

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Tuesday, March 10, 2020, 9:00 a.m.  
Commissioners' Conference Room  
Benton County Courthouse, Prosser, WA

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

#### **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; Clerk Josie Delvin; Greg Wendt, Planning Manager; IT Manager Robert Heard; Public Works Manager Robert Blain; Treasurer Ken Spencer; Kirsten Yniguez, Treasurer's Office; Shan MacPherson, IT; Finance Manager Linda Ivey; Auditor Brenda Chilton; County Engineer Doug D'Hondt; Captain Joshua Shelton; Ela Selga, District Court Administrator; Elaine Osborne, Chief Deputy Clerk; Commander Scott Souza; Assistant Finance Manager Jennifer Bowe; Adam Morasch, Chief Deputy Assessor; Shyanne Palmus, Communications Coordinator; HR Manager Lexi Wingfield.

#### **Approval of Minutes**

The Minutes of February 25, 2020 were approved.

#### **Review Agenda**

The Board pulled consent agenda item "b" (Contract w/QLUE Consulting for Office Workflows and Processes).

A contract with Strata was added to "Other Business".

Commissioner Small requested to add an executive session to review a claim or complaint against a public official in accordance with RCW 42.30.110(1)(f).

#### **Consent Agenda**

**MOTION:** Commissioner Delvin moved to approve the consent agenda items "a" through "tt" pulling "b" (Contract w/QLUE Consulting for Office Workflows and Processes). Commissioner Small seconded and upon vote, the Board approved the following:

**Assessor**

- a. First Amended Contract w/Master's Touch to Provide Formatting, Printing and Mailing of Property Notices, E-Notices and On-Line Fillable Forms

**Auditor**

- c. Classification Description for an Election Systems Supervisor Position
- d. Establishing a Salary Grade for an Elections Systems Supervisor Position
- e. Line Item Transfer, Fund No. 0111-101, Dept. 000
- f. Declaration of Surplus and Disposition of Personal Property
- g. Agreement w/City of Richland for Payment and Ballot Boxes

**Clerk**

- h. Continuing An Information Management Service Agreement w/CI Support LLC

**Corrections**

- i. Letter to J Lembcke re Signs & Wonders, Inc. Contract

**Facilities**

- j. Line Item Transfer, Fund No. 0000-101, Dept. 110
- k. Authorizing Payment to Access Unlimited & Security for Purchase of Security System Hardware

**Fairgrounds**

- l. Line Item Transfer, Fund No. 0124-101, Dept. 000

**Information Technology**

- m. Purchase of Dell Latitude Laptop for Treasurer Department From Dell Premier

**Juvenile**

- n. Line Item Transfer, Fund No. 0115-101, Dept. 171

**Noxious Weed Control Board**

- o. Appointment of Darrell Miles to Area 1
- p. Appointment of Dan Downs to Area 4
- q. Appointment of Dave Owens to Area 5

**Office of Public Defense**

- r. Agreement w/Sylvia Garza for Interpreting Services in Superior and District Courts
- s. Amending Resolution 2014-322 Authorizing OPD Chief Staff Defender to Sign Vouchers
- t. Amending Public Defense Investigation Contract w/Michael Matkowski
- u. Amending Public Defense Investigation Contract w/Mark Almquist
- v. Amending Public Defense Investigation Contract w/Jeffrey Porteous
- w. Amending Public Defense Investigation Contract w/Abel Campos
- x. Temporary Superior Court Public Defense Services Agreement w/Heather Villani

**Planning**

- y. Line Item Transfer, Fund No. 0000-101, Dept. 116

**Public Works**

- z. Proposed Vacation and Abandonment of a Portion of Clodfelter Road
- aa. Establishing Traffic Control on Clear View Loop, Fairview Loop, Harper Mae Court and Summit View Court
- bb. Purchase of 18 Speed Transmission & Clutch Assembly From Woodpecker Truck
- cc. Purchase of 2 Truck Mounted Rear Cross Conveyors From Northend Truck Equipment
- dd. Accepting Work Performed by Goodman & Mehlenbacher for CRP – PR 669 Improvements

- ee. Accepting Work Performed by Central Washington Asphalt Inc. for SMP – 2019 BST Area 3
- ff. Accepting Work Performed by Granite Construction Company for Badger Mtn to Candy Mtn Connector Pathway Project
- gg. Approval of Construction Plans and Authorization to Proceed w/Bid Process for Safety Roadside Improvements
- hh. Permission to Proceed w/Advertisement and Bid Process for SMP – 2020 Bituminous Surface Treatment Area 4 and Edge Repair
- ii. Purchase of New Current Model Water Truck Cab and Chassis From Jim’s Pacific Garages
- jj. Contract w/Wave Design Group for Architectural and Engineering Services for the Fairgrounds Building #1 Restroom Replacement Project
- kk. Authorizing Additional Amount Payable to Cortner Architectural Company for Architectural & Engineering Services for the Public Services Building

**Risk Management**

- ll. Engagement Letter w/PricewaterhouseCooper for Actuarial Services

**Sheriff**

- mm. Purchase of a 3D Scanner From Faro Technologies to Develop a Peer Reviewed School Safety Plan
- nn. Lease Agreement w/Mail Finance Through NeoPost USA for Postage Meter and Scale
- oo. Award of Purchase of Rifle Equipment to Talos Tactical - \$4,036
- pp. Award of Purchase of Rifle Equipment to Talos Tactical - \$6,344
- qq. Award of Purchase of Two Swat Rifles From Bravo Company USA
- rr. Award of Purchase of Four Rifles From Bravo Company USA

**Treasurer**

- ss. Line Item Transfer, Fund No. 0109-101, Dept. 000

**Workforce Development Council**

- tt. Appointment of Mary Mills to the Division of the Southeast Washington Office

**Agreement with TRIDEC**

Adam Fyall presented the agreement with TRIDEC for economic development services for the year 2020 in the amount of \$70,000.00.

**MOTION:** Commissioner Small moved to approve the Economic Development Agreement with TRIDEC for the year 2020 as presented. Commissioner Delvin seconded and upon vote, the motion carried.

**Request for Temporary Help for ER&R**

Robert Blain said one of the mechanics was out due to an injury and there was a need to hire a temporary employee during the duration of the permanent employee’s absence (for a maximum of five months). He requested the Board authorize moving money from that line item to the temporary employee line item.

**MOTION:** Commissioner Small moved to approve the Resolution authorizing the Line Item Transfer for the temporary help position in the ER&R Fund as presented. Commissioner Delvin seconded and upon vote, the motion carried.

### **Human Resources - Positions Cleanup**

Lexi Wingfield presented resolutions as part of the ongoing effort to do administrative clean up to match job titles, job descriptions and budget titles. It included adding the Risk Manager to the Managers and Administrators Salary Schedule, changing the Title of the Public Works Manager to Director of Operations & Capital Assets, and changing the Title of the Jail Commander to Chief of Corrections.

Commander Souza added that it was appropriate to change his title to Chief of Corrections and he also wanted to change the title of the Jail Captain to Commander at a later date.

Commissioner Small said he wanted to confirm this was not a budget adjustment but only title changes and it was stated that was correct.

**MOTION:** Commissioner Small moved to approve the following resolutions as presented: Updated Managers and Administrators Salary Schedule, Line Item Transfer to update the title of Director of Operations and Capital Assets, Line Item Transfer to update the title of a Chief of Corrections, the classification description for a Director of Operations and Capital Assets, the classification description for a Jail Captain, and the classification description for a Chief of Corrections. Commissioner Delvin seconded and upon vote, the motion carried.

### **Finance Team Presentation**

Linda Ivey and Jennifer Bowe gave the Board a financial update as of January 31, 2020:

#### **Current Expense Fund – Time elapsed 54.2%**

- Revenue – Grand Total 55.96 (on target)
- Expenditures – 51.94%
  - Unfilled positions since the budget cycle – down to 2 (originally at 11)

#### **Public Safety Tax**

Linda Ivey and Shyanne Palmus updated the Board on the Public Safety Sales Tax, including:

- Budget v. Actuals
- Bringing in \$8 million/spending \$8 million (revenue/expenditures were even right now)
- Excess of \$6 million was budgeted for one item expenditures
- Expenditures by Department – Ongoing operations and contracts
  - Currently 3 unfilled positions (originally 10 at the beginning of the budget)
- Expenditures by Department – One-Time/Capital
  - Budget - \$5,385,019
  - Approved (-7,842,000)

- Approved over budget (-2,456,981)
- Additional requests – unapproved – \$1,645,500

Commissioner Delvin said they needed to give the message to the cities, so they were on the same page and look at a marketing program about renewal of the public safety tax. Additionally, the spending on one-time purchases was benefitting the whole Tri-Cities not just Benton County.

#### RFP Process for Public Safety Tax Fund

The Board discussed the RFP process and putting a cap on expenditures and individual requests and agreed to the following:

- \$4 million cap on total requests
- Application limit: \$700,000
- Internal committee to review requests (consisting of Shyanne Palmus, Linda Ivey, Jerrod MacPherson, Adam Fyall, Matt Rasmussen, and possibly others)

#### Other Business

##### Contract with Strata for Special Inspection and Construction Materials Testing

Robert Blain presented a resolution and contract with Strata. He said normally the contract would be presented under the consent agenda, but the company needed to get going on the work to keep construction flowing on the new administration building.

**MOTION:** Commissioner Small moved to approve the Personal Services Contract with Strata for special inspection and construction materials testing for the new Administration Building project as presented. Commissioner Delvin seconded and upon vote, the motion carried.

##### Prosser Courthouse – Commissioner Board Room Remodel

Commissioner Delvin discussed the potential remodel of the Commissioners' Board room. He proposed limiting the project to new carpet and updating the room for the time being.

Chairman Beaver said he agreed and did not want to spend money on himself.

Commissioner Small said money had been spent already on the design and Prosser was the County seat. He did not see a problem with remodeling it to accommodate larger crowds and bringing it up to the 21<sup>st</sup> century.

Mr. MacPherson said the original plan would accommodate the Planning Commission and there were other spaces in the Courthouse where they could accommodate the Planning Commission meetings. He suggested that potentially the board sitting area would not need to have nine sitting stations, which might free up the cramped potential space.

Commissioner Small said he felt it was worth spending the \$300,000.00.

The Board agreed to reconsider it and bring back at a later date.

### NACO Conference Update

Commissioner Delvin said they met with every member of their delegation and mainly talked about the virus. He said the Health Department and the Benton County Jail had plans if something did happen in this area.

Additionally, there was a discussion about inmates losing their entitlement to Medicaid when incarcerated and the County ended up picking up the cost. He said there was a bill in Congress proposing that inmates would not lose those benefits up until the time they were tried and adjudicated.

Further items discussed at the conference were the PILT payments and the Hanford budget.

### Benton County Property Tax Statements

Commissioner Delvin said a letter would be going out to taxpayers explaining the recent property tax increases were due in part to the legislature making changes to the school taxes and that was driving those increases.

### Wind Turbine Farm Issue

Mr. MacPherson said the County was receiving a lot of emails regarding this issue and people were actively stating they should contact the Commissioners to oppose. He said he was crafting a message to go out that it was the Hearings Examiner, not the Commissioners that should be contacted.

The Board recessed, reconvening at 10:27 a.m.

Cameron Probert, Tri-City Herald via/videoconference said if the claim was about the Sheriff, the Tri-City Herald objected to the executive session because he was not a county employee.

### **Executive Session – Potential Litigation**

The Board went into executive session at 10:28 a.m. for 10 minutes to discuss potential litigation and potential appeal with DPA Ryan Brown. Also present were Ryan Lukson and Andy Miller (via/videoconference), Jerrod MacPherson, Matt Rasmussen, and Cami McKenzie. The Board came out at 10:33 a.m. Mr. Brown stated that no decisions were made in executive session.

### **Executive Session – Review Claim Against Public Official Per RCW 42.30.110(1)(f)**

The Board went into executive session at 10:33 a.m. for 20 minutes with DPA Ryan Brown to review a claim or complaint against a public official per RCW 42.30.110(1)(f). Also present were Ryan Lukson and Andy Miller (via/videoconference), Jerrod MacPherson, Matt Rasmussen, Brenda Chilton and Cami McKenzie. The Board came out at 10:53 a.m. The Board went back

into executive session for an additional 20 minutes. The Board came out at 11:10 a.m. Mr. Brown said the Board discussed a complaint against a public official and took no action.

**Tort Claims**

CC 2020-08A: Received March 10, 2020 from David Jesse Goertzen  
CC 2020-08B: Received March 10, 2020 from David Jesse Goertzen  
CC 2020-09: Received March 10, 2020 from Darrell Gene Reavis

**Account Payables**

Check Date: 02/26/2020

Warrant #: 203647  
Total all funds: \$5,000.00

Check Date: 02/28/2020

Warrant #: 203784-203994  
Total all funds: \$8,334.10

EFT #: 1160-1184  
Transfers #: 2282001-2282007  
Total all funds: \$861,443.64

Warrant #: 203995-204111  
Total all funds: \$328,810.67

Check Date: 03/06/2020

EFT #: 1192-1195  
Transfers #: 03062001-03062005  
Total all funds: \$76,608.56

Warrant #: 204188-204331  
Total all funds: \$567,851.56

**Payroll**

Check Date: 03/05/2020

Payroll Checks  
Warrant #: 242447-242498  
Direct Deposit #: 150923-151526  
Total all funds: \$2,437,405.64

Payroll Deductions/Transfers  
Taxes #: 101200301-101200311  
ACH #: 1185-1191  
Total all funds: \$2,372,903.17

Payroll Deductions/Warrants  
Warrant #: 204180-204187  
Total all funds: \$130,747.47

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

### **Resolutions**

- 2020-183: First Amended Contract w/Master's Touch for the Benton County Assesor
- 2020-184: Classification Description for an Election Systems Supervisor Position
- 2020-185: Establishing a Salary Grade for an Elections Systems Supervisor Position
- 2020-186: Line Item Transfer, Fund No. 0111-101, Dept. 000
- 2020-187: Declaration of Surplus and Disposition of Personal Property
- 2020-188: Agreement w/City of Richland for Payment and Ballot Boxes
- 2020-189: Continuing An Information Management Service Agreement w/CI Support LLC
- 2020-190: Line Item Transfer, Fund No. 0000-101, Dept. 110
- 2020-191: Authorizing Payment to Access Unlimited & Security for Purchase of Security System Hardware
- 2020-192: Line Item Transfer, Fund No. 0124-101, Dept. 000
- 2020-193: Purchase of Dell Latitude Laptop for Treasurer Department From Dell Premier
- 2020-194: Line Item Transfer, Fund No. 0115-101, Dept. 171
- 2020-195: Appointment of Darrell Miles to Area 1 – Noxious Weed Control
- 2020-196: Appointment of Dan Downs to Area 4 - Noxious Weed Control
- 2020-197: Appointment of Dave Owens to Area 5 – Noxious Weed Control
- 2020-198: Agreement w/Sylvia Garza for Interpreting Services in Superior and District Courts
- 2020-199: Authorizing OPD Chief Staff Defender to Sign Vouchers
- 2020-200: Amending Public Defense Investigation Contract w/Michael Matkowski
- 2020-201: Amending Public Defense Investigation Contract w/Mark Almquist
- 2020-202: Amending Public Defense Investigation Contract w/Jeffrey Porteous
- 2020-203: Amending Public Defense Investigation Contract w/Abel Campos
- 2020-204: Temporary Superior Court Public Defense Services Agreement w/Heather Villani
- 2020-205: Line Item Transfer, Fund No. 0000-101, Dept. 116
- 2020-206: Proposed Vacation and Abandonment of a Portion of Clodfelter Road
- 2020-207: Establishing Traffic Control on Clear View Loop, Fairview Loop, Harper Mae Court and Summit View Court
- 2020-208: Purchase of 18 Speed Transmission & Clutch Assembly From Woodpecker Truck
- 2020-209: Purchase of 2 Truck Mounted Rear Cross Conveyors From Northend Truck Equipment
- 2020-210: Accepting Work Performed by Goodman & Mehlenbacher for CRP – PR 669 Improvements

- 2020-211: Accepting Work Performed by Central Washington Asphalt Inc. for SMP – 2019 BST Area 3
- 2020-212: Accepting Work Performed by Granite Construction Company for Badger Mtn to Candy Mtn Connector Pathway Project
- 2020-213: Approval of Construction Plans and Authorization to Proceed w/Bid Process for Safety Roadside Improvements
- 2020-214: Permission to Proceed w/Advertisement and Bid Process for SMP – 2020 Bituminous Surface Treatment Area 4 and Edge Repair
- 2020-215: Purchase of New Current Model Water Truck Cab and Chassis From Jim’s Pacific Garages
- 2020-216: Contract w/Wave Design Group for Architectural and Engineering Services for the Fairgrounds Building #1 Restroom Replacement Project
- 2020-217: Authorizing Additional Amount Payable to Cortner Architectural Company for Architectural & Engineering Services for the Public Services Building
- 2020-218: Engagement Letter w/PricewaterhouseCooper for Actuarial Services
- 2020-219: Purchase of a 3D Scanner From Faro Technologies to Develop a Peer Reviewed School Safety Plan
- 2020-220: Lease Agreement w/Mail Finance Through NeoPost USA for Postage Meter and Scale
- 2020-221: Award of Purchase of Rifle Equipment to Talos Tactical - \$4,036
- 2020-222: Award of Purchase of Rifle Equipment to Talos Tactical - \$6,344
- 2020-223: Award of Purchase of Two Swat Rifles From Bravo Company USA
- 2020-224: Award of Purchase of Four Rifles From Bravo Company USA
- 2020-225: Line Item Transfer, Fund No. 0109-101, Dept. 000
- 2020-226: Appointment of Mary Mills to the Division of the Southeast Washington Office
- 2020-227: Agreement with TRIDEC for Economic Development Services
- 2020-228: Transfer of Funds – ER&R Fund 0501-101, Dept. 650
- 2020-229: Establishing Risk Manager Salary on the Managers and Administrators Salary Schedule
- 2020-230: Transfer of Funds – Capital Projects Fund 0305-101
- 2020-231: Transfer of Funds – Current Expense Fund 0000-101, Dept. 120
- 2020-232: Changing the Public Works Manager to Director of Operations & Capital Assets
- 2020-233: Updating the Jail Captain Classification Description
- 2020-234: Changing the Jail Commander to Chief of Corrections
- 2020-235: Contract for Special Inspection & Construction Materials Testing with Strata

There being no further business before the Board, the meeting adjourned at approximately 11:10 a.m.

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Clerk of the Board

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Chairman