

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Tuesday, October 20, 2020, 9:00 a.m.

*Meeting provided by Video Live-Broadcast and Telephonically*

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

**Benton County Employees Present During All or a Portion of the Meeting:** Matthew Rasmussen, Deputy County Administrator; Robert Heard, IT Manager; Assessor Bill Spencer; Commander Jon Law, Sheriff's Office; Robert Blain, Operations/Capital Programs; Michelle Cooke, Planning; Greg Wendt, Planning Manager; Todd Carlson, Sheriff's Office; Auditor Brenda Chilton.

#### Approval of Minutes

The Minutes of October 13, 2020 were approved.

#### Review Agenda

Consent Agenda item "d" (Human Services – Ratify 2<sup>nd</sup> Amendment w/Compass Solutions) was pulled.

A discussion on purchasing a cargo van for the Auditor's Office was added to "Other Business".

#### Consent Agenda

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

#### Auditor

- a. Surplus and Disposition of Personal Property

#### Commissioners

- b. Letter to Kennewick Police Department Regarding Request for Investigation

#### Facilities

- c. Change Order No. 1 w/Banlin Construction for the Finance Department Tenant Improvement & Restroom Addition Project

#### Human Services

- e. Ratifying Second Amendment to Agreement w/MRJN Associates

- f. Ratifying Second Amendment to Agreement w/ARC of Tri-Cities
- g. Ratifying Second Amendment to Agreement w/Columbia Industries
- h. Ratifying Second Amendment to Agreement w/Kristi Sharpe

**Information Technology**

- i. Line Item Transfer, Fund No. 0132-101, Dept. 000
- j. Purchase of Four Dell Mobile Laptops for the Treasurer's Office

**Juvenile**

- k. Truancy Contract w/Kiona-Benton School District

**Office of Public Defense**

- l. Establishing The Percentage Rates of Juvenile Dependency Public Defense Contracts Between Benton and Franklin Counties

**Planning**

- m. Contract w/Safe Built for Consulting Services for National Flood Insurance Program Findings

**Public Safety**

- n. Line Item Transfer, Fund No. 0148-101, Dept. 138
- o. Coding Correction Within Public Safety Tax Fund No. 0148-101, Dept. 138

**Public Works**

- p. Agreement w/Omnia Partners for Membership Registration
- q. Agreement w/The Buyboard National Purchasing Cooperative for Membership Registration

**Superior Court**

- r. Line Item Transfer, Fund No. 0000-101, Dept. 138

**Public Comment**

None.

**Public Hearing – SPV 2020-002 – Vacation of 10-Foot Irrigation Easement**

Michelle Cooke, Planning and Greg Wendt, Planning Manager presented an application for vacation of a 10-foot irrigation easement from Lot 3 of Short Plat 2506 by Jasen Banta. Ms. Cooke said the applicant required the vacation so he could build an agricultural building. After due notice to all property owners and concerned agencies, KID commented they would not have any requirements since a five-foot irrigation easement currently existed along the turnaround easement located on Lot 3. Based upon the information received, the Planning Department recommended approval as presented.

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

**MOTION:** Commissioner Small moved to approve the vacation of the 10-foot irrigation easement running North to South through the east half of Lot 3 of Short Plat 2506 in Section 20, Township 8 North, Range 28 East, W.M. as presented. Commissioner Delvin seconded and upon vote, the motion carried

## **Public Hearing – Ordinance Allowing Wheeled All-Terrain Vehicles on County Roads**

Matthew Rasmussen presented the proposed ordinance allowing Wheeled All-Terrain Vehicles (WATV's) on county roads. In 2013 the Washington State Legislature changed the law to allow WATV's to be used on county roads and city streets with speed limits of 35 mph or less, if an ordinance was adopted. Mr. Rasmussen said the public hearing was advertised as required by law and allowed for written comments.

Mr. Rasmussen presented written comments into the record, including nine (9) in favor of the proposed ordinance and one (1) opposed as follows:

### **In Support**

- Dan Anderson
- Anthony Castillo
- Joshua Wright
- Sandra Nettnin
- Earl Nettnin
- John Dreher
- Jeff Gooldy
- Michael Cloutier
- Bill Gulley

### **In Opposition**

- Lloyd Coughlin

### **Additional Public Testimony**

James Warren, Richland, WA, via/teleconference, spoke in favor of the ordinance so residents could enjoy all the county roads.

Shannon Morrison, West Richland, WA, via/teleconference, spoke in favor of the proposed ordinance.

As no one else called in to testify, public testimony was closed.

**MOTION:** Commissioner Small moved to approve the Resolution adopting an Ordinance Allowing Wheeled All-Terrain Vehicles on County Roads and adding Chapter 10.13 to the Benton County Code. Commissioner Delvin seconded and upon vote, the motion carried.

### **Position Request – Office Assistant III - Assessor's Office**

Assessor Bill Spencer requested the Board authorize posting and filling a clerical entry level position in his office. He said that immediately after the Board adopted the resolution requiring

Board approval before positing positions, they had a resignation. Additionally, they have had difficulty filling their positions.

**MOTION:** Commissioner Small moved to approve position 1111, Office Assistant III in the Assessor's officer to be posted and filled. Commissioner Delvin seconded and upon vote, the motion carried unanimously.

### **Agreement w/Power DMS for Policy Manuals & Accreditation Compliance – Sheriff's Office**

Commander Jon Law and Todd Carlson, Sheriff's Office, presented the Agreement with Power DMS for the Sheriff's office. Commander Law said on July 28 they requested the Board approve an agreement with Lexipol, which the Board approved and was in the process of implementation. The agreement with Power DMS, however, was not approved and the Board asked them to do further research. He said they had a follow up meeting with Commissioner Delvin and Robert Heard, IT Manager and addressed all three issues. He said the substituted program requested by IT (Police 1) had an advantage on training content, but that is not what they were looking for, which was document management, form management, automatic reminders, ease of use, and accreditation management. Commissioner Delvin said he wanted to hear from Robert Heard.

Mr. Heard said they reviewed the matter and Police 1 was owned by Lexipol, which they were already using. He said he did not look into the accreditation, but it was his job to minimize software use and felt that Lexipol would do the core functions required to make the Sheriff's office successful.

Commander Law said if the programs were equal, which they were not, he would be okay with staying with Lexipol. However, what they were looking for was only offered by Power DMS.

**MOTION:** Commissioner Small moved to approve the agreement with Power DMS as presented.

The motion died for lack of a second.

Commissioner Delvin said he spoke to Mr. Heard at length and he wanted to support the IT Department and have one platform. He said they were worried about cyber security and he trusted his expertise.

### **Other Business**

#### **Purchase of Vehicle – Auditor's Office**

Robert Blain and Auditor Brenda Chilton presented a resolution authorizing the purchase of a 2019 Ford Transit Cargo Van. Ms. Chilton said they were fortunate to receive an additional grant from the Center for Tech and Civic Life for the purpose of planning a safe and secure election administration. She said with voter registration numbers going up, they have been renting a U-Haul during election. Purchase of a vehicle was an allowed use of the grant funds and they were able to locate a vehicle on the state contract on very short notice.

Mr. Blain added that upon approval, the vehicle would be delivered later this week with the box installed and ready for use.

**MOTION:** Commissioner Delvin moved to approve the purchase of a 2019 Ford Transit Cargo Van in the amount of \$28,588.00 plus WSST from Columbia Ford utilizing State Contract No. 05916 as presented. Commissioner Small seconded and upon vote, the motion carried.

Certificates of Service – Benton County Employees

Chairman Beaver acknowledged the following long-term employees:

Alma Lemos, Prosecutor’s Office:	15 Years
Sandra Alarcon, Superior Court Administration:	15 Years
Angelina Stevenson, Superior Court Administration:	15 Years
Amanda Hatfield, Auditor’s Office:	15 Years
Julie Hoover, Auditor’s Office:	15 Years
Michael Denoma Ramos, Sheriff’s Office:	15 Years
Michelle Johnson, Building Department:	20 Years
Ryan McClure, Road Department:	20 Years
Rosemary Hammann, District Court:	20 Years
Karen Ardamica, Juvenile:	20 Years
Daniel Buechler, Juvenile:	20 Years
Tim Brown, IT:	20 Years
Peter Hudson, Clerk’s Office:	20 Years
Cynthia Watkins, Clerk’s Office:	20 Years
Martha Murstig, Prosecutor’s Office:	20 Years
Lori McCullugh, Corrections Department:	25 Years
Kathy Snowwhite, Juvenile:	25 Years
Mona Dury, Corrections Department:	25 Years
Marilu Flores, Commissioner’s Office:	25 Years
Ken Rochleau, E R & R:	25 Years
Florinda Coleman, GIS:	30 Years
Belen Allen, Prosecutor’s Office:	30 Years
Steve Brown, Building Department:	30 Years
Shon Small, Commissioner’s Office:	30 Years
Sheila Davidson, Juvenile:	35 Years
Rosa Rojas, District Court:	40 Years
Andy Miller, Prosecutor’s Office:	40 years

**Executive Session – Potential Litigation**

Jerrold MacPherson announced at 9:38 a.m. it would be going into executive session for up to 30 minutes with DPA Stephen Hallstrom to discuss potential litigation. The Board briefly recessed to reconvene in the Executive Conference Room.

Present were Chairman Beaver, Commissioners Small and Delvin (via/teleconference), Jerrod MacPherson, Matt Rasmussen, DPA Stephen Hallstrom, Lexi Wingfield, Cami McKenzie, Adam Morasch, and Ryan Lukson (via/teleconference). The Board came out of executive session and briefly recessed to reconvene back in the Commissioners' Conference Room.

Stephen Hallstrom announced at 9:59 a.m. that no decisions were made in executive session.

### **Payroll**

Check Date: 10/05/2020

#### Payroll Checks

Warrant #: 242790-242830  
Direct Deposit #: 156356-156966  
Total all funds: \$2,398,930.55

#### Payroll Deductions/Transfers

Taxes # 101201001-101201011  
ACH #: 1463-1469  
Total all funds: \$2,317,935.20

#### Payroll Deductions/Warrants

Warrant #: 210456-210463  
Total all funds: \$131,756.66

### **Accounts Payable**

Check Date: 10/09/2020  
P-Cards #: 1020  
Total all funds: \$317,761.75

### **Resolutions**

- 2020-736: Surplus and Disposition of Personal Property
- 2020-737: Change Order No. 1 w/Banlin Construction for the Finance Department Tenant Improvement & Restroom Addition Project
- 2020-738: Ratifying Second Amendment to Agreement w/MRJN Associates
- 2020-739: Ratifying Second Amendment to Agreement w/ARC of Tri-Cities
- 2020-740: Ratifying Second Amendment to Agreement w/Columbia Industries
- 2020-741: Ratifying Second Amendment to Agreement w/Kristi Sharpe
- 2020-742: Line Item Transfer, Fund No. 0132-101, Dept. 000
- 2020-743: Purchase of Four Dell Mobile Laptops for the Treasurer's Office
- 2020-744: Truancy Contract w/Kiona-Benton School District
- 2020-745: Establishing The Percentage Rates of Juvenile Dependency Public Defense Contracts Between Benton and Franklin Counties

- 2020-746: Contract w/Safe Built for Consulting Services for National Flood Insurance Program Findings
- 2020-747: Line Item Transfer, Fund No. 0148-101, Dept. 138
- 2020-748: Coding Correction Within Public Safety Tax Fund No. 0148-101, Dept. 138
- 2020-749: Agreement w/Omnia Partners for Membership Registration
- 2020-750: Agreement w/The Buyboard National Purchasing Cooperative for Membership Registration
- 2020-751: Line Item Transfer, Fund No. 0000-101, Dept. 138
- 2020-752: Approval of Vacation of 10 Foot Irrigation Easement - Applicant: Jasen Banta - File Number SPV 2020-002
- 2020-753: Adopting Ordinance Number 626 Amending the Benton County Code by Adding a New Chapter to Title 10 Allowing Wheeled All-Terrain Vehicles on County Roads
- 2020-754: Purchase of 2019 Ford Transit Cargo Van from Columbia Ford

There being no further business before the Board, the meeting adjourned at approximately 10:00 a.m.

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Clerk of the Board

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Chairman