

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, February 25, 2020, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

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

Absent: Commissioner Jerome Delvin (Vacation)

Benton County Employees Present During All or a Portion of the Meeting: Adam Fyall, Sustainable Development Manager; Deputy County Administrator Matt Rasmussen; DPA Ryan Brown; Greg Wendt, Planning Manager; IT Manager Robert Heard; Public Works Manager Robert Blain; Human Services Manager Kyle Sullivan; Commander Tom Croskrey; Katie Gillies, Sheriff's Office; Treasurer Ken Spencer; Shan MacPherson, IT; Finance Manager Linda Ivey; Auditor Brenda Chilton; County Engineer Doug D'Hondt; Assessor Bill Spencer; Captain Joshua Shelton; Ela Selga, District Court Administrator, Elaine Osborne, Chief Deputy Clerk; Commander Scott Souza; Cristina Woods, Public Works; PA Andy Miller.

Approval of Minutes

The Minutes of February 11, 2020 were approved.

Review Agenda

The Board requested to add consent agenda item "ii" – HR Line Item Transfer.

The Board requested to add an executive session to review the claim against an elected official.

Consent Agenda

MOTION: Commissioner Small moved to approve the consent agenda items "a" through "hh", adding "ii" (Line Item Transfer – Current Expense Fund, Dept. 118). Commissioner Beaver seconded and upon vote, the Board approved the following:

Auditor

- a. Surplus and Disposition of Personal Property

Commissioners

- b. Setting Alternates for Budget Hearings, 2021-2022 Biennium Benton County Budgets

- c. Organization of Benton County Commissioners for 2020; Rescinding Resolution 2020-003
- d. Disbursement From the Historical Preservation Fund to WSU for the Pre-Manhattan Project
- e. Line Item Transfer, Fund No. 0133-101, Dept. 000
- f. Line Item Transfer, Fund No. 0305-101, Dept. 000
- g. Line Item Transfer, Fund No. 0000-101, Dept. 110
- h. Line Item Transfer, Fund No. 0000-101, Dept. 115 to 131

Corrections

- i. Fifth Amended Contract w/Keefe Commissary Network for As Needed Inmate Commissary Services
- j. Purchase Agreement w/San Diego Police Equipment Company for Ammunition
- k. Salary Request Statement – Custody Officer
- l. Salary Request Statement – Custody Officer
- m. Salary Request Statement – Custody Officer
- n. Line Item Transfer, Fund No. 0000-101, Dept. 120

District Court

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

Facilities

- p. Award and Contract w/Clearwater Tech, LLC dba Roto-Rooter Service for As Needed Plumbing Services

Fairgrounds

- q. First Amendment to Tri-City Horse Racing Association Lease Agreement

Human Resources

- r. Salary Request Statement - IT Manager
- s. Line Item Transfer, Fund No. 0305-101, Dept. 000

Human Services

- t. Agreement w/State of WA Dept. of Children Youth and Families
- u. Agreement w/Safe Harbor Crisis Nursery for Meeting the Goals of the Five-Year Homeless Housing Plan

Information Technology

- v. Contract w/NexVortex, Inc. to Provide Voice Services; Rescinding Resolution 2019-732

Parks

- w. Line Item Transfer, Fund No. 000-101, Dept. 126

Planning

- x. Line Item Transfer, Fund No. 0000-101, Dept. 116
- y. Shoreline Management Program Periodic Update 2021 – Public Participation Plan

Public Works

- z. Accepting Work Performed by Banlin Construction for Richland Auditor’s Office Decommissioning Project
- aa. Agreement w/City of Benton City to Provide Certification Acceptance Services for Benton City’s 9th Street Sidewalk Project
- bb. Contract w/Rentokil North America, Inc., dba Western Exterminator Company to Provide Pest Management Services
- cc. Purchase of Herbicides From Helena Chemical Company, Wilbur-Ellis Company and Nutrien Ag Solutions
- dd. Acceptance of Construction Plans for Ridge View

- ee. Line Item Transfer, Fund No. 0000-101, Dept. 131
- ff. Line Item Transfer, Fund No. 0101-101, Dept. 500
- gg. Approving Change Order No. 4 with Banlin Construction for the Justice Center Restroom Renovation Project

Sheriff

- hh. Purchase of Nine Vehicles From Columbia Ford Lincoln

Human Resources

- ii. Line Item Transfer, Current Expense Fund, Dept. 118

Public Hearing - Subdivision Alteration – Seitz River Tracts

Greg Wendt presented the subdivision alteration for Seitz River Tracts, approved by the Board in 2019. He said it was recently discovered that Benton Irrigation District did not sign the final plat before it was recorded. He said the corrections were made and the Planning Commission voted to forward a positive recommendation and the Planning Department also recommended approval.

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

MOTION: Commissioner Small moved to adopt the findings of fact as indicated in the Agenda Sheet dated February 14, 2020 and approve the Subdivision Alteration of Seitz River Tracts - SA 2020-001 with the requirements of the Benton Irrigation District as presented. Chairman Beaver seconded and upon vote, the motion carried.

Public Hearing - Vacation of Clodfelter Road

Doug D'Hondt said due to the realignment of Clodfelter Road, a portion of the road became unusable. He said they were requesting to vacate the portion of road between Clodfelter and Clearwater Drive as presented as it served no benefit to the County.

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

The Board agreed to proceed as recommended with the vacation.

Public Hearing – Six-Year Road Program and One-Year Road Program – Amendment

Doug D'Hondt presented the amendments to the Six-Year Road Program and One-Year Road Program.

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

MOTION: Commissioner Small moved to approve the amendments to the Six-Year Road Program and One-Year Road Program as presented. Chairman Beaver seconded and upon vote, the motion carried.

Public Hearing – Supplemental Budget Adjustments

Linda Ivey presented three supplemental budget adjustments as follows:

- Current Expense Fund 0000-101, Dept. 120 in the amount of \$1,064,764.00 for an opioid treatment grant received for the Benton County Jail
- REET Technology Fund 0129-101 in the amount of \$220,000.00 for expenditures associated with a capital software purchase for programs used in the Assessor and Treasurer offices
- Current Expense Fund 0000-101, Dept. 115 in the amount of \$3.6 million for 2020 cash carry forward

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

MOTION: Commissioner Small moved to approve the resolution approving the budget adjustment for the 2020 cash carry forward as presented. Chairman Beaver seconded and upon vote, the motion carried.

Feasibility Study – Recovery Center

Kyle Sullivan updated the Board and said that Franklin County decided not to support the feasibility study for the proposed Recovery Center. However, he did not believe their lack of participation would affect the Hospital District's ability to participate.

Chairman Beaver said he believed Benton County would participate as a partner with the Hospital District. Commissioner Small said he concurred and was disappointed Franklin County was not willing to participate and use their millage funds. He said this was just another reason Benton County continued to look at dissolving the bi-county relationship (money).

Mr. Sullivan said he would come back to the Board when he was further along in the process.

Supplemental Budget Adjustments – Continued

Mr. MacPherson informed the Board it did not include all the resolutions in the motion for the budget adjustments.

MOTION: Commissioner Small moved to approve the budget adjustments as presented for Current Expense Fund 0000-101, Dept. 120 in the amount of \$1,064,764.00, the REET Technology Fund 0129-101 in the amount of \$220,000.00 for capital software purchases, and Current Expense Fund 0000-101, Dept. 115 in the amount of \$3,600,000.00 for 2020 cash carry forward. Chairman Beaver seconded and upon vote, the motion carried.

PA's Office - Request for Temporary Help

PA Andy Miller requested the Board approve a temporary help position in the Crime Victim Fund. He said their victim witness manager left and the position had been vacant for about a month; the temporary position would assist them in getting caught up and it would be budget neutral.

MOTION: Commissioner Small moved to approve the resolution authorizing the temporary help position in the Crime Victim Fund as presented. Chairman Beaver seconded and upon vote, the motion carried.

Sheriff's Office - Request to Purchase Five Vehicles

Commander Croskrey requested the Board authorize replacement of five vehicles that were aging, had high mileage and in need of replacement.

Linda Ivey said the vehicles were not in the original budget and due to the state contract deadlines, they needed to be purchased by March 31. Additionally, with limited board meetings, they were requesting them now and had identified the Public Safety Tax Fund as an available funding source.

Commissioner Small asked if there was any particular reason why the mileage was so high and Commander Croskrey said the deputies were busy and there was a lot of driving. Commissioner Small asked about including these vehicles in the ER&R fund. Ms. Ivey said they were not currently in the ER&R program.

Chairman Beaver commented that if the public decided not to support the PST fund in the future, it would create an interesting problem.

MOTION: Commissioner Small moved to approve the Resolution and attached Purchase Agreement between Benton County and Columbia Ford Lincoln for the purchase of five Ford Police Interceptor Utility/SUV AWD, utilizing State Contract No. 05916 in the total amount of \$218,377.22 including WSST. Chairman Beaver seconded and upon vote, the motion carried.

Sundance Improvement Association Water District

Adam Fyall said the Sundance Improvement Association was requesting Benton County to serve as their sponsor for an upgrade to their residential water system. Sundance Improvement Association was a neighborhood-scale well serving a subdivision of Finley with 29 connections and suffering the same nitrate contamination issues as the Plymouth well. The Board previously sponsored the Plymouth Water District through a Department of Commerce Community Development Block Grant for a new well.

There would be no financial contribution by Benton County, only a contribution of staff time and Benton County would be the pass-through agency to receive the CDBG funds from Commerce and pay them on to Sundance.

If the County was interesting in sponsoring, there would be training in mid-March, with the application due in June.

The Board agreed to have Mr. Fyall proceed ahead and make it happen.

JC Plumbing & Water Intrusion Project - Change Order No. 5 - Banlin Construction

Robert Blain presented Change Order No. 5 with Banlin Construction, consisting of four changes totaling \$13,071.01 plus WSST and no increase in the contract time.

MOTION: Commissioner Small moved to approve the Change Order No. 5 with Banlin Construction for the Justice Center Plumbing and Water Intrusion Project as presented. Chairman Beaver seconded and upon vote, the motion carried.

New Administration Building – Amendment No. 2 - MMEC Architecture

Robert Blain presented an amendment to the contract with MMEC Architecture to modify the design as follows:

- 2nd Floor partial buildout and basement IT room addition - \$46,600.00
- Modifications to 1st and 3rd floor layouts - \$32,380.00

MOTION: Commissioner Small moved to approve Amendment No. 2 to the Contract with MMEC Architecture for the architecture and engineering services for the design of the New Administration Building in the total amount of \$78,980.00 plus WSST. Chairman Beaver seconded and upon vote, the motion carried.

Other Business

Certificates of Service

Chairman Beaver said the Board would be signing Certificates of Service to recognize long-term employees with 15, 20, 25 and 30 years of service.

Benton County Deputy Sheriff's Guild – Letter in Support

Mr. MacPherson said staff prepared a letter from the Board in support of the Sheriff's Office Command Staff and Guild. It was circulated to all three board members and Commissioner Delvin sent an email in support of the letter authorizing the Clerk of the Board to affix his name to the letter.

MOTION: Commissioner Small moved to approve the letter as presented and authorizing the Clerk of the Board to affix Commissioner Delvin's signature. Chairman Beaver seconded and upon vote, the motion carried.

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

Executive Session - Potential litigation

The Board went into executive session at 9:47 a.m. for five minutes with Ryan Brown to discuss potential litigation. Also present were Paul Schut, Andy Miller, Matt Rasmussen, Ryan Lukson (via/skype), Jerrod MacPherson and Cami McKenzie. The Board came out at 9:51 a.m. No decisions were made but direction was given.

Executive Session – Claim Against a Public Official

The Board went into executive session with DPA Ryan Brown at 9:51 a.m. for 20 minutes to review a claim made against a public official. Also present were PA Andy Miller, Matt Rasmussen, Jerrod MacPherson, and Cami McKenzie. The Board came out at 10:10 a.m. and Mr. Brown said they would go back into executive session for an additional 10 minutes. The Board came out at 10:20 a.m. and went back into executive session for an additional 20 minutes. The Board came out at 10:30 a.m. No action was taken.

Account Payables

Check Date: 02/10/2020

P-Card #: 0220

Total all funds: \$236,879.33

Check Date: 02/14/2020

EFT's: 1144-1152

Transfers #: 02142001-02142007

Total all funds: \$435,509.03

Warrant #: 203230-203451

Total all funds: \$1,442,319.17

Check Date: 02/21/2020

EFT's: 1153-1159

Transfers #: 02212001-02212003

Total all funds: \$37,970.75

Warrant #: 203534-203646

Total all funds: \$912,638.74

Payroll

Check Date: 02/18/2020

Payroll Draw Checks

Warrant #: 242443-242446

Direct Deposit #: 150757-150921

Total all funds: \$118,699.32

Payroll Draw Deductions/Transfers

Taxes #: 101200212

Total all funds: \$36,1122.44

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

Resolutions

- 2020-142: Surplus and Disposition of Personal Property
- 2020-143: Setting Alternates for Budget Hearings, 2021-2022 Biennium Benton County Budgets
- 2020-144: Organization of Benton County Commissioners for 2020
- 2020-145: Disbursement From the Historical Preservation Fund to WSU for the Pre-Manhattan Project
- 2020-146: Line Item Transfer, Fund No. 0133-101, Dept. 000
- 2020-147: Line Item Transfer, Fund No. 0305-101, Dept. 000
- 2020-148: Line Item Transfer, Fund No. 0000-101, Dept. 110
- 2020-149: Line Item Transfer, Fund No. 0000-101, Dept. 115 to 131
- 2020-150: Fifth Amended Contract w/Keefe Commissary Network for As Needed Inmate Commissary Services
- 2020-151: Purchase Agreement w/San Diego Police Equipment Company for Ammunition
- 2020-152: Line Item Transfer, Fund No. 0000-101, Dept. 120
- 2020-153: Line Item Transfer, Fund No. 0000-101, Dept. 111
- 2020-154: Award and Contract w/Clearwater Tech, LLC dba Roto-Rooter Service for As Needed Plumbing Services
- 2020-155: First Amendment to Tri-City Horse Racing Association Lease Agreement
- 2020-156: Approval - Salary Request Statement - IT Manager
- 2020-157: Line Item Transfer, Fund No. 0305-101, Dept. 000
- 2020-158: Agreement w/State of WA Dept. of Children Youth and Families
- 2020-159: Agreement w/Safe Harbor Crisis Nursery for Meeting the Goals of the Five-Year Homeless Housing Plan
- 2020-160: Contract w/NexVortex, Inc. to Provide Voice Services
- 2020-161: Line Item Transfer, Fund No. 000-101, Dept. 126
- 2020-162: Line Item Transfer, Fund No. 0000-101, Dept. 116
- 2020-163: Shoreline Management Program Periodic Update 2021 – Public Participation Plan
- 2020-164: Accepting Work Performed by Banlin Construction for Richland Auditor's Office Decommissioning Project

- 2020-165: Agreement w/City of Benton City to Provide Certification Acceptance Services for Benton City's 9th Street Sidewalk Project
- 2020-166: Contract w/Rentokil North America, Inc., dba Western Exterminator Company to Provide Pest Management Services
- 2020-167: Purchase of Herbicides From Helena Chemical Company, Wilbur-Ellis Company and Nutrien Ag Solutions
- 2020-168: Acceptance of Construction Plans for Ridge View
- 2020-169: Line Item Transfer, Fund No. 0000-101, Dept. 131
- 2020-170: Line Item Transfer, Fund No. 0101-101, Dept. 500
- 2020-171: Approving Change Order No. 4 with Banlin Construction for the Justice Center Restroom Renovation Project
- 2020-172: Purchase of Nine Vehicles From Columbia Ford Lincoln
- 2020-173: Line Item Transfer, Current Expense Fund, Dept. 118
- 2020-174: Approval of Subdivision Alteration – Seitz River Tracts
- 2020-175: Approval of Amendment to 2020-2025 Six Year Road Program and Approval of 2020 One-Year Road Program
- 2020-176: Approval of Budget Adjustment – 2019-2020 Current Expense Fund, Dept. 120 - \$1,064,764.00
- 2020-177: Approval of Budget Adjustment – 2019-2020 Reet Technology Fund - \$220,000.00
- 2020-178: Approval of Budget Adjustment – 2019-2020 Current Expense Fund, Dept. 115 - \$3,600,000.00
- 2020-179: Line Item Transfer – Crime Victim Fund 0120-101
- 2020-180: Authorizing Purchase of Five (5) Vehicles from Columbia Ford
- 2020-181: Approving Contract Change Order No. 5 – Banlin Construction – Justice Center Plumbing and Water Intrusion Project
- 2020-182: Amendment No. 1 to Contract with MMEC Architecture & Interiors – New Administration Building

There being no further business before the Board, the meeting adjourned at approximately 10:31 a.m.

Clerk of the Board

Chairman