reis to the Planning Commission .

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF COUNTY PLANNING RE: APPOINTMENT OF MARK REIS TO THE BENTON COUNTY PLANNING COMMISSION.

WHEREAS, Benton County Ordinance No. 86 (as amended by Ordinance No. 181), adopted pursuant to RCW 36.70, provides for a seven-member County Planning Commission, and

WHEREAS, RCW 36.70.080 provides for appointment of Planning Commission members by the Chairman of the Board of County Commissioners, upon approval of a majority of the Board, from nominations by individual Board members, said appointment to result in equal representation among the Commissioners Districts, and

WHEREAS the Mr. Eugene Johnson submitted his resignation to the Benton County Planning Commission, thereby creating a vacancy on the Planning Commission; and

WHEREAS Mr. Mark Reis has agreed to accept an appointment to the Planning Commission for the Third District Commissioner to fill the vacancy created by Mr. Johnson's resignation;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Benton County Commissioners reappoint Mr. Mark Reis, to the Benton County Planning Commission with his term to expire July 5, 2014.

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

Terry A. Marden/djh

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY ROADS RE: C.E. 1935 SMP - PAVEMENT MARKING-2010

WHEREAS, by resolution dated August 9, 2010, award was made to Stripe Rite, Inc., Sumner, Washington for C.E. 1935 SMP - PAVEMENT MARKING-2010; and

WHEREAS, the contract in the amount of \$229,585.00 has been executed by Stripe Rite, Inc., Sumner, Washington; NOW, THEREFORE,

BE IT RESOLVED that the Board hereby authorizes the Chairman of the Board of County Commissioners to sign said contract for and on behalf of Benton County.

Dated this 13th day of September, 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:LJM:slc

n

RESOLUTION

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

IN THE MATTER OF COUNTY ROADS, RE: CONSULTANT AGREEMENT FOR APPRAISAL SERVICES

WHEREAS, by Resolution Number 08-651, dated July 7, 2008, Benton County entered into an agreement with Associated Appraisers of Walla Walla, Washington to provide appraisal services for the purposes of obtaining property for various County projects; and

WHEREAS, said agreement provides for periodical renewals up to June 30, 2013; and

WHEREAS, the Public Works Manager recommends the renewal of the agreement to June 30, 2011 be approved, NOW, THEREFORE

BE IT RESOLVED that the Chairman is authorized to sign the Consultant Agreement on behalf of Benton County.

Dated this 13th day of September 2010.

Chairman

Chairman Pro-Tem

Member

Attest: _____
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington

SWB

AMENDMENT TO CONSULTANT AGREEMENT FOR APPRAISAL SERVICES
BETWEEN ASSOCIATED APPRAISERS OF WALLA WALLA, WASHINGTON AND
BENTON COUNTY, WASHINGTON

Section 1 of the above referenced Agreement allows the agreement to be renewed annually for a period of five years ending June 30, 2013. The below signed parties have agreed to renew agreement for a period ending June 30, 2011 at which time it may once again be renewed upon approval by both parties.

Section 12, F, (5), is revised to read:

All written notices under this Section [12] and notice of cancellation or change of required insurance coverages shall be mailed to the COUNTY at the following address:

Public Works Manager
Benton County Public Works
P.O. Box 1001
Prosser, WA 99350

FOR ASSOCIATED APPRAISERS
WASHINGTON



Title: Member

Date: 9-1-10

FOR BENTON COUNTY,

Chairman, Board of County Commissioners

Date: _____

ATTEST:

Clerk of the Board

Date: _____

APPROVED AS TO FORM:

Deputy Prosecuting Attorney

Date: _____



RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE BOARD TO SIGN THE PERSONAL SERVICE CONTRACT AMENDMENT BETWEEN BENTON COUNTY AND WATCH SYSTEMS LLC. FOR MAILING OF SEX OFFENDER NOTIFICATIONS, CURRENT EXPENSE FUND NUMBER 0000-101, SHERIFF PATROL DEPARTMENT 121.

WHEREAS, Benton County and Watch Systems LLC entered into a Personal Service Contract via resolution 10-259 dated April 26, 2010, whereby Watch Systems LLC would provide mailing of sex offender notifications; and

WHEREAS, the parties wish to amend the Personal Service Contract terms and conditions so that the contract shows that for each mailing there is a minimum order of \$35 as stated in Exhibit A of the contract; **NOW THEREFORE**

BE IT RESOLVED, the Board of Benton County Commissioners hereby approves the attached Personal Service Contract amendment and authorizes the Chairman of the Board to sign the attached Personal Service Contract Amendment between Benton County and Watch Systems LLC.

Dated this _____ day of _____, 2010

Chairman of the Board

Member

Member

Attest: _____
Clerk of the Board

PERSONAL SERVICE CONTRACT AMENDMENT

THIS PERSONAL SERVICE CONTRACT AMENDMENT is made and entered into this _____ day of _____ 2010 by and between Benton County, Washington hereinafter called "COUNTY" and Watch Systems, LLC hereinafter called "CONTRACTOR".

WHEREAS, per Resolution 10-259 the parties entered into a Personal Service Contract (the "CONTRACT") dated March 1, 2010 for the purposes of mailing sex offender notifications; and

WHEREAS, the parties wish to amend the CONTRACT terms and conditions so that the CONTRACT shows that for each mailing there is a minimum order of \$35

NOW, THEREFORE, in consideration of the payments, provisions, and agreements set forth in the CONTRACT, the parties agree as follows:

1. Section 5. COMPENSATION shall read as follows:

5. COMPENSATION

For the services performed hereunder, the CONTRACTOR shall be paid as follows:

- a. **The costs per each postcard mailed will be the current United States Postal Service first class rate at the time of the mailing.**
- b. The maximum total amount payable by the COUNTY to the CONTRACTOR under this Contract shall not exceed **\$50,000**.
- c. For each mailing there is a minimum order of \$35.
- d. No payment shall be made for any work performed by the CONTRACTOR, except for work identified and set forth in this Contract.
- e. The CONTRACTOR may submit invoices to the COUNTY not more than once per month during the progress of the work for partial payment of the work completed to date. Invoices shall cover the time CONTRACTOR performed work for the COUNTY during the billing period. The COUNTY shall pay the CONTRACTOR for services rendered in the month following the actual delivery of work and will remit payment within thirty (30) days from the date of receipt.
- f. The CONTRACTOR shall not be paid for services rendered under this Contract unless and until they have been performed to the satisfaction of the COUNTY.
- g. In the event the CONTRACTOR has failed to perform any substantial obligation to be performed by the CONTRACTOR under this Contract and such failure has not been cured within ten (10) days following notice from the COUNTY, the COUNTY may, in its sole discretion, upon written notice to the CONTRACTOR, withhold any and all monies due and payable to the

CONTRACTOR, without penalty, until such failure to perform is cured or otherwise adjudicated. "Substantial" for the purposes of this Contract means faithfully fulfilling the terms of this Contract with variances only for technical or minor omissions or defects.

h. Unless otherwise provided in this Contract or any exhibits or attachments hereto, the CONTRACTOR will not be paid for any billings or invoices presented for services rendered prior to the execution of this Contract or after its termination.

2. All other terms and conditions remain the same.

IN WITNESS WHEREOF, the parties have caused this Contract to be signed by their duly constituted legal representatives and is effective on the last date signed.

Date: _____

Date: 8/25/10

Benton County

Watch Systems, LLC

Chairman

Carole J. Staley
Signature

Approved as to Form

Carole Farley
Print Name

Jonathan Young
Jonathan Young, Civil Deputy Prosecuting Attorney

Dir of Acct.
Title

P

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE PERSONAL SERVICE CONTRACT EXTENSION AGREEMENT BETWEEN BENTON COUNTY AND CONSOLIDATED FOOD MANAGEMENT INC. FOR CORRECTION FOOD SERVICES LOCATED AT THE BENTON COUNTY JAIL FACILITY, CURRENT EXPENSE FUND NO. 0000-101, SHERIFF CUSTODY DEPARTMENT 120

WHEREAS, proposals for corrections food services located at the Benton County Jail Facility, Kennewick, WA were solicited from interested providers in 2008; and

WHEREAS, a Personal Service Contract was entered into on January 15, 2009 between Benton County and Consolidated Food Management Inc., for corrections food services to the jail for calendar year 2009 via Resolution 09-031; and

WHEREAS, the parties' 2009 Personal Service Contract specifies that upon mutual written agreement of the parties, the contract terms and conditions may be extended for four (4) subsequent one year periods; and

WHEREAS, a Contract Extension Agreement was entered into on October 12, 2009 for the calendar year 2010 via Resolution 09-685; and

WHEREAS, Benton County has been satisfied with the food service provided by Consolidated Food Management Inc; and

WHEREAS, the parties wish to extend the contract terms and conditions for calendar year 2011 with a change to Section 25 COMPENSATION. "The total amount payable to the CONTRACTOR for 2011 shall not exceed eight hundred forty one thousand nine hundred nineteen dollars and two cents (\$841,919.02)."; **NOW, THEREFORE**,

BE IT RESOLVED, the Benton County Commissioners hereby approves the attached Personal Service Contract Extension Agreement between Benton County and Consolidated Food Management Inc. for correction food services in an amount not to exceed \$841,919.02 for the calendar year 2011; and

BE IT FURTHER RESOLVED, the Board authorizes the Chairman of the Board to sign the attached Personal Service Contract Extension Agreement; and

BE IT FURTHER RESOLVED, the Personal Service Contract Extension Agreement commences on January 1, 2011 and expires December 31, 2011.

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

Orig Sheriffs Office
cc: Auditor, R. Ozuna, CFM

Prepared by: D. Pettey

SECOND CONTRACT EXTENSION AGREEMENT

THIS SECOND CONTRACT EXTENSION AGREEMENT is made and entered into this ____ day of _____, 2010 by and between Benton County, Washington hereinafter called "COUNTY" and Consolidated Food Management Inc. hereinafter called "CONTRACTOR".

WHEREAS, the parties entered into an Institutional Food Service Contract dated January 12, 2009 (the "CONTRACT") via resolution 09-031, for corrections food services located at the Benton County Jail Facility; and

WHEREAS, the CONTRACT specifies that upon mutual agreement of the parties, the contract terms and conditions may be extended for four (4) subsequent one year periods on mutual written agreement of the parties; and

WHEREAS, the parties wish to extend the contract terms and conditions for calendar year 2011 with a change to Section 25 COMPENSATION indicating that the total amount payable to the CONTRACTOR for 2011 shall not exceed eight hundred forty one thousand nine hundred nineteen dollars and two cents (\$841,919.02).

NOW, THEREFORE, in consideration of the payments, provisions, and agreements set forth herein, the parties agree as follows:

1. This Second Extension Agreement, the Contract, and all contract documents incorporated therein constitute the integrated agreement between parties.
2. This Second Extension Agreement shall be effective January 1, 2011 through December 31, 2011.
3. Section 25 "COMPENSATION" is hereby deleted and replaced with the following:

25. COMPENSATION

For the services performed hereunder, the CONTRACTOR shall be paid as follows:

- a. The CONTRACTOR shall be paid in accordance with Exhibit C attached hereto.
- b. The total amount payable to the CONTRACTOR under this Contract shall not exceed eight hundred forty one thousand nine hundred nineteen dollars and two cents (\$841,919.02).
- c. No payment shall be made for any work performed by the CONTRACTOR, except for work identified and set forth in this Contract.
- d. The CONTRACTOR may submit invoices to the COUNTY not more than once per week during the progress of the work for partial payment of the work completed to date. Invoices shall cover the time CONTRACTOR performed work for the COUNTY during the billing period. The COUNTY shall pay the CONTRACTOR for services rendered in the month

8

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AMENDING RESOLUTION 09-896 TO INCREASE THE TOTAL AMOUNT PAYABLE TO BOB BARKER COMPANY INC. TO \$25,000 FOR INMATE CLOTHING AND OTHER MISCELLANEOUS PURCHASES FOR THE BENTON COUNTY SHERIFF'S OFFICE, KENNEWICK, WASHINGTON, CURRENT EXPENSE FUND 0000-101, SHERIFF CUSTODY DEPARTMENT 120

WHEREAS, the Board authorized inmate clothing and other miscellaneous purchases from Bob Barker Company Inc. via Resolution 09-896 on December 28, 2009; and

WHEREAS, the total amount payable to Bob Barker Inc. is not to exceed fifteen thousand dollars and zero cents (\$15,000.00) including WSST; and

WHEREAS, the total amount payable to Bob Barker Inc. has been exhausted; and

WHEREAS, additional inmate clothing and other miscellaneous items need to be purchased from Bob Barker Inc. during the remainder of the calendar year 2010; and

WHEREAS, the Benton County Sheriff's Office wishes to amend Resolution 09-896 and increase the total amount payable to \$25,000; **NOW THEREFORE**,

BE IT RESOLVED, the Board of Benton County Commissioners, Benton County Washington, hereby amends Resolution 09-896 and authorizes inmate clothing purchases and other miscellaneous items from Bob Barker Company Inc. for the calendar year of 2010 in an amount not to exceed \$25,000 including WSST.

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

r

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING AMMUNITION PURCHASES FROM DOOLEY ENTERPRISES, INC. AND SAN DIEGO POLICE EQUIPMENT COMPANY INC. FOR THE BENTON COUNTY SHERIFF'S OFFICE, KENNEWICK, WASHINGTON, CURRENT EXPENSE FUND 0000-101, DEPARTMENTS 120 AND 121

WHEREAS, Resolution 10-180 authorized ammunition purchases from Dooley Enterprises, Inc. and San Diego Police Equipment Company for the Benton County Sheriff's Office through July 31, 2010; and

WHEREAS, Washington State Contract No. 10903's current term start date has been modified to August 1, 2010 and expires on January 31, 2011; and

WHEREAS, the Washington State Contract No. 10903 allows for the purchase of Ammunition; and

WHEREAS, Benton County Sheriff's Office would like to purchase Ammunition off of the Washington State Contract No. 10903 from August 1, 2010 through January 31, 2011; and

WHEREAS, Dooley Enterprises, Inc of Anaheim, CA and San Diego Police Equipment Company, Inc of San Diego, CA are both on the vendor list and State Contract No. 10903; and

WHEREAS, Benton County Sheriff's Office would like to have the ability to order ammunition from both companies due to availability of ammunition; **NOW THEREFORE**,

BE IT RESOLVED, by the Board of Benton County Commissioners, Benton County, Washington, hereby approves purchases of Ammunition off of the Washington State Contract No. 10903 from Dooley Enterprises, Inc. of Anaheim, CA and San Diego Police Equipment Company Inc. of San Diego, CA from August 1, 2010 through January 31, 2011 for a total amount not to exceed \$11,000 including WSST; and

BE IT FURTHER RESOLVED, the Board authorizes the Sheriff or his designee to sign the Purchase Agreements for Ammunition purchases off the Washington State Contract No. 10903; and

BE IT FURTHER RESOLVED, Washington State Contract No. 10903 commences on August 1, 2010 and expires on January 31, 2011.

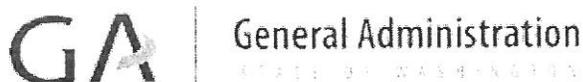
Dated this _____ day of _____, 2010

Chairman of the Board

Member

Member

Attest: _____
Clerk of the Board



Office of State Procurement - Customer Service (360) 902-7400 or csmail@ga.wa.gov

Ammunition

Contract#: 10903 **Replaces:** 07099, 07097

Ammunition to include new, lead, lead-free, clean-fire, reloadable and non-reloadable casing.

Contract benefits:

- Large variety of ammunition available at competitive prices
- Contract maximizes the state's collective purchasing power

Due to the crisis and ongoing problems in the Middle East, ammunition availability is suffering drastically. This problem is industry-wide and has affected delivery timelines identified in the contract. Depending on the distributor's or manufacturer's available inventory, a delivery time of 30 days could easily change to 210 to 300 days. Please consider this when placing orders and/ or scheduling training.

Current Term Start Date: 08-01-2010 **Award Date:** 01-30-2004 **Est. Annual Worth:** \$2,725,258
Current Term Stop Date: 01-31-2011 **Final Term End On:** 01-31-2011 **Commodity Code(s):** 1097,1305,1395,1399
Diversity: 0% WBE 0% MBE **# of Bids Received:** 5

Who can use this contract?

- * Washington State agencies
- * Qualified Cooperative Members (Political Subdivisions/Non-Profit Organizations)
- * Participating Colleges, Universities, Community & Technical Colleges
- * Oregon Coop Members

Contract Documents & Resources

- * View Current Contract Information (CCI)
- * Original Solicitation Document
- * Solicitation Results Summary (Bid Tab)
- * Contract Activity
- * Submit Contractor Feedback
- * Best-buy Notification

Contractors(s):

DOOLEY ENTERPRISES, INC.

SAN DIEGO POLICE EQUIPMENT COMPANY INC.

Information about the number of bids received is included to show:

- Vendors which contracts would benefit from more competition.
- Assure our customers that we sought the best overall value through as many competitive bids as possible.

S

Salary Request Statement

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

September 8, 2010

Board of County Commissioners
Benton County Courthouse
Prosser, WA 99350

RE: Proposed Right of Way Vacation
Unimproved Right of Way for Christy Road
Sections 7 and 8, Township 5 North, Range 28 East, W.M.
CE 1940 VAC

Commissioners:

In accordance with Resolution #10-493, dated August 23, 2010, setting a public hearing for September 13, 2010, for a proposed road right of way vacation of unimproved right of way for Christy 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 for vacation. The right of way requested for vacation and abandonment is a strip of land of variable width, located in Sections 7 and 8, T 5 N, R 28 E, WM., lying south of Lots 6 through 15 of Block 39, Plat of the Town of Plymouth, filed under Volume 1 Page 59 of Plats, records of Benton County Auditor filed on February 6, 1907

There is an existing private encroachment approach located across the unimproved right of way which is used by both landowners. The existing approach may remain. A new approach for the landowner, Ms. Sharon Gray, will not be approved due to poor sight distance. Due to this fact, the applicant Mr. Alex Espericueta will need to grant a 20 foot private ingress/egress easement to the current adjacent landowner Ms. Sharon Gray. This easement must be submitted to the Public Works Department prior to recording the vacation resolution. This easement shall be recorded immediately following the recording of the Resolution approving the vacation, if approved by the Board.

This right of way has never been improved.

Public Comments have been received by the following:

- 1) Sharon Gray requested a 20 foot ingress egress easement.
- 2) Benton County Planning Department had no comments.

In conclusion, it is the opinion of Benton County Public Works that it is not in the interest of the County to retain the right of way shown on the attached map and the public will be benefited by the vacation and abandonment of said right of way. It is also our opinion that it is not advisable to retain the right of way for the County road system of the future.

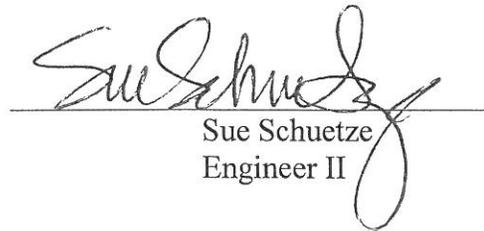
The Benton County Engineer recommends the right of way be vacated, subject to the following conditions:

That an ingress egress easement be submitted to the Public Works Department from Mr. Alex Espericueta granting Ms. Sharon Gray a 20 foot easement, which shall be recorded immediately following the recording of the Resolution of the vacation if approved by the Board.

Sincerely,



Steven W. Becken,
Public Works Manager



Sue Schuetze
Engineer II

9:10

RECEIVED

AUG 25 2010

BENTON COUNTY
COMMISSIONERS

Memo

To: Marilu Flores
From: Jacki Lahtinen, Administrator
Date: 8/19/2010
Re: Consent agenda

Could you please put this on the consent agenda for August 30, 2010. If you have any questions please contact me at ext 3255.

Tabbed until next meeting

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 111.

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

9:15

Commissioners' Date Stamp:

TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: Juvenile	Fund Number: 0115-101
Dept Name: Juvenile Facilities	Dept Number: 172

Request Summary

Expenditure		Supplement	Revised Budget
BARS Number	Item Name	Amount	
527.800.3135	Maintenance/Repair Supplies	\$50,968	\$66,418
527.800.4103	Professional Services	\$10,717	\$10,717
Total Supplement		\$61,685	

Revenue		
Fund No.	Item Name	Amount
397.10.0001	Operating Transfer In - Current Expense - BC @ 72%	\$44,413
338.27.0003	Operating Transfer In - Current Expense - FC @ 28%	\$17,272
Total Revenue		\$61,685

Basis for Supplement (Attach Documentation as Appropriate):

Supplemental appropriation request for replacement of the electrical panels, computer and software upgrade that controls the lights and electric doors in the detention facility. The existing system, which was installed during the expansion of the detention facility in 1997 is no longer being manufactured therefore we are unable to secure replacement parts in the event of another malfunction. See attached copy of letter to the Benton and Franklin County Board of Commissioners dated December 15, 2009 for background information.

Commissioners Benton County		Commissioners Franklin County	
Approved for Hearing <input type="checkbox"/>	Denied <input type="checkbox"/>	Approved for Hearing <input type="checkbox"/>	Denied <input type="checkbox"/>
CHAIRMAN _____	CHAIRMAN _____	CHAIRMAN _____	CHAIRMAN _____
COMMISSIONER _____	COMMISSIONER _____	COMMISSIONER _____	COMMISSIONER _____
COMMISSIONER _____	COMMISSIONER _____	COMMISSIONER _____	COMMISSIONER _____

JUDGES
 Hon. Craig J. Matheson
 Hon. Vic L. VanderSchoor
 Hon. Robert G. Swisher
 Hon. Carrie Runge
 Hon. Cameron Mitchell
 Hon. Bruce Spanner

BENTON-FRANKLIN COUNTIES JUVENILE JUSTICE CENTER



SHARON PARADIS, Administrator
 Juvenile Court Services

SUPERIOR COURT OF THE STATE OF WASHINGTON

5606 W CANAL PLACE, SUITE 106 • KENNEWICK, WASHINGTON 99336-1388
 PHONE (509) 783-2151 • FAX (509) 736-2728

LONNA K. MALONE
 JOSEPH R. SCHNEIDER
 JERRI G. POTTS
 Court Commissioners

December 15, 2009

Max Benitz, Jr., Chair
 Leo Bowman
 James Beaver

Rick Miller, Chair
 Bob Koch
 Brad Peck

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

Franklin County Board
 of Commissioners
 1016 N. Fourth Ave.
 Pasco, WA 99301

Dear Commissioners:

I have asked for time on your meeting agenda to request that you consider a supplement to the Benton-Franklin Juvenile Justice Center budget for 2010. As you may recall, you approved \$76,412 in the 2009 Juvenile Justice Center Budget for the replacement of the electrical panels, computer, and software that control the lights and electric doors in the detention facility. The existing system, which was installed during the expansion of the detention facility in 1997, is no longer being manufactured. As I told you at the time of our budget hearings in 2008 for the 2009 budget, one of the electrical panels in detention malfunctioned and had to be replaced. We were, fortunately, able to locate one replacement panel through the manufacturer but were informed at the time that, in the event of another malfunction, it was very unlikely we would be able to locate another replacement. The computer and software that operates the system is also outdated and obsolete.

We have been delayed in replacing this system, largely as the result of a communication issue between the manufacturer, supplier, and a potential contractor from whom we needed to secure a bid. That contractor is currently finalizing the bid and we anticipate that we will receive two other bids before the end of December 2009. However, we will be unable to finalize a contract with a selected contractor before the end of the year and the budgeted funds for this project will not be expended in 2009. I am, therefore, requesting that you authorize that we move forward with the replacement project in 2010 and that you give me preliminary approval to move forward with a budget supplement of \$76,412 for our 2010 Budget.

Services and Charges	4103	Installation		Installation of 12-year-old electrical panels and software program. These panels and software run the lights and keyless entry for Detention. This is a critical replacement.
Non Capital Hrdwre/Sftwre	9305	Electrical Panels and		New computer and hardware needed to replace outdated computer/software that runs detention lights and key lock system.

I look forward to the opportunity to review this request with you at the Franklin County Board meeting on December 21, 2009 and at the Benton County Board meeting on December 28, 2009.

Sincerely,

Sharon A. Paradis, Administrator
 Benton-Franklin Juvenile Justice Center

Commissioners' Date Stamp:

TRANSMITTAL REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Current expense**
Dept Name: **Non-Departmental**

Fund Number: **0000101**
Dept Number: **115**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
597.100.9910	Juvenile Center	5,856	3,535,252
Total Supplement		\$5,856	

Revenue		
Fund Number	Item Name	Amount
288.00	Fund Balance	5,856
Total Revenue		\$5,856

Basis for Supplement (Attach Documentation as Appropriate):
Corresponding supplement request for Juveniles request for excess compensation benefit charges.

Commissioners

CHAIRMAN

COMMISSIONER

COMMISSIONER

- Approved for Hearing
- Denied

Review Notes: _____

Commissioners' Date Stamp:

TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Juvenile**
Dept Name: **Operations**

Fund Number: **0115-101**
Dept Number: **171**

Request Summary

Expenditure		Supplement	Revised Budget
BARS Number	Item Name	Amount	
527.100.1633	Detention Officer	\$10,944	\$10,944
527.100.1674	Detention Officer	\$10,944	\$10,944
527.100.1702	Detention Officer	\$10,944	\$10,944
527.100.1625	Counselor II	\$14,192	\$14,192
527.400.2102	Social Security (FICA)	\$3,597	\$186,398
527.400.2103	Medical Insurance	\$11,536	\$427,441
527.400.2104	Retirement	\$3,701	\$167,196
527.400.9908	Accumulated Leave	\$823	\$39,860
Total Supplement		\$66,681	

Revenue

Fund No.	Item Name	Amount
397.10.0001	Operating Transfer In - Current Expense - BC @ 70%	\$46,677
338.27.0003	Operating Transfer In - Current Expense - FC @ 30%	\$20,004
Total Revenue		\$66,681

Basis for Supplement (Attach Documentation as Appropriate):

The reduction the Benton-Franklin Counties Juvenile Justice Center has experienced in the last 7 months has exposed our community to serious safety risks and the likelihood of increasing criminal conduct on the part of at-risk youth. Juvenile Probation work has become less effective due to the combination of large caseloads and necessary reduction in the amount of time that youthful offenders are placed on probation. The secure detention facility is a necessary tool to manage those youth who present a serious risk of harm to the community and is an important tool in helping other youth to understand the seriousness of their behavior. The Court is now faced with unacceptably reduced sentences to detention and with releasing youth early from detention due to overcrowding. As a consequence of the budget reduction the detention facility no longer has the staffed capacity to meet the needs of this community. Deficiencies from severe reductions in juvenile justice funding by the Counties has been exacerbated by State budget reductions. There has been a tremendous adverse impact on the Juvenile Justice Center's ability to provide the

most basic services for this community, let alone its ability to provide significant intervention to reduce recidivism and improve the social well being of youth and families. The health and welfare of our community is at stake.

Commissioners

Benton County

Approved for Hearing Denied

CHAIRMAN

COMMISSIONER

COMMISSIONER

Commissioners

Franklin County

Approved for Hearing Denied

CHAIRMAN

COMMISSIONER

COMMISSIONER

Commissioners' Date Stamp:

Empty box for Commissioners' Date Stamp.

TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Current expense**
Dept Name: **Non-Departmental**

Fund Number: **0000101**
Dept Number: **115**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
597.100.9910	Juvenile Center	46,677	3,576,073
Total Supplement		\$46,677	

Revenue		
Fund Number	Item Name	Amount
288.00	Fund Balance	46,677
Total Revenue		\$46,677

Basis for Supplement (Attach Documentation as Appropriate):
Corresponding supplement request for Juveniles request for additional detention officers.

Commissioners

CHAIRMAN

COMMISSIONER

COMMISSIONER

- Approved for Hearing
- Denied

Review Notes: _____

TOTAL available balance **\$(45,362)**

Anticipated expenditures for the remainder of year:

<i>State v. Sisouvanh</i> preparation and trial:	\$120,000
Sexually Violent Predator defense ³ :	\$40,000
<u>Routine⁴ investigator, expert and misc expenses:</u>	<u>\$51,000</u>
TOTAL needed	\$211,000

YTD Expenditure Break-down

<i>State v. Sisouvanh</i>	\$158,041
SVP	\$48,622
Investigators	\$66,090
Experts	\$47,973
Other attorney services	\$46,647
<u>Miscellaneous⁵</u>	<u>\$10,347</u>
TOTAL	\$377,720

Total requested for 512.819.4103 **\$256,360**

contract in favor of a contract in Franklin County. In light of the low caseloads in Benton County that has persisted over the last two years, I have elected not to re-fill the Shelley Ajax's vacated contract slot.

- 3 This office has , year-to-date, already claimed and received _____ in reimbursements from the State Department of Social and Health Services for SVP case defense.
- 4 The term "routine" reflects the fact that these anticipated expenses are not related to any large and complex cases such as homicide cases.
- 5 The "miscellaneous" category includes expenses for transcriptions, travel, lodging, medical records, and per diems.

Commissioners' Date Stamp:

TRANSMITTAL REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Current Expense**
Dept Name: **Sheriff Custody**

Fund Number: **0000-101**
Dept Number: **120**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
523.200.5119	EDC-800 MHZ User Fees	9,211	20,731
Total Supplement		\$9,211	

Revenue		
Fund Number	Item Name	Amount
288.00.0001	Beginning Fund Balance	9,211
Total Revenue		\$9,211

Basis for Supplement:

The EDC-800 MHZ User Fees is a mandated cost driven by contract. The 2010 budgeted figures is based off of 2009 fees of \$12 a month fee per radio versus the \$23.50 fee charged to the Sheriff's Office. In addition, the number of radios has increased as well which compounded the problem.

Review Comments

Commissioners: _____

Auditor's Office: _____

Commissioners

CHAIRMAN

COMMISSIONER

COMMISSIONER

Approved for Hearing

Denied

Commissioners' Date Stamp:

**TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION**

Fund Name: **Current expense**
Dept Name: **District Court**

Fund Number: **000101**
Dept Number: **111**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
512.400.1922	Judge Pro Tem	35,000	35,000
Total Supplement		\$35,000	

Revenue		
Fund Number	Item Name	Amount
288.00	Fund Balance	35,000
Total Revenue		\$35,000

Basis for Supplement (Attach Documentation as Appropriate):
Benton County District Court anticipates this amount will be needed to fund the cost for judicial coverage for sick-leave and vacation for the five judicial positions.

Commissioners

CHAIRMAN

COMMISSIONER

COMMISSIONER

- Approved for Hearing
- Denied

Review Notes: _____

Commissioners' Date Stamp:

Empty box for Commissioners' Date Stamp.

TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Current Expense**
Dept Name: **Sheriff Patrol**

Fund Number: **0000-101**
Dept Number: **121**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
521.210.5119	EDC-800 MHZ User Fees	23,474	38,595
Total Supplement		\$23,474	

Revenue		
Fund Number	Item Name	Amount
288.00.0001	Beginning Fund Balance	23,474
Total Revenue		\$23,474

Basis for Supplement:

The EDC-800 MHZ User Fees is a mandated cost driven by contract. The 2010 budgeted figures is based off of 2009 fees of \$12 a month fee per radio versus the \$23.50 fee charged to the Sheriff's Office. In addition, the number of radios has increased as well which compounded the problem.

Review Comments

Commissioners: _____

Auditor's Office: _____

Commissioners

CHAIRMAN

COMMISSIONER

COMMISSIONER

Approved for Hearing

Denied

Commissioners' Date Stamp:

TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Current Expense**
 Dept Name: **Sheriff Patrol**

Fund Number: **0000-101**
 Dept Number: **121**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
521.210.9305	Computer Hardware	4,180	4,180
Total Supplement		\$4,180	

Revenue		
Fund Number	Item Name	Amount
288.00.0001	Beginning Fund Balance	4,180
Total Revenue		\$4,180

Basis for Supplement:
 Supplement is needed do to 1 Itronix Notebook Computer was not delivered by the December 31, 2009 to qualify as a 2009 expenditure. The amount was left in the 9305 line item at the end of 2009.

Review Comments

Commissioners: _____

 Auditor's Office: _____

Commissioners

 CHAIRMAN

 COMMISSIONER

 COMMISSIONER

- Approved for Hearing
- Denied

Commissioners' Date Stamp

TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Central Services**
Dept Name: **Central Services**

Fund Number: **0502**
Dept Number: **000**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
518.400.3507	New Computer Equipment - Non-Capital	4,180	26,360
Total Supplement		\$4,180	

Revenue		
Fund Number	Item Name	Amount
348.80.0121	Sheriff - Patrol	4,180
Total Revenue		\$4,180

Basis for Supplement (Attach Documentation as Appropriate):
 This supplemental corresponds with one from the Sheriff. An Itronix laptop purchase was approved in 2009. The purchase was made on 14-Dec-2009, however the unit did not arrive until 4-Jan-2010. The Auditor office would not process the invoice from 2009 funds, because the equipment was not received until 2010.

Commissioners

CHAIRMAN

COMMISSIONER

COMMISSIONER

- Approved for Hearing
- Denied

Review Notes: _____

Year End Operating Transfer 2010

CE Operating Budget 2010	\$	51,666,816
Minimum Fund Balance (13%)	\$	6,716,686
Fund Balance as of 12/31/2009	\$	13,155,023

Cash Carry Forward Available **\$ 6,438,337**

Note: The Board did not do a year end operating transfer in 2009 for 2008's cash carry forward. The last year end operating transfer was done in 2008 for 2007's cash carry forward. The Board transferred 78.5% of 2007's available cash carry forward amount.

Park Development 110-102			
Beginning Fund Balance	\$	271,689	
Min Balance to maintain	\$	500,000	
Amount to Transfer	\$	228,311	\$ 6,210,025 Available balance

Per the Budget Policies and Procedures (Res 09-102), the Board may maintain the Park Development Fund beginning balance for the year at \$500,000.

Jail Revenue			
Amount to Transfer	\$	-	\$ 6,210,025 Available balance

Jail Revenue will not be transferred in 2010 due to corrections on previous transfers.

Fairgrounds O&M 124-101			
Beginning Fund Balance	\$	504,171	
Amount to Transfer	\$	-	\$ 6,210,025 Available balance

Per the Budget Policies and Procedures (Res 09-102), 12.5% of the remaining transferable amount may be transferred to the Fairgrounds O&M Fund. The Fairgrounds O&M balance may be capped at \$500k.

Capital Projects Fund 0305-101			
Beginning Fund Balance	\$	10,616,359	
Amount to Transfer	\$	5,433,772	\$ 776,253 Available balance

Per the Budget Policies and Procedures (Res 09-102), 87.5% of the remaining transferable amount may be transferred to the Capital Projects Fund.

Remaining Cash Carry Forward Balance **\$ 776,253**

Per the Budget Policies and Procedures (Res 09-102), any excess available funds remaining may be transferable to the Capital Projects Fund or the Sustainable Development Fund at the discretion of the Board of County

Commissioners' Date Stamp:

TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Current Expense**
Dept Name: **Sheriff Custody**

Fund Number: **0000-101**
Dept Number: **120**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
523.610.3110	Medical Supplies	110,000	320,000
523.610.4103	Professional Services	60,000	160,000
Total Supplement		\$170,000	

Revenue		
Fund Number	Item Name	Amount
342.36.0005	Contract - Medical Supplies Cost Recovery	110,000
342.36.0009	Contract - Professional Services Cost Recovery	60,000
Total Revenue		\$170,000

Basis for Supplement:

The above request for supplement is due to the increase in medical related cost to the Jail. 1.) The main driving factor of the increase in the Medical Supplies line item is a procedure change in how the prescription medications are administered which is a direct result of the an independent review performed in 2009. Another factor is the medical needs of the inmates which can differ from one to the next. 2. The increase in the Professional Services line item is due to where inmates are taken when they are being sent by ambulance. The Sheriff's Office does not have any control which facility the inmate is taken to which in return can have the inmate being seen at a facility that the Sheriff's Office does not have a contract with. **Revenue** - A large portion of these cost are recovered from the local municipalities and contract agencies. The revenue is higher than projected for 2010. 342.36.0005 Contract - Medical Supplies Cost Recovery was budgeted at \$94,000 and as of the end of July the total about billed is just over \$119,000. 342.36.009 Contract - Professional Services Cost Recovery was budgeted at \$30,000 and as of the end of July the total amount billed is just over \$75,000.

Review Comments

Commissioners: _____

 Auditor's Office: _____

Commissioners

CHAIRMAN

COMMISSIONER

- Approved for Hearing
- Denied

Commissioners' Date Stamp

TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Current Expense**
Dept Name: **Sheriff - Patrol**

Fund Number: **0000-101**
Dept Number: **121**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
521.931.1562	Detective	34,378	85,945
521.931.1925	Overtime	500	1,000
521.931.2102	Social Security (FICA)	2,630	6,735
521.931.2103	Medical Insurance	5,511	13,895
521.931.2104	Retirement	1,802	4,615
521.931.2105	Uniforms	250	500
521.931.3103	Oil & Lubricants	3,000	4,500
521.931.3106	Operating Supplies	6,100	7,100
521.931.4102	Contract Services	6,000	7,000
521.931.4103	Professional Services	1,000	1,000
521.931.4301	Travel	812	1,312
521.931.4905	Training	500	700
521.931.4906	Print/Bindery	1,000	1,000
521.931.5119	EDC - 800 MHZ User Fees	72	144
521.931.9908	Accumulated Leave	610	1,249
Total Supplement		\$64,165	

Revenue		
Fund Number	Item Name	Amount
334.01.1001	WASPC Sex Offender	64,165
Total Revenue		\$64,165

Basis for Supplement:

The Benton County Sheriff's Office receives funding through Washington Association of Sheriff's and Police Chiefs (WASPC) to be used to monitor registered sex offenders in Benton County which was approved per Resolution 10 417. A line item transfer was approved (Resolution 10 414) in July allowing for funds to be moved from the holiday line item in Patrol to fund the detective position until the scheduled supplements. This line item transfer will be reversed once the supplement is approved.

Review Comments

Commissioners: _____

Auditor's Office: _____

Commissioners

CHAIRMAN

COMMISSIONER

COMMISSIONER

Approved for Hearing

Denied

Commissioners' Date Stamp:

**TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION**

Fund Name: **Current Expense**
Dept Name: **Sheriff Patrol**

Fund Number: **0000-101**
Dept Number: **121**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
521.940.3501	Small Item Equipment	8,317	8,317
Total Supplement		\$8,317	

Revenue		Amount
Fund Number	Item Name	Amount
333.16.7103	Jag City of Kennewick	8,317
Total Revenue		\$8,317

Basis for Supplement:
Resolution 10 300 authorized the Benton County Sheriff's Office to participate in submitting a JAG grant application in which if awarded, Benton County would receive \$8,317 to use towards items outlined in the grant application narrative. The grant was awarded and the Benton County Sheriff's Office has received authorization to purchase the items listed in the grant narrative and request reimbursement from the City of Kennewick.

Review Comments

Commissioners: _____

 Auditor's Office: _____

Commissioners

CHAIRMAN

COMMISSIONER

COMMISSIONER

- Approved for Hearing
- Denied

Commissioners' Date Stamp:

TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Current Expense**
 Dept Name: **Superior Court**

Fund Number: **0000-101**
 Dept Number: **123**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
512.210.3507	Computers	2,505	2,505
Total Supplement		\$2,505	

Revenue		
BARS Number	Item Name	Amount
334.01.2007	Superior Court Computer Replacement - AOC	2,505
Total Revenue		\$2,505

Basis for Supplement (Attach Documentation as Appropriate):
 The Administrative Office of the Courts provides computers to the Superior Court on a replacement program similar to the Benton County Computer Replacement Program. During 2010 the Superior Court qualified for one desktop computer, one laptop computer and one printer totalling \$2,505.00. The court will receive full reimbursement from the Administrative Office for the Courts for the purchase of the computers and printer.

Commissioners

 CHAIRMAN

 COMMISSIONER

 COMMISSIONER

- Approved for Hearing
- Denied

Review Notes: _____

Commissioners' Date Stamp:

TRANSMITTAL

REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Noxious Weed**
 Dept Name:

Fund Number: **0134-101**
 Dept Number: **000**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
531.601.1905	Temporary Help	5,280	18,280
531.601.2102	Social Security (FICA)	404	1,399
531.601.3106	Operating Supplies	300	300
531.601.3117	Chemicals	472	472
531.601.3501	Small Item-Equipment	2,128	2,128
531.601.4102	Contract Services	12,800	12,800
531.601.4201	Postage	100	100
531.601.4301	Travel	3,000	3,000
531.601.4401	Advertising	300	300
531.601.4908	Licenses & Special Fees	25	25
Total Supplement		\$24,809	

Revenue		
BARS Number	Item Name	Amount
334.03.1013	Flowering Rush - Yakima	24,809
Total Revenue		\$24,809

Basis for Supplement (Attach Documentation as Appropriate):

On 9-28-09, the Noxious Weed Control Fund was awarded a supplemental appropriation in the amount of \$19,125 by the Board per Resolution 09-662 for the "Flowering Rush Control" Department of Ecology grant. This is a 3-year grant worth \$48,500 and expires June 30, 2012. The Benton County Weed Board was verbally notified on July 15, 2009 that they received the grant; however, the official notification wasn't received until November 2009. Due to the late official notification, no revenue was received or expenditures expended in 2009 and the revenue and expenditures were not included in the 2010 budget.

Commissioners

 CHAIRMAN

 COMMISSIONER

 COMMISSIONER

- Approved for Hearing
- Denied

Review Notes: _____

TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Election Reserve**
Dept Name: **Election Reserve**

Fund Number: **0111101**
Dept Number: **N/A**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
594.110.6401	Capital Outlay	35,772	35,772
Total Supplement		\$35,772	

Revenue		
Fund Number	Item Name	Amount
333.90.4010	HAVA Grant	35,772
Total Revenue		\$35,772

Basis for Supplement:

Please see attached Resolution No. 10-271, referencing receipt of HAVA grant. We requested a line item transfer from our Professional Services line item to cover the purchase of the scanners. A supplement is needed to Capital Outlay. These funds will then be transferred back to Professional Services.

Review Comments

Commissioners: _____

 Auditor's Office: _____

Commissioners

CHAIRMAN

COMMISSIONER

COMMISSIONER

Approved for Hearing

Denied

RESOLUTION 10 271

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE PURCHASE OF TWO (2) SCANNERS, MAINTENANCE, BACKGROUND KITS, AND TECHNICAL SERVICES FOR VOTER TABULATION SYSTEM FROM HART INTERCIVIC FOR THE BENTON COUNTY AUDITORS DEPARTMENT LOCATED AT THE BENTON COUNTY COURTHOUSE

WHEREAS, the Benton County Auditor submitted to the Office of the Secretary of State a request for a grant under the Help America Vote Act (HAVA) for the acquisition of two (2) new tabulation scanners to replace the two (2) old tabulation scanners as they have reached the end of their life cycle. In addition, the purchase would include one (1) year of maintenance on each scanner, background kits, scanner configuration, and technical services; and

WHEREAS, the grant has been approved by the Office of the Secretary of State; and

WHEREAS, HART Intercivic, is the vendor that administers the current tabulation system in use by the Benton County Auditor; and

WHEREAS, the Benton County Auditor solicited and received a quote from HART Intercivic, Austin, TX, for two (2) scanners, one (1) year maintenance, background kits, scanner configuration and technical services for a total amount of \$35,771 including sales tax; and the cost of the scanners, maintenance, and background kit, without the additional scanner configuration and technical services, would total \$27,183.30 including sales tax; and .

WHEREAS, additional quotes were solicited from other vendors for the purchase of scanners and maintenance, but did not include the additional services that can only be obtained from HART Intercivic. Those quotes were from Insight Public Sector, Tempe, AZ (\$25,755.08); PC Mall Gov, Shelton, CT (\$29,585.40); NuOz Corporation, Bellevue, WA (\$30,323.42); and TechDepot, Trumbull, CT (\$30,374.82); CDW-G, Vernon Hills, IL (\$33,161.46). These quotes do not include the additional cost of shipping of \$600 from HART Intercivic to Benton County after the scanners are configured; and

WHEREAS, additional scanner configuration and technical services will be required by HART Intercivic in order for the scanners to be compatible with the current tabulation system and comply with certification standards, and to insure that security measures are taken that will not compromise the integrity of the ballot tabulation system; and these services cannot be provided by the other vendors who submitted quotes; and

WHEREAS, RCW 39.04.280(1) provides for an exception to the competitive bidding requirements if the purchase is clearly and legitimately limited to a single source of supply, provided that the Board of County Commissioners pass a resolution stating the basis for the waiver; and

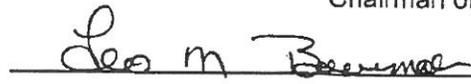
WHEREAS, the Benton County Auditor and Elections Supervisor recommend purchasing the scanners, maintenance, background kits, scanner configuration, and technical services from HART Intercivic as the base cost of the scanners and maintenance is within a reasonable range of the other submitted quotes and only HART Intercivic can provide the additional required scanner configuration, technical services, and security to comply with certification standards;
NOW, THEREFORE

BE IT RESOLVED the Board of Benton County Commissioners, Benton County, Washington hereby concurs with the recommendation and authorizes the Benton County Auditor to proceed with the purchase of two (2) scanners, one (1) year maintenance, required background kits, scanner configuration and technical services totaling \$35,771.00 including sales tax from HART Intercivic as set forth on the attached pricing quote and as a single source provider; and

BE IT FURTHER RESOLVED, the Board hereby authorizes the Benton County Auditor to negotiate a maintenance service agreement between Benton County and HART Intercivic to be placed on the consent agenda at a later date to be signed by the Chairman of the Board.

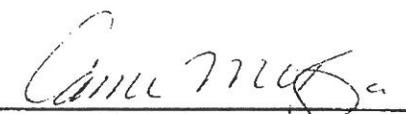
Dated this 10 day of May, 2010.


Chairman of the Board


Member


Member

Constituting the Board of County
Commissioners of Benton County, Washington

Attest: 
Clerk of the Board

Commissioners' Date Stamp:

**TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION**

Fund Name: **Central Services**
 Dept Name: **Central Services**

Fund Number: **0502**
 Dept Number: **000**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
591.180.8003	Debt Service	47,500	118,440
Total Supplement		\$47,500	

Revenue		
Fund Number	Item Name	Amount
348.80.0122	Jail Depreciation	47,500
Total Revenue		\$47,500

Basis for Supplement (Attach Documentation as Appropriate):

The new Jail Wireless system was awarded to Embarq in Oct-2008. Due to some delays with subcontractors, the project was not completed until late in 2009. The initial budget estimate was put into the 2009 budget as a place holder, but no expenses were billed to the Jail Depreciation fund. Since the 2010 budget was submitted before the project completion, the same place holder amount was inadvertently carried over into 2010. This request corresponds with one from the Sheriff and brings the allocated amount up to the payments due in 2010.

Commissioners

 CHAIRMAN

 COMMISSIONER

 COMMISSIONER

- Approved for Hearing
- Denied

Review Notes: _____

Commissioners' Date Stamp:

**TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION**

Fund Name: **Central Services**
 Dept Name: **Central Services**

Fund Number: **0502**
 Dept Number: **000**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
518.400.3507	New Computer Equipment - Non-Capital	3,290	31,100
Total Supplement		\$3,290	

Revenue		
Fund Number	Item Name	Amount
348.80.0504	Insurance Management	3,290
Total Revenue		\$3,290

Basis for Supplement (Attach Documentation as Appropriate):
 This request corresponds with a line item transfer request by Insurance Management for the purpose of purchasing scanners.

Commissioners

 CHAIRMAN

 COMMISSIONER

 COMMISSIONER

- Approved for Hearing
- Denied

Review Notes: _____

Commissioners' Date Stamp:

Empty box for Commissioners' Date Stamp.

TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Central Services**
Dept Name: **Central Services**

Fund Number: **0502**
Dept Number: **000**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
518.400.3507	New Computer Equipment - Non-Capital	3,100	34,200
Total Supplement		\$3,100	

Revenue		
Fund Number	Item Name	Amount
348.80.0156	Trial Court Improvement	3,100
Total Revenue		\$3,100

Basis for Supplement (Attach Documentation as Appropriate):
This request corresponds with expenditures included in Resolution 10-441 authorizing use of Trial Court Improvement funds. Specifically, this is for new external sound card and mixer units for the Juvenile Justice courtrooms.

Commissioners

CHAIRMAN

COMMISSIONER

COMMISSIONER

- Approved for Hearing
- Denied

Review Notes: _____

Commissioners' Date Stamp:

TRANSMITTAL
REQUEST FOR SUPPLEMENTAL APPROPRIATION

Fund Name: **Central Services**
Dept Name: **Central Services**

Fund Number: **0502**
Dept Number: **000**

Request Summary

Expenditure		Supplement	Revised
BARS Number	Item Name	Amount	Budget
518.810.4103	Professional Services	50,000	72,350
Total Supplement		\$50,000	

Revenue		
Fund Number	Item Name	Amount
288.00	Fund Balance	50,000
Total Revenue		\$50,000

Basis for Supplement (Attach Documentation as Appropriate):
 This supplement is to cover about sixty percent of the expenses anticipated for the Strategic Plan & Infrastructure Evaluation project for which an RFP was issued earlier this year. The remainder of the expenses will be covered by a line item transfer from unused salary associated with positions vacant during 2010.

Commissioners

CHAIRMAN

COMMISSIONER

COMMISSIONER

- Approved for Hearing
- Denied

Review Notes: _____

9:25

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
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	TYPE OF ACTION	Consent Agenda
MTG. DATE: September 13, 2010	NEEDED	Public Hearing
SUBJECT: Ordinance amending Title 9.04	Execute Contract	1st Discussion
Memo Date: September 8, 2010	Pass Resolution	2nd Discussion
Prepared By: Michael Shuttleworth	Pass Ordinance	Public Workshop X
Pass Motion		

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 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.

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.

AGENDA ITEM MTG. DATE: 9-13-2010 SUBJECT: Amending BCC 3.18.045 Prepared By: Ken Williams Reviewed By: Steve Brown	<u>TYPE OF ACTION NEEDED</u> Execute Contract Pass Resolution Pass Ordinance Pass Motion Other <u>Discuss proposed amendments</u>	Consent Agenda Public Hearing 1st Discussion 2nd Discussion Other: <u>Workshop</u>
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BACKGROUND INFORMATION

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 and the issue of private roads. After receiving comments from staff and the public, the Commissioner’s recommended a follow up workshop for the short plat ordinance. With regards to the private road, the Board’s decided once the private road was constructed, issues concerning maintenance is a Private Party issue, and does not involve the County.

SUMMARY

From the August 4, 2010 workshop, amendments to Benton County Code 3.18.045 were made and are submitted. The changes reflects my understanding of the Board’s August 4th, decision.

1. The titled of 3.18.045 was changed, and subsection (a) was rewritten.
2. The new subsection (b) makes it clear the County is not responsible for constructing, maintaining, or for the removal of any obstructions to the private road.
3. The new subsection (c) contains the existing wording from the current 3.18.045 (a) which dealt with construction standards.
4. The only change to the new subsection (d) is an editorial change directing the reader to the new subsection (c).
5. The existing subsection (h) is deleted. Though deleted from 3.18.045 this entire subsection was placed within the proposed short plat ordinance.
6. Only editorial changes (renumbering subsections) were made to the remaining subsections.

In reviewing the submitted changes, deleted sections are identified by striking out the words followed by underlining the new words.

RECOMMENDATION

Not Applicable at this time

FISCAL IMPACT

No monetary impact to the County

MOTION

Not Applicable at this time

9:40

<u>AGENDA ITEM</u>	<u>ACTION NEEDED</u>	<u>DISCUSSION TYPE</u>
Meeting Date: 13 Sep 2010	Execute Contract	Consent Agenda
Subject: B-F Fair Letter	Pass Resolution	Public Hearing
Memo Date: 09 Sep 2010	Pass Ordinance	1st Discussion
Prepared By: AJF	Pass Motion X	2nd Discussion X
Reviewed By: JB	Other	Other

SUMMARY & BACKGROUND

Per the Board's discussion on August 30th, the attached letter was drafted for consideration to be sent to the Benton Franklin Fair Association.

This letter addresses only the subject of the live entertainment and the County's conveyance to the Fair Board that we received a number of complaints about that situation. I am also aware that Caroline Bowen, the Fairgrounds Manager, is logging a number of other comments, complaints, and concerns about other topics other than the entertainment. Those matters are not addressed in this letter.

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