

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, September 13, 2011, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

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

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kely; Adam Fyall, Sustainable Development Manager; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Human Services Manager Ed Thornbrugh; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; County Engineer Malcolm Bowie; DPA Ryan Brown; DPA Ryan Lukson; Sheriff Steve Keane; Sgt. Jon Law; Jacki Lahtinen, District Court; Central Services Manager Randy Reid; R.J. Lott, Planning; Nick Kooiker, Treasurer's Office.

Approval of Minutes

The Minutes of August 30, 2011 were approved. The Special Minutes of August 30, 2001 were approved.

Consent Agenda

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

Clerk

- a. Copier Lease w/Pacific Office Automation

Commissioners

- b. Letter to BF Fair Association Re 2011 Fair & Rodeo
- c. Letter to Elected Officials & Managers Re 2011 Fair
- d. Appreciation Letters Regarding Badger Mountain Centennial Preserve
- e. Letter to City of Richland Re Recreational Use Agreements w/the Barker Ranch
- f. Time of Remembrance Proclamation
- g. Line Item Transfer Fund No. 0000-101, Dept. 107
- h. Line Item Transfer Fund No. 0000-101, Dept. 137
- i. House Bill 2124 and Senate Bill 5964 Support

Facilities

- j. Contract Amendment w/Dynamic Sales & Services, Inc.

Fairgrounds

- k. Vehicle Purchase Authorization From Columbia Ford Mercury Hyundai

Human Services

- l. Surplus of Personal Property
- m. Lease Addendum w/Bassett/Sonju J/V
- n. Line Item Transfer, Fund No. 0108-101, Dept. 551

Juvenile

- o. Truancy Contract w/Pasco School District
- p. Truancy Contract w/Kennewick School District
- q. Authorization for Grant Expenditures

Personnel

- r. Line Item Transfer, Fund No. 0504-101, Dept. 000
- s. Personal Services Contract w/Penser NorthAmerica, Inc.

Public Works

- t. Public Hearing Authorization for Vacation of Unimproved Right of Way
- u. Authorization to Proceed w/Apply-A-Line, Inc. Contract

Sheriff

- v. Contract w/Custom Welding & Ornamental Iron, LLC for Installation of Bunk Ladders
- w. Purchase Authorization for Miscellaneous Items from Crown Paper & Janitorial Supply, Inc.
- x. Purchase Authorization for Food Service Gloves & Cups from Columbia Basin Paper & Supply
- y. Purchase Authorization for Paper Towels from Airgas Safety, Inc.
- z. Salary Request Statement

Treasurer

- aa. Line Item Transfer, Fund No. 0129-101, Dept. 000

Time of Remembrance

Chairman Bowman said he would not be at the ceremony and asked one of the Commissioners to be there in his place to read the proclamation. Commissioner Small said that one of them would be there.

Public Hearing – Surplus Property

Keith Mercer said the public hearing was to allow the surplus of parcel 1-2680-400-0009-001 and authorize the sale by private negotiation. He also said there was a proposed land exchange with the Port of Kennewick.

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

MOTION: Commissioner Beaver moved to approve the surplus of parcel 1-2680-400-0009-001 and enter into private negotiations for sale of the property. Commissioner Small seconded.

Discussion

Commissioner Beaver said the property was landlocked and trading with a different parcel would be beneficial.

Upon vote, the motion carried.

Public Hearing – Ordinance – Public Urination

Andy Miller via/video conference stated this proposed ordinance came from the Law & Justice meeting in looking at ways to reduce costs. He said the indecent exposure statute was designed to keep individuals from purposely exposing themselves and that public urination did not seem to meet the same criteria. They felt a civil infraction was more appropriate and could issue a citation if deemed appropriate by the officer instead of it being a criminal charge.

DPA Ryan Lukson said there would be up to \$100 fine with the exception being for children, a medical reason, or no reasonable alternative.

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

MOTION: Commissioner Beaver moved to approve the adoption of the ordinance relating to public urination. Commissioner Small seconded and upon vote, the motion carried.

Application for Private Road Name Change

R.J. Lott reviewed the application by James Parker to rename Ferry PR NW, a private access easement located off of Hansen Road. Notices were sent to all affected agencies and as of this date, those agencies that have responded either had no comments or were in favor of the road name change. A majority of the owners in the lots within the short plats affected by the access easement have signed the petition.

MOTION: Commissioner Beaver moved to approve name change as presented with conditions from Ferry PR NW to Island View PR NW. Commissioner Small seconded and upon vote, the motion carried.

Gang Abatement Update

Sheriff Keane and Sgt. Jon Law updated the Board on the Gang Abatement program.

Sheriff Keane said the past 90 days included: putting the gang team together; purchasing vehicles; background checks, training, and certifications; and Sgt. Jon Law working on long and short-term goals.

Sgt. Law briefly discussed the following:

- Goals
 - Suppression, Intelligence, Public Education

- Prosecution strategies; working with partners
- Trends – 148 new gang members taken in jail in first 6 months – previously unidentified;
- Drive-by in E. Kennewick – known gang member’s house was shot at;
- Once everyone is trained they will be operational (by next week will have three individuals ready to go).

The Sheriff stated very little money had been spent so far but as the team members were plugged into the program they would start to see impacts to the budget.

The Board briefly recessed, reconvening at 9:40 a.m.

Commissioner Assignment Update

Benton County Emergency Services

Commissioner Small requested Ryan Brown and Tony Corsi come talk with the Board about the BCES issues. Commissioner Small said that Benton County still wanted its money returned and was looking for a response from its letter sent in April. Mr. Corsi said he didn’t have a copy of that letter so the Board said they would get him a copy.

Chairman Bowman said the interlocal agreement seemed to be going back and forth without success and he requested Mr. Sparks and Mr. Brown put together a team to work out the issues of the interlocal agreement.

Mr. Corsi said one of the hold ups was that he personally refused to sign for the system because he did not believe it was working properly and they were working on getting the last steps complete. He said once that happened that everyone would get their money back and they were not trying to cheat anyone.

The Board discussed the time period and Commissioner Beaver asked what the interlocal agreement had to do with the keeping the money. Mr. Corsi said that installation was not complete; they had not accepted the work nor made final payment. Mr. Brown said the contract language did not have to do with acceptance and the County paid for the system even though there were some glitches that need to be worked out. If there were improvements outside the contract language, they should not be using the money to pay for improvements that were not agreed on. Mr. Brown said he did not think the jurisdictions would oppose setting aside the money to pay Motorola and return the remaining money to the jurisdictions.

Mr. Corsi said the executive board would meet next week and he would make that recommendation.

Mr. Brown said he needed some additional things for the interlocal:

1. Ownership of microwaves; was the Board agreeable to all being owned by Kennewick, Richland, and Benton? The Board agreed.
2. Voting rights on how many microwaves - (he wanted a list).

3. Revising the 800 mhz – should the unexpended money be refunded? The Board agreed it would have an answer by the next board meeting.
4. Amendments to agreements (voting parties). Was the Board agreeable to 8 votes to amend the new agreement? The Board said the Committee could agree on that.

Fair Association

Chairman Bowman said they also received a thank you letter from the Fair Association regarding the 2011 Fair.

Governor's Task Force

Chairman Bowman reported on his attendance at the Task Force meeting and said they would be receiving a report on taxes put into transportation by tribes.

Bi-County Meeting

Franklin County had requested a bi-county meeting to discuss the e-gov findings and to review a possible offer on the health building on Canal.

FMSB Board

Received word there would be approval to fund Piert Road.

9/11 Ceremony – City of Kennewick

Commissioner Beaver requested the Board send thank you letters to Lampson and City of Kennewick regarding the 9/11 Ceremony held in the Southridge Complex.

Claim for Damages

CC 2011-24a: Received on September 12, 2011 from Karina Rodriguez
CC 2011-24b: Received on September 12, 2011 from Noe Guzman Bautista
CC 2011-24c: Received on September 12, 2011 from Julia Guzman
CC 2011-24d: Received on September 12, 2011 from Ivan Alcazar Rodriguez
CC 2011-24e: Received on September 12, 2011 from Laura Guzman
CC 2011-24f: Received on September 12, 2011 from Javier Ramirez
CC 2011-24g: Received on September 12, 2011 from Brenda Ramirez

Vouchers

Check Date: 08/26/2011
Warrant #: 40335-40657
Taxes #: 10108112
Total all funds: \$702,516.96

Check Date: 09/02/2011
Warrant #: 40920-40944
Taxes #: 10111091-10111093
Total all funds: \$1,857,022.61

Check Date: 09/02/2011
Warrant #: 40687-40790
Warrant #: 40799-40919
Total all funds: \$1,369,685.73

Check Date: 09/02/2011
Warrant #: 232847-232966
Direct Deposit #: 66883-67471
Total all funds: \$2,052,278.33

Check Date: 09/09/2011
Warrant #: 41032-41200
Total all funds: \$623,183.64

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

Resolutions

- 11-563: Copier Lease w/Pacific Office Automation
- 11-564: Time of Remembrance Proclamation
- 11-565: Line Item Transfer Fund No. 0000-101, Dept. 107
- 11-566: Line Item Transfer Fund No. 0000-101, Dept. 137
- 11-567: House Bill 2124 and Senate Bill 5964 Support
- 11-568: Contract Amendment w/Dynamic Sales & Services, Inc.
- 11-569: Vehicle Purchase Authorization From Columbia Ford Mercury Hyundai
- 11-570: Surplus of Personal Property
- 11-571: Lease Addendum w/Bassett/Sonju J/V
- 11-572: Line Item Transfer, Fund No. 0108-101, Dept. 551
- 11-573: Truancy Contract w/Pasco School District
- 11-574: Truancy Contract w/Kennewick School District
- 11-575: Authorization for Grant Expenditures
- 11-576: Line Item Transfer, Fund No. 0504-101, Dept. 000
- 11-577: Personal Services Contract w/Penser NorthAmerica, Inc.
- 11-578: Public Hearing Authorization for Vacation of Unimproved Right of Way
- 11-579: Authorization to Proceed w/Apply-A-Line, Inc. Contract
- 11-580: Contract w/Custom Welding & Ornamental Iron, LLC for Installation of Bunk Ladders
- 11-581: Purchase Authorization for Miscellaneous Items from Crown Paper & Janitorial Supply, Inc.
- 11-582: Purchase Authorization for Food Service Gloves & Cups from Columbia Basin Paper & Supply

- 11-583: Purchase Authorization for Paper Towels from Airgas Safety, Inc.
- 11-584: Line Item Transfer, Fund No. 0129-101, Dept. 000
- 11-585: Declaring Property as Surplus and Authorizing Sale
- 11-586: Adoption of Ordinance 517 – Relating to Public Urination
- 11-587: Naming of Private Road, Applicant, James Parker; File PR 11-01

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

Clerk of the Board

Chairman