

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, September 27, 2011, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Leo Bowman
Commissioner James Beaver
Commissioner Shon Small
Deputy County Administrator Loretta Smith Kelty
Clerk of the Board Cami McKenzie

Absent: County Administrator David Sparks (excused)

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Adam Fyall, Sustainable Development Manager; Finance Manager Keith Mercer; Personnel Manager Melina Wenner; Public Works Manager Steve Becken; Planning Manager Mike Shuttleworth; County Engineer Malcolm Bowie; RJ Lott, Planning; DPA Ryan Brown; Bryan Perry, Safety Coordinator; Dean Docken, Facilities Supervisor. Mr. Sparks arrived later in the meeting.

Approval of Minutes

The Minutes of September 20, 2011 were approved as corrected.

Consent Agenda

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

Commissioners

- a. Approval of Final Capital Improvement Plan – 2011- 2016
- b. Appreciation Letters for 9/11 Memorial
- c. Canvassing Board Appointment

Facilities

- d. Contract Amendment w/Cascade Fire Protection Co.
- e. Authorization to Release Retainage Funds to G2 Commercial Construction, Inc.

Human Services

- f. Contract w/DSHS, Division of Behavioral Health and Recovery

Personnel

- g. Trainer Contract w/S Perry

Planning

h. Certificate of Appreciation

Prosecuting Attorney

i. Amendment to Collective Bargaining Agreement w/Teamsters Local 839 (Roads)

Sheriff

j. Personal Services Contract w/Mel's Inter-City Collision for Auto Body Repair

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

Public Hearing – Short Plat Vacation - SPV 11-03

RJ Lott said the Planning Department received a request for vacation and that all four lot owners needed to sign to the vacation under new requirements, however, only three of the four owners had signed (the 4th was out of town on extended leave). Mr. Lott requested the Board continue the public hearing.

The Board continued the public hearing to 9:05 a.m. on October 11, 2011.

Architectural Firm Recommendation

Lisa Small, along with Dean Docken reviewed the RFQ process for Architectural and Engineering Services. Ms. Small said that five firms were interviewed and ultimately narrowed down to two. She said the interview team wanted to recommend Design West Architects out of Kennewick for small routine projects to allow Benton County to work with this firm and review their approach to public works projects.

Chairman Bowman said he agreed with contracting with a local firm and the Board agreed.

MOTION: Commissioner Beaver move to approve the recommendation and authorize the negotiation of a blanket contract with Design West Architects, Kennewick, WA. Commissioner Small seconded and upon vote, the motion carried.

Executive Session – Pending Litigation

The Board went into executive session at 9:11 a.m. with DPA Ryan Brown to discuss two separate potential litigation matters for up to 30 minutes. Also present were Loretta Smith Kelty, Cami McKenzie, Melina Wenner, and PA Andy Miller (via videoconference) and DPA Steve Hallstrom (via/videoconference). The Board came out a 9:41 a.m. Mr. Brown said the Board needed to go back into executive session and asked for another 15 minutes to discuss potential litigation. Mike Shuttleworth, Steve Brown, and Jackie McWhorter were now present and Mr. Miller was absent. Sarah Perry, special counsel joined the executive session at 9:52 a.m. and Ryan Brown and Steve Hallstrom left the executive session. The Board came out at 9:56 a.m. and Ms. Perry said the Board took no action.

The Board briefly recessed, reconvening at 10:02 a.m.

Executive Session – Pending Litigation

The Board went into executive session at 10:02 a.m. with special counsel Sarah Perry for up to 10 minutes to discuss pending litigation. Also present were Loretta Smith Kelty, Cami McKenzie, and Melina Wenner. The Board came out at 10:10 a.m. and Ms. Perry said the Board took no action.

MOTION: Commissioner Small moved to approve signing the informed disclosure letter prepared by Sarah Perry with the addition of a resolution. Commissioner Beaver seconded upon vote, the motion carried.

Unscheduled Visitors

Ruth Swain, W. Richland, thanked the Board for its community service and attending events in W. Richland.

Commissioner Assignment Update

WIRA 31/HH Hills Irrigation project

Commissioner Small and Adam Fyall briefed the Board on the meeting. The meeting was not well attended but there was interest in the project. However, most realized it was not a good economic time to go forward. The 2020 sunset clause for water rights was discussed and Mr. Fyall said he had asked Ecology for a statement regarding this issue and would forward that once received.

Noxious Weed - Funds

Commissioner Small said he was in the process of talking to farmers about this issue.

Time of Remembrance Celebration

Commissioner Beaver said he attended this ceremony and recommended the Board send a thank you letter to West Richland.

HAEIFIC

Commissioner Beaver said the Director of Commerce attended the ceremony along with members of the community to celebrate large checks being written for economic development. He said the Director of Commerce praised the efforts of the local community.

REI – Community Development Grant

Aday Fyall reported on the grants received by Friends of Badger (\$10,000) and Tapteal Greenway (\$10,000).

Commissioner Travel Budget

Commissioner Beaver said there was \$5,000 left in the travel budget for the biennium and that he had one more reimbursable expense for ECA for 2011. He said he was not interested in a travel supplement, regardless of the commitments made and wanted to divide the remaining budget three ways. He also discussed the association dues paid by the Commissioners' office and that he was concerned about spending \$100,000 for these dues.

Chairman Bowman said that Mr. Sparks and Ms. Smith Kelty were planning on a mid-year budget review and it should be discussed as part of that process.

MOTION: Commissioner Small moved to divide the Commissioners' travel budget by three. Commissioner Beaver seconded.

Discussion

Commissioner Beaver discussed this importance of ECA regarding the Hanford complex and its contribution to the local economy and that it was important to stay engaged with ECA with what was happening on a national level. Commissioner Small said he appreciated everyone reviewing the matter and that it was important to lead by example since what the Board did was scrutinized.

Chairman Bowman said he was trying to anticipate that the Board was telling him they should not belong to these associations. He said it would be a mistake to not belong or be involved in those organizations; just as Commissioner Beaver talked about what was happening on the national level affected us at home, what happened in Olympia affected us at home. He said the state legislators were not also county commissioners and could not adequately represent county issues. He said it would be a mistake for Benton County to withdraw from those activities by not having a representative (lobbyist) from WSAC. He agreed his expenses were the most from traveling to Olympia but felt it had value to represent the County. He stated that other local counties were at those meetings to make sure the state legislative decisions and impacts were made informed.

Commissioner Beaver said he was not insinuating the County disengage but that it get tighter and move along with changes by looking to the future; it was about setting a standard.

Commissioner Small said he believed there were other ways to stay engaged; meetings by teleconference and/or phone calls.

Upon vote, the motion carried unanimously.

Vouchers

Check Date: 09/15/2011
Taxes #: 10111094
Total all funds: \$32,441.06

Check Date: 09/15/2011
Warrant #: 232967-232990
Direct Deposit #: 67476-67677
Total all funds: \$115,926.96

Check Date: 9/16/2011
Warrant #: 41403-41643
Taxes #: 01160911
Total all funds: \$1,051,054.37

Check Date: 9/23/2011
Warrant #: 41777-41968
Taxes #: 05019011, 010109112
Total all funds: \$651,218.39

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

Resolutions

- 11-611: Adopting the 2011-2016 Benton County Capital Improvement Plan
- 11-612: First Contract Amendment for Blanket Contract Between Benton County and Cascade Fire Protection
- 11-613: Authorizing the Release of Retained Funds Held in Escrow Account to G2 Commercial, Inc.
- 11-614: Prevention & Substance Abuse Treatment Between DSHS and Human Services
- 11-615: Trainer Contract Between Benton County and Sarah Perry
- 11-616: Amendment to 2010-2012 Collective Bargaining Agreement – Benton County and Teamsters Local 839 – Road Department
- 11-617: Contract with Mel's Inter-City Collision for As Needed Automobile Body Repair for the Benton County's Sheriff's Office
- 11-618: Approving the Potential Conflict of Interest – Informed Consent Form with Sarah Perry

There being no further business before the Board, the meeting adjourned at approximately 10:56 a.m.

Clerk of the Board

Chairman