

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Special Board Meeting
Tuesday, January 14, 2020, 8:30 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman James Beaver
Commissioner Jerome Delvin
Commissioner Shon Small
County Administrator Jerrod MacPherson
Clerk of the Board Cami McKenzie

Benton County Employees Present During All or a Portion of the Meeting: County Engineer Matt Rasmussen; DPA Ryan Brown; Clerk Josie Delvin; Greg Wendt, Assistant Planning Manager; Matt Rasmussen, Public Works Administrator; Lorene Roe, Auditor's Office; Commander Scott Souza and Captain Joshua Shelton, Corrections; Clerk Josie Delvin; Robert Heard, IT Manager; Treasurer Ken Spencer; DPA Stephen Hallstrom.

Approval of Minutes

The Minutes of January 7, 2020 were approved.

Consent Agenda

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

Building

- a. Line Item Transfer, Fund No. 0149-101, Dept. 000

Clerk

- b. Statement of Work, No. 20508, w/ImageSoft, Inc. for District Court and County Clerk
- c. Upgrade Service Agreement w/ImageSoft to the OnBase System

Commissioners

- d. Residual Equity Transfer From Detox Center Construction Fund to the Capital Projects Fund and Closing Out the Detox Center Construction Fund

Corrections Department

- e. Contract w/Lou Sowers PC for Psychological Evaluations
- f. Contract w/Randy Ruegsegger dba/Randy Ruegsegger Polygram Service for Polygraph Examinations
- g. Agreement w/TransUnion Risk and Alternative Data Solution, Inc. to Access Social Media & Web Data to Support Investigations and Research

Facilities

- h. Change Order Nos. 1 and 2 w/Banlin Construction for the Justice Center Restroom Renovation Project ~ R Blain
- i. Agreement w/Waxie Sanitary Supply for Restroom and Kitchen Paper Products
- j. Payment to Hobart for Services Performed on Jail Kitchen Equipment

Human Resources

- k. Agreement w/Teamsters Union Local No. 839, Representing Sheriff's Office Clerical

Human Services

- l. Quit Claim Deed for the Detoxification Building

Office of Public Defense

- m. Amending the Superior Court Public Defense Contract w/Eric Scott
- n. Superior Court Public Defense Contract w/Angel Betancourt
- o. Public Defense Services Compensation for Heather Villani
- p. Superior Court Public Defense Contract Amendment w/Robert Moser
- q. Superior Court Public Defense Contract Amendment w/Deric Orr to Reflect Firm Name Change

Prosecuting Attorney

- r. Settlement Agreement and Release

Public Works

- s. Memorandum of Agreement w/Franklin County Regarding Architectural and Engineering Services for the Remodel of the Juvenile Justice Center
- t. Authorization to Proceed With Advertisement and Bid Process for Purchase of Water Tank, Pump and Plumbing for Chassis
- u. Accepting Work Performed by Central Washington Asphalt, Inc. for the Bermuda Road Overlay Project
- v. Accepting Work Performed by Central Washington Asphalt, Inc. for Crosby Road Overlay

Superior Court

- w. Participant Position Allocation for 2020 for Benton and Franklin Adult and Juvenile Drug Court Programs and Adopting At Risk Youth Population Percentage Split for Functional Family Therapy, Selective Aggressive Probations and Programs

Treasurer

- x. Cancelling Taxes Assessed Upon Personal Property Determined Uncollectible

The Board briefly recessed, reconvening at 8:35 a.m.

Executive Session – Review Performance of Public Employee

The Board went into executive session at 8:35 a.m. for 10 minutes with DPA Ryan Brown to review the performance of a public employee. Also present were attorney Mike Kitson via/teleconference, Steve Hallstrom, Jerrod MacPherson and Cami McKenzie. The Board came out at 8:44 a.m. No decisions were made in executive session.

Consideration and Possible Decision on Separation Agreement with Employee

MOTION: Commissioner Small moved to approve the resolution entering into a Separation Agreement and General Release Between Loretta Smith Kelty and Benton County. Commissioner Delvin seconded and upon vote, the motion carried.

Sheriff's Office Request for Transfer of Funds for Training Chief Financial Officer

Commander Croskrey requested the Board approve a transfer of funds for training the new Chief Financial Officer since their current officer was resigning and they wanted to have an opportunity to have that employee trained.

MOTION: Commissioner Small moved to approve the line item transfer as presented. Commissioner Delvin seconded and upon vote, the motion carried.

The Board adjourned the special meeting.

The Board called the regular meeting to order at 9:00 a.m.

Public Hearing – Ordinance Amendment – 2019-004 – Adding New Chapter to Title 15 Relating to Rural Water Supply Program

Greg Wendt, Jerrod MacPherson and Ryan Brown presented the ordinance amendment to comply with the Futurewise settlement agreement. They were proposing the rural water supply program to bank water, provide a process for mitigation certificates and purchase and install water meters. Mr. Brown said it would only apply to a portion of the County.

Commissioner Small asked if they could make a change regarding access in the future, if needed. Mr. Brown said their difficulty was drawing a line and it came down to a question of practicalities. However, this process would evolve over time and may need to be addressed.

Mr. Wendt said they were estimating 75 new homes in that area for 2020. Additionally, Mr. MacPherson said they met with realtors and the Home Builders Association at least twice and they were all aware of the proposed amendment.

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

MOTION: Commissioner Small moved to approve the resolution and adopt the ordinance amendment 2019-004 adding a new Chapter to BCC Title 15 regarding the rural water supply program to comply with Benton County Resolution 2019-276, the Futurewise Settlement Agreement and the Department of Ecology. Commissioner Delvin seconded and upon vote, the motion carried.

Public Hearing – Amendment to Ordinance 600 - 2017 – Periodic Update to Comprehensive Plan to Resolve Petition for Review Filed by Futurewise

Greg Wendt said the proposed amendment had changes to 13 sections to comply with the Futurewise agreement and housekeeping edits. The Planning Commission recommended to forward a positive recommendation to the Board of Commissioners subject to the eight findings of fact and conclusions.

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

MOTION: Commissioner Small moved to adopt the Planning Commission’s recommendations, findings and conclusions as their own and approve the amendment to the 2017 Periodic Update of the Benton County Comprehensive Plan to comply with Resolution 2019-276. Commissioner Delvin seconded and upon vote, the motion carried.

Public Hearing – Ordinance Amendment 2019-002 – Zoning Ordinance

Greg Wendt presented the proposed amendment to the zoning ordinance that referenced the new Benton County Rural Water Supply Program. At the conclusion of the Planning Commission hearing, the Planning Commission voted to forward a positive recommendation to the Board of Commissioners, subject to the eight findings of fact.

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

MOTION: Commissioner Small moved to adopt the Planning Commission’s recommendations, findings and conclusions as the Board’s own and approve Ordinance Amendment 2019-002 – BCC 11.42.040. Commissioner Delvin seconded and upon vote, the motion carried.

Public Hearing - Ordinance Amendment 2019-003 - Subdivision Regulations

Mr. Wendt presented the proposed ordinance amendment regarding subdivision regulations that would require the applicant to apply for a mitigation certificate when they submitted a new plat application. The Planning Commission submitted a positive recommendation to the Board of Commissioners subject to eight findings of fact and conclusions.

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

MOTION: Commissioner Small moved to adopt the Planning Commission’s recommendations, findings and conclusions as the Board’s own and approve Ordinance Amendment 2019-003 – BCC 9.02.100. Commissioner Delvin seconded and upon vote, the motion carried.

Other Business

Commissioner Small said he would be gone the first week of March. Commissioner Delvin said he would be at the NACO conference during that time so the Board would cancel the Board meeting the first week in March.

Legislative Committee - WSAC

Commissioner Delvin said it would be short 60-day session but would probably be busy.

Tort Claims

CC 2020-01: Received January 13, 2020 from Colby Allen Blaine
CC 2020-02: Received January 21, 2020 from Ronnie James Mercado
CC 2020-03: Received January 21, 2020 from Benton County PUD No. 1

Payroll

Check Date: 01/03/2020

Payroll Checks
Warrant #: 242338-242385
Direct Deposit #: 149387-149991
Total all funds: \$2,424,185.64

Payroll Deductions/Transfers
Taxes #: 101200101-101200111
ACH #: 1085-1091
Total all funds: \$2,337,913.83

Payroll Deductions/Warrants
Warrant #: 201738-201745
Total all funds: \$137,944.59

Account Payables

Check Date: 01/09/2020
P-Card #: 0120
Total all funds: \$323,958.36

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

Resolutions

2020-035: Entering into Separation Agreement and General Release with Loretta Smith Kelty
2020-036: Line Item Transfer, Fund No. 0149-101, Dept. 000
2020-037: Statement of Work, No. 20508, w/ImageSoft, Inc. for District Court and County Clerk
2020-038: Upgrade Service Agreement w/ImageSoft to the OnBase System
2020-039: Residual Equity Transfer From Detox Center Construction Fund to the Capital Projects Fund and Closing Out the Detox Center Construction Fund
2020-040: Contract w/Lou Sowers PC for Psychological Evaluations

- 2020-041: Contract w/Randy Ruegsegger dba/Randy Ruegsegger Polygram Service for Polygraph Examinations
- 2020-042: Agreement w/TransUnion Risk and Alternative Data Solution, Inc. to Access Social Media & Web Data to Support Investigations and Research
- 2020-043: Change Order Nos. 1 and 2 w/Banlin Construction for the Justice Center Restroom Renovation Project ~ R Blain
- 2020-044: Agreement w/Waxie Sanitary Supply for Restroom and Kitchen Paper Products
- 2020-045: Payment to Hobart for Services Performed on Jail Kitchen Equipment
- 2020-046: Agreement w/Teamsters Union Local No. 839, Representing Sheriff's Office Clerical
- 2020-047: Quit Claim Deed for the Detoxification Building
- 2020-048: Amending the Superior Court Public Defense Contract w/Eric Scott
- 2020-049: Superior Court Public Defense Contract w/Angel Betancourt
- 2020-050: Public Defense Services Compensation for Heather Villani
- 2020-051: Superior Court Public Defense Contract Amendment w/Robert Moser
- 2020-052: Superior Court Public Defense Contract Amendment w/Deric Orr to Reflect Firm Name Change
- 2020-053: Settlement Agreement and Release with Deputy Sheriff Guild
- 2020-054: Memorandum of Agreement w/Franklin County Regarding Architectural and Engineering Services for the Remodel of the Juvenile Justice Center
- 2020-055: Authorization to Proceed With Advertisement and Bid Process for Purchase of Water Tank, Pump and Plumbing for Chassis
- 2020-056: Accepting Work Performed by Central Washington Asphalt, Inc. for the Bermuda Road Overlay Project
- 2020-057: Accepting Work Performed by Central Washington Asphalt, Inc. for Crosby Road Overlay
- 2020-058: Participant Position Allocation for 2020 for Benton and Franklin Adult and Juvenile Drug Court Programs and Adopting At Risk Youth Population Percentage Split for Functional Family Therapy, Selective Aggressive Probations and Programs
- 2020-059: Cancelling Taxes Assessed Upon Personal Property Determined Uncollectible
- 2020-060: Transfer of Funds – Current Expense – Sheriff Admin Dept. 118
- 2020-061: County Planning Relating to Rural Water Supply Program – Adoption of Ordinance 619
- 2020-062: Comprehensive Plan Amendment – Adoption of Ordinance 620
- 2020-063: Amendment to Ordinance 611 Relating to Building Permits – Adoption of Ordinance 621
- 2020-064: Amendment to Ordinance 612 Relating to Water Supply – Adoption of Ordinance 622

There being no further business before the Board, the meeting adjourned at approximately 9:23 a.m.

Clerk of the Board

Chairman