

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Tuesday, July 21, 2020, 9:00 a.m.

*Meeting provided by Video Live-Broadcast and Telephonically*

**Present:** Chairman James Beaver  
Commissioner Jerome Delvin (via/teleconference)  
County Administrator Jerrod MacPherson  
Clerk of the Board Cami McKenzie

**Absent:** Commissioner Shon Small (Vacation)

**Benton County Employees Present During All or a Portion of the Meeting:** Matt Rasmussen, Deputy County Administrator; IT Manager Robert Heard; Adam Fyall, Sustainable Development Manager; DPA Ryan Brown; Greg Wendt, Planning Manager; Michelle Cooke, Planner; DPA Stephen Hallstrom; Linda Ivey, Finance Manager; Shyanne Palmus, Communications Coordinator; Robert Blain, Director of Operations/Capital Assets; Shannon Christen, Public Works; Paul Schut, Procurement/Contract Coordinator.

#### Approval of Minutes

The Minutes of July 2, 2020 (Special Meeting) were approved.

The Minutes of July 14, 2020 were approved.

#### Review Agenda

It was requested to add a "Procurement Group Discussion" to Other Business.

The PEDAs Update was pulled from the agenda as they were not available and would be providing an update the following week.

The agenda was approved, as amended.

#### Consent Agenda

**MOTION:** Commissioner Delvin moved to approve the consent agenda items "a" through "q" Chairman Beaver seconded and upon vote, the Board approved the following:

#### Animal Control

- a. Line Item Transfer, Fund No. 0000-101, Dept. 137

#### Commissioners

- b. One-Time Payment Authorization to City of Kennewick for Metro Contribution

- c. Contract w/Washington State Military Department for E911 Services

**District Court**

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

**Human Services**

- e. Ratifying First Amended Agreement w/DAMI TOO for Meal Delivery to Quarantined Individuals
- f. Ratifying First Amended Agreement w/Traum Ventures for Additional Hotel Rooms to Homeless Population During COVID-19
- g. First Amended Contract w/Washington State Department of Commerce, Community Services and Housing Division, Housing Assistance Unit for Consolidated Homeless Grant

**Information Technology**

- h. Emergency Purchase of Twenty Body Temperature Kiosks from Pacific Office Automation

**Juvenile**

- i. Contract w/Rick Schuknecht POF Polygraph Service

**Office of Public Defense**

- j. Amending Superior Court Public Defense Agreement w/Eric Scott for Docket Change to District Court
- k. Superior Court Public Defense Agreement w/Bart Tomerlin
- l. Superior Court Public Defense Agreement w/Danielle Purcell
- m. Terminating Superior Court Public Defense Agreement w/Ryan Swinburnson

**Parks**

- n. Contract w/The Tri-Cities Shooting Association for The “Canyon Road” Improvement at the Rattlesnake Mountain Shooting Facility Funding

**Public Safety**

- o. Line Item Transfer, Fund No. 0148-101, Dept. 115

**Public Works**

- p. Line Item Transfer, Fund No. 0155-101, Dept. 000

**Sheriff**

- q. Agreement w/WA Association of Sheriffs & Police Chiefs for Participation in Registered Sex Offender Address & Residency Verification Program

**Public Comment**

Michael Reidt, Kennewick, (via/teleconference) Republican Party Precinct Officer, and representative of the Liberty State organization, asked the Board if it received the petition for Benton County. He said the Liberty State Movement was an effort to create a new state from Washington State based upon political and geographic lines.

The Board confirmed it received the petition by email. Commissioner Delvin asked how many other counties the group had talked to and wanted to know their response.

Mr. Reidt said he was representing Benton County and had only been involved for four weeks. However, he said that Columbia County expressed interest and their petition was approved and then backed out. Additionally, Grant County had been approached and they were looking at Spokane County.

Commissioner Delvin said he was interested in getting updates and wanted to have a discussion when all three commissioners were present. Mr. Reidt added that the movement involved 20 counties east of the Cascades and they were only asking it to be put on the ballot so they knew whether the citizens would support it or not (an advisory vote).

Commissioner Delvin said he would talk to the Auditor to find out about the deadlines and what was involved. Mr. Reidt said he believed the deadline for the general election was August 4.

### **Public Hearing – Ordinance Amendment to BCC 11.11.60 – OA 2020-001**

Greg Wendt and Michelle Cooke presented a text amendment to the County Zoning Regulations for the Rural Land-5 Zoning District to add veterinary facility as a conditional use.

The Planning Commission forwarded a positive recommendation and the Planning Department recommended approval.

Commissioner Delvin asked if there was someone that was requesting this conditional use and Mr. Wendt stated they had inquiries and one applicant that had shown interest, so it was likely they would receive that request this fall.

As no one called in to the public comment line, public testimony was closed.

**MOTION:** Commissioner Delvin moved to adopt the Planning Commission’s Recommendation, Findings and Conclusions as their own, approve the Resolution and adopt the Ordinance amending BCC 11.11.060 (Ordinance Amendment File No. OA 2020-001). Chairman Beaver seconded and upon vote, the motion carried.

### **Public Hearing – Ordinance Amendment to BCC 9.08.020 – OA 2020-002**

Greg Wendt and Michelle Cooke presented an ordinance amendment to the permit review process to correct a citation error and stated the Planning Department recommended approval.

As no one called in to the public comment line, public testimony was closed.

**MOTION:** Commissioner Delvin moved to adopt the ordinance amendment to BCC Chapter 17.10, an ordinance relating to permit processing as presented. Chairman Beaver seconded and upon vote, the motion carried.

### **Public Hearing - Short Plat Vacation – PSV 2020-001**

Greg Wendt and Michelle Cooke presented a request for short plat vacation of an unused 10-foot irrigation easement and a 10-foot utility easement so the applicant could site an accessory shop building on the northern portion of his property. All concerned agencies were notified of the proposed vacation and no concerns were received regarding this proposal. Based upon the information received, the Planning Department recommended approval.

As no one called in to the public comment line, public testimony was closed.

**MOTION:** Commissioner Delvin moved to approve the vacation of the 10-foot irrigation easement and 10-foot utility easement located on the south 20 feet of Lot 1 of Short Plat 3178, records of Benton County. Chairman Beaver seconded and upon vote, the motion carried.

### **2021 – Governmental Affairs Consulting Agreement**

Shyanne Palmus presented the consulting agreement with Gordon Thomas Honeywell Governmental Affairs for a continuation of the services they had been providing for the last three years. The services included lobbying and governmental affairs, and assistance with legislative priorities. The contract would begin January 1, 2020 for a term of one year.

Commissioner Delvin said they had served them well and helped the County with their issues in Olympia and he recommended approval.

**MOTION:** Commissioner Delvin moved to approve the Consulting Agreement between Benton County and Gordon Thomas Honeywell Governmental Affairs for 2021 governmental affairs services, as presented. Chairman Beaver seconded and upon vote the motion carried.

### **Setting Salaries for Elected Officials – Years 2023 & 2024**

Matt Rasmussen said that every two years the Commissioners set salaries for all elected officials and this resolution would set salaries for a term beginning in 2023 and 2024 (during the next term). Additionally, the Sheriff was currently paid a higher salary and the Board was interested in having a discussion on whether it could or should be changed since the Commissioners took over the jail. Additionally, he needed to know whether the Board wanted to include a general increase for all Elected Officials.

In looking at comparable salaries for the Sheriff, the current Sheriff salary fell in the middle. For those where it did not have a jail under its control (only Spokane was higher, and all others were less). Additionally, the elected officials' salaries were set at a minimum, as well as the Sheriffs' salaries set at a minimum that was slightly higher.

Regarding a general increase, he recommended the elected officials increase be set at 1.5 to 2.25%, in line with what other employees would receive.

Commissioner Delvin said it made sense for the Sheriff to be paid more when the Sheriff had control over Corrections and the Sheriff's office, but he didn't think it needed more compensation now, especially when compared to other elected officials that had a lot of employees as well. Additionally, he agreed with aligning the elected officials to receive the same general increase as employees. Chairman Beaver agreed.

Mr. Rasmussen said he would prepare a resolution reflecting the Board's instructions, to be on the agenda the first meeting in August.

### **Procurement Group Discussion**

Shannon Christen, Public Works Department Procurement/Contract Coordinator, was awarded the Washington State Association of County Engineers, County Road Administration Board (CRAB) “Program Manager of the Year Award.” Matt Rasmussen and Robert Blain nominated her for the award and Drew Woods, Deputy Director for CRAB, presented the award via/Skype.

The Board briefly recessed at 9:33 a.m. to reconvene in the Executive Conference Room.

### **Executive Session - Potential Litigation**

The Board went into executive session at 9:33 a.m. for up to 20 minutes to discuss potential litigation. Present were Chairman Beaver, Commissioner Delvin (via/teleconference), Jerrod MacPherson, Matt Rasmussen, Cami McKenzie, Ryan Brown, and Stephen Hallstrom. The Board came out at 9:57 a.m.

The Board briefly recessed, to reconvene back in the Commissioners’ Conference Room.

Mr. Brown announced that no decisions were made in executive session, but direction was given.

**MOTION**: Commissioner Delvin moved to send a letter as presented to Alan Harvey, attorney for the Sheriff’s Guild requesting a hearing. Chairman Beaver seconded, and upon vote, the motion carried.

### **Accounts Payable**

Check Date: 07/13/2020

P-Card #: 0720

Total all funds: \$304,594.35

### **Payroll**

Check Date: 07/15/2020

Payroll Draw Checks

Total all funds: \$122,001.29

Warrant #: 242673-242675

Direct Deposit #: 154627-154795

Payroll Deductions/Transfers

Total all funds: \$37,095.90

Taxes #: 101200712

### **Tort Claim**

CC 2020-15A: Received on July 15, 2020 from Bethany Serena Kangiser

CC 2020-15B: Received on July 15, 2020 from Michael Edward Kangiser

**Resolutions**

- 2020-470: Line Item Transfer, Fund No. 0000-101, Dept. 137
- 2020-471: One-Time Payment Authorization to City of Kennewick for Metro Contribution
- 2020-472: Contract w/Washington State Military Department for E911 Services
- 2020-473: Line Item Transfer, Fund No. 0000-101, Dept. 111
- 2020-474: Ratifying First Amended Agreement w/DAMI TOO for Meal Delivery to Quarantined Individuals
- 2020-475: Ratifying First Amended Agreement w/Traum Ventures for Additional Hotel Rooms to Homeless Population During COVID-19
- 2020-476: First Amended Contract w/Washington State Department of Commerce, Community Services and Housing Division, Housing Assistance Unit for Consolidated Homeless Grant
- 2020-477: Emergency Purchase of Twenty Body Temperature Kiosks from Pacific Office Automation
- 2020-478: Contract w/Rick Schuknecht POF Polygraph Service
- 2020-479: Amending Superior Court Public Defense Agreement w/Eric Scott for Docket Change to District Court
- 2020-480: Superior Court Public Defense Agreement w/Bart Tomerlin
- 2020-481: Superior Court Public Defense Agreement w/Danielle Purcell
- 2020-482: Terminating Superior Court Public Defense Agreement w/Ryan Swinburnson
- 2020-483: Contract w/The Tri-Cities Shooting Association for The “Canyon Road” Improvement at the Rattlesnake Mountain Shooting Facility Funding
- 2020-484: Line Item Transfer, Fund No. 0148-101, Dept. 115
- 2020-485: Line Item Transfer, Fund No. 0155-101, Dept. 000
- 2020-486: Agreement with WA Association of Sheriffs & Police Chiefs for Participation in Registered Sex Offender Address & Residency Verification Program
- 2020-487: Ordinance Relating to Zoning and Rural Lands Five Acres District (RI-5) Amending the Section Relating To Uses Requiring A Conditional Use Permit – Adding a Veterinary Facility
- 2020-488: Ordinance Relating to the Permit Review Process Amending the Section Relating to Submission and Acceptance of Applications
- 2020-489: Vacation of the 10 Foot Irrigation Easement and the 10 Foot Utility - File Number SPV 2020-001
- 2020-490: Signing a Consulting Agreement Between Benton County Washington and Gordon Thomas Honeywell Governmental Affairs for Lobbying Consultant Services

There being no further business before the Board, the meeting adjourned at approximately 9:58 a.m.

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Clerk of the Board

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Chairman