

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Tuesday, November 10, 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:** Matt Rasmussen, Deputy County Administrator; Robert Heard, IT Manager; Kyle Sullivan, Human Services Manager; Niria Lucatero, Human Services; Douglas D'Hondt, County Engineer; Jennifer Bowe, Public Works CFO; Adam Fyall, Sustainable Development Manager; Linda Ivey, Finance Manager; Chief Scott Souza, Corrections; Captain Joshua Shelton, Corrections.

#### Approval of Minutes

The Minutes of November 3, 2020 were approved.

#### Agenda Review

Mr. MacPherson stated they would like to add the following items to the agenda:

- Medical RFQ – Corrections Department
- Certificate of Good Practice
- Proclamation
- Executive Session – Evaluate the Qualifications of Applicant for Public Employment
- Executive Session – Potential Litigation

#### Consent Agenda

**MOTION:** Commissioner Delvin moved to approve the consent agenda items “a” through “aa”. Commissioner Small seconded and upon vote, the Board approved the following:

#### Animal Control

- a. Contract w/Vista Veterinary Hospital Inc. for Spay & Neutering Services
- b. Contract w/Vista Veterinary Hospital Inc. for Veterinarian Medical Services

#### Clerk

- c. Purchase of Office Chairs From Brutzmans Office Solutions
- d. Statement of Work w/ImageSoft, Inc. for OnBase Document Management System Support

### **Commissioners**

- e. Line Item Transfer, Fund No. 0000-101, Dept. 115
- f. Line Item Transfer, Fund No. 0000-101, Dept. 115 to 138
- g. Line Item Transfer, Fund No. 0000-101, Dept. 139

### **District Court**

- h. Agreement w/WA Administrative Office of the Courts for Interpreter Expenses Reimbursement

### **Office of Public Defense**

- i. Amending Superior Court Public Defense Agreement w/Danielle Purcell for Early Termination
- j. Amending Juvenile Public Defense Agreement w/Danielle Purcell for Early Termination
- k. Superior Court Public Defense Agreement w/Dennis Hanson
- l. Superior Court Public Defense Agreement w/Justin Andrews
- m. Superior Court Public Defense Agreement w/Karla Kane
- n. Superior Court Public Defense Agreement w/Megan Whitmire
- o. Superior Court Public Defense Agreement w/Nicholas Blount
- p. Superior Court Public Defense Agreement w/Shelley Ajax
- q. Superior Court Public Defense Agreement w/Catherine Harkins

### **Planning**

- r. Contract w/Susan Drummond, PLLC, for Hearings Examiner Services

### **Public Works**

- s. Accepting Work Performed by Craftsman Cabinets & Flooring for Public Safety Building Countertop Replacement Project
- t. Approving Construction Plans for Homestead Road & Setting the Speed Limit
- u. Purchase of Liquid Magnesium Chloride Storage Tanks From AG Enterprise Supply

### **Sheriff**

- v. Line Item Transfer, Fund No. 0127-101, Dept. 000
- w. Contract w/Chong Bak dba Columbia Cleaners for Dry Cleaning & Laundry Services

### **Superior Court**

- x. Agreement w/State of Washington Administrative Office of the Courts for Interpreter Reimbursement Funding
- y. Line Item Transfer, Fund No. 0000-101, Dept. 123
- z. Coding Correction Within Current Expense Number 00000-101, Dept. 138 to Public Safety Tax Fund 0148-101, Dept. 138
- aa. Rescinding Resolution 2020-751

### **Public Comment**

None.

### **Amended Veterans' Relief Fund Policies & Procedures**

Kyle Sullivan and Niria Lucatero presented the Amended Veterans' Relief Fund Policies & Procedures. Mr. Sullivan said they were requesting to amend the policy to include gas vouchers as an allowable expense. He said the Advisory Committee met in October, and it was a topic that came up routinely. He added that Ms. Lucatero administered the program and worked with the

vets and she researched to see what others across the state were doing. The advisory board asked that they present this for approval to the Board.

**MOTION:** Commissioner Delvin moved to approve the resolution and amended policies and procedures for the Veterans' Relief Fund to add gas vouchers as an allowable expenditure. Commissioner Small seconded and upon vote, the motion carried unanimously.

### **2021 One-Year Road Program & Equipment Purchases**

Doug D'Hondt and Jennifer Bowe presented the One-Year Road Program which included expenditures for maintenance, administration, capital projects and equipment. Mr. D'Hondt said the annual program must be adopted prior to final adoption of the Benton County Budget.

**MOTION:** Commissioner Small moved to approve the Resolution adopting the Benton County 2021 One-Year Road Program as presented. Commissioner Delvin seconded and upon vote, the motion carried.

### **Center Parkway Extension Project Disbursement – City of Richland**

Adam Fyall presented a disbursement agreement with the City of Richland for a new project located close to the Justice Center (Mail by the Mall was the project site). He said the plan was to demolish the building and put in a new road to connect to Tapteal Drive. He said the City requested just short of \$1 million and asked for a portion of the County's allocation in the amount of \$260,000. He said the committee reviewed the request and recommended approval. Mr. Fyall indicated it was like the project with the Port of Kennewick where the County used a portion of its allocation to participate with the Port of Kennewick on its project.

Commissioner Small discussed the City requesting \$260,000 from the County's portion, the partnerships the county participated in, and his disappointment in that entity's demonstration of its lack of partnerships (specifically the work crew agreement). He said it appeared the partnerships were only good if the County did what the cities wanted. However, he believed this was a good project.

**MOTION:** Commissioner Small moved to approve the disbursement agreement with the City of Richland for the Center Parkway Extension project as presented. Commissioner Delvin seconded.

### **Discussion**

Chairman Beaver said he agreed with the Commissioner Small that the definition of a partnership was different for the County's partners.

Upon vote, the motion carried.

## **Emergency Declaration for Prosser Railroad Bridge**

Adam Fyall said a big wildfire took out a 100-year old railroad spur in Prosser and they were looking to rebuild. He indicated several entities, including Representative Dufault (Yakima), had requested that Benton County declare an emergency. He said it was a privately owned railroad bridge, and he wasn't sure if this would help, but requested the Board approve the emergency declaration, which was similar to what the County did for the roads after weather events.

**MOTION:** Commissioner Small moved to approve the Resolution declaring a state of emergency regarding railroad transportation in the western part of the County due to destruction caused by this season's wildfires. Commissioner Delvin seconded and upon vote, the motion carried.

## **2021-2022 Budget Update**

Linda Ivey said the budget was previously approved by the Board to go to public hearing on November 17, 2020 and was to be published in the November 4 and November 11 editions of the Prosser Record Bulletin. However, the Prosser Record Bulletin failed to publish on the first date and so the public hearing date was revised to November 24 and would be published on the November 11 and November 18 editions. Also, the proposed budget had been posted on the website since October 28.

## **Other Business**

### **RFQ – Medical Services – Corrections Department**

Chief Souza presented a request for the Board to approve an RFQ for medical services in the Corrections Department. He said the current contract expired on March 31, 2021 but he wanted to move forward to reach as much interest as possible.

**MOTION:** Commissioner Delvin moved to authorize the solicitation for the Request for Qualifications for Professional Medical Services for the Benton County Corrections Department. Commissioner Small seconded and upon vote, the motion carried.

### **Certificate of Good Practice**

Matt Rasmussen said the County Road Department is required to submit annually to the County Road Administration Board (CRAB) certification of expenditures to continue to be eligible to receive state road funding and distributions for motor fuel tax. The CRAB presented Benton County with a Certificate of Good Practice for 2019, which will be presented later to the Road Department.

### **Proclamation**

Drea Myers presented a proclamation to the Board to honor Prosser High School student Jazlynn Guillen in her fight against cancer for her strength, courage, and faith, which has been an inspiration in the community and around the world.

**MOTION:** Commissioner Small moved to proclaim November 11, 2020 as “Jazzy Guillen Day” in Benton County. Chairman Beaver seconded and upon vote, the motion carried.

### Election Results

Commissioner Delvin commented that it was a strange year for elections but was very disappointed the local party would not support the incumbents. He said he planned to continue the good work the County has done for the community.

Chairman Beaver said he was elated that Commissioner Delvin was re-elected so they could continue the work that has been done. Additionally, he said he would never apologize for taking over the jail from the Sheriff and thanked everyone that worked so hard to make this a better place.

### **Executive Session – Evaluate the Qualifications of an Application for Public Employment**

Jerrod MacPherson announced at 9:36 a.m. the Board would be going into executive session for up to 15 minutes to evaluate the qualifications of an applicant for public employment. 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, and Cami McKenzie. The Board came out of executive session and briefly recessed to reconvene back in the Commissioners’ Conference Room.

The Board came out at 9:47 a.m. and announced that no decisions were made in executive session.

- Note - There were technical difficulties with the audio recording.

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

Jerrod MacPherson announced at 9:47 a.m. the Board would be going into executive session for up to 10 minutes 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, Adam Morasch, DPA Ryan Brown and Cami McKenzie. The Board came out of executive session and briefly recessed to reconvene back in the Commissioners’ Conference Room.

The Board came out at 9:53 a.m. and Mr. Brown announced the Board discussed two claims against the County, but no action was taken.

**MOTION:** Chairman Beaver moved to approve the Resolution entering into a final settlement agreement and release regarding claim number 2020-006 and 2020-007 between Nhung Truong and Hung Le and Benton County as presented. Commissioner Small seconded and upon vote, the motion carried.

## **Tort Claim**

CC 2020-19: Received on November 9, 2020 from Jacob Joseph Munoz

## **Resolutions**

- 2020-810: Contract w/Vista Veterinary Hospital Inc. for Spay & Neutering Services
- 2020-811: Contract w/Vista Veterinary Hospital Inc. for Veterinarian Medical Services
- 2020-812: Purchase of Office Chairs From Brutzmans Office Solutions
- 2020-813: Statement of Work w/ImageSoft, Inc. for OnBase Document Management System Support
- 2020-814: Line Item Transfer, Fund No. 0000-101, Dept. 115
- 2020-815: Line Item Transfer, Fund No. 0000-101, Dept. 115 to 138
- 2020-816: Line Item Transfer, Fund No. 0000-101, Dept. 139
- 2020-817: Agreement w/WA Administrative Office of the Courts for Interpreter Expenses Reimbursement
- 2020-818: Amending Superior Court Public Defense Agreement w/Danielle Purcell for Early Termination
- 2020-819: Amending Juvenile Public Defense Agreement w/Danielle Purcell for Early Termination
- 2020-820: Superior Court Public Defense Agreement w/Dennis Hanson
- 2020-821: Superior Court Public Defense Agreement w/Justin Andrews
- 2020-822: Superior Court Public Defense Agreement w/Karla Kane
- 2020-823: Superior Court Public Defense Agreement w/Megan Whitmire
- 2020-824: Superior Court Public Defense Agreement w/Nicholas Blount
- 2020-825: Superior Court Public Defense Agreement w/Shelley Ajax
- 2020-826: Superior Court Public Defense Agreement w/Catherine Harkins
- 2020-827: Contract w/Susan Drummond, PLLC, for Hearings Examiner Services
- 2020-828: Accepting Work Performed by Craftsman Cabinets & Flooring for Public Safety Building Countertop Replacement Project
- 2020-829: Approving Construction Plans for Homestead Road & Setting the Speed Limit
- 2020-830: Purchase of Liquid Magnesium Chloride Storage Tanks From AG Enterprise Supply
- 2020-831: Line Item Transfer, Fund No. 0127-101, Dept. 000
- 2020-832: Contract w/Chong Bak dba Columbia Cleaners for Dry Cleaning & Laundry Services
- 2020-833: Agreement w/State of Washington Administrative Office of the Courts for Interpreter Reimbursement Funding
- 2020-834: Line Item Transfer, Fund No. 0000-101, Dept. 123
- 2020-835: Coding Correction Within Current Expense Number 00000-101, Dept. 138 to Public Safety Tax Fund 0148-101, Dept. 138
- 2020-836: Rescinding Resolution 2020-751
- 2020-837: Amending Veterans' Relief Fund Policies & Procedures
- 2020-838: Approving the Benton County One Year 2021 Annual Road Program
- 2020-839: Rural County Capital Fund Disbursement – City of Richland
- 2020-840: Declaration of Emergency for Preservation of Critical Railroad Infrastructure

- 2020-841: Authorizing the Solicitation – RFQ – Professional Medical Services
- 2020-842: Proclaiming November 11, 2020 as Jazzy Guillen Day
- 2020-843: Final Settlement Agreement and Release – Claim 2020-006 and 2020-007

There being no further business before the Board, the meeting adjourned at approximately 9:54 a.m.

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Clerk of the Board

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Chairman