

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, December 15, 2020, 9:00 a.m.

Meeting provided by Video Live-Broadcast and Telephonically

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

Absent: Commissioner Jerome Delvin - Excused

Benton County Employees Present During All or a Portion of the Meeting: Matt Rasmussen, Deputy County Administrator; Robert Heard, IT Manager; Robert Blain, Operations/Capital Programs; Michelle Cooke, Planning; Joshua Castilleja, Canine Control; HR Manager Lexi Wingfield; Darryl Banks, Juvenile Administrator; Tiffany Deaton, Superior Court Administrator; PA Andy Miller.

Approval of Minutes

The Minutes of December 8, 2020 were approved.

Consent Agenda

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

Commissioners

- a. Second Amendment to Historic Preservation Grant Agreement w/Benton County Museum & Historical Society
- b. Reappointment of Louise Matzner to the Mid-Columbia Libraries Board of Trustees

Coroner

- c. Line Item Transfer, Fund No. 0000-101, Dept. 109

Corrections

- d. Line Item Transfer, Fund No. 0000-101, Dept. 120

District Court

- e. Contract w/Francisco Rojas for Interpreter Services

Facilities

- f. Purchase of Haworth Furniture From Brutzmans Office Solutions

Human Resources

- g. Bi-County Non-Bargaining, Juvenile Justice and Superior Court Contribution to Employee Insurance Benefits for 2021

- h. Bi-County Non-Bargaining Juvenile Justice & Superior Court Increase of Wages for 2021

Human Services

- i. Letter of Support for Two Rivers Behavioral Health Recovery Center
- j. Priority & Subordination Agreement w/Housing Authority of the City of Kennewick
- k. Ratifying Second Amended Agreement, WA State Department of Commerce Community Services for Eviction Rent Assistance Program
- l. Ratifying Second Amended Agreement, WA State Dept. of Commerce, Community Services to Provide Quarantine/Isolation Rooms
- m. Community Development Block Grant, WA State Department of Commerce, Local Government Division

Information Technology

- n. Purchase of 39 Pocket Vehicle Kit Printers for Sheriff Patrol From CDW Government
- o. Purchase of Three-Year Renewal Subscription for Veeam From CompuNet, Inc.

Juvenile

- p. Contract w/City of Kennewick for the Graffiti Abatement Program

Office of Public Defense

- q. District Court Public Defense Services Agreement w/Dawn Hickman
- r. Superior Court Public Defense Services Agreement w/Deric Orr
- s. Superior Court Public Defense Services Agreement w/Alan Tindell
- t. Line Item Transfer, Fund No. 0000-101, Dept. 136

Parks

- u. Line Item Transfer, Fund No. 0110-102, Dept. 000

Planning

- v. Final Plat of Steeplechase Phase 2 – SUB 2020-008
- w. Line Item Transfer, Fund No. 0000-101, Dept. 116

Public Safety

- x. Line Item Transfer, Fund No. 0148-101, Dept. 121
- y. Coding Correction; Fund No. 0000-101, Dept. 136 to 0148-101, Dept. 136

Public Works

- z. Line Item Transfer, Fund No. 0101-101, Dept. 500
- aa. WSDOT Right of Way Procedures; Rescinding Resolution 2017-190
- bb. Equipment Maintenance Agreement w/Benton County Fire District #6
- cc. Franchise with City of Richland to Place Water, Sewer, Stormwater, Electrical, Facilities in County Road Rights of Way
- dd. Setting Public Hearing to Consider Petition to Vacate Portion of County Right-of-Way Abutting SR 397
- ee. Authorization to Pay Maintenance & Upgrade Fees & Hourly Rates for Programming & SQL/DBE & On-Site Services to Cascade Software Systems

Sheriff

- ff. Memorandum of Understanding w/United States Marshal for Joint Law Enforcement Operations
- gg. Contract w/LEPS-PSS for Psychological Evaluations
- hh. Line Item Transfer, Fund No. 0000-101, Dept. 121
- ii. 2021 Participant Position Allocation for Benton & Franklin Adult & Juvenile Drug Court Programs
- jj. Percentage Rates for Salaries, Benefits & Information Technology Assessments for 2021

- kk. Contract w/Columbia Basin Interpreting/Translation Services for Interpreter Services
- ll. Contract w/Ana Armijo for Interpreter Services

Agenda Review

Mr. MacPherson requested the following item be added to the agenda for discussion:

- Facility Use Agreement with Benton-Franklin Health District

Public Comment

None.

Public Hearing - Ordinance Amendment to BCC 3.26 - OA 2020-03

Michelle Cooke presented the ordinance amendment to BCC 3.26 to update and amend the flood damage prevention ordinance to comply with FEMA’s recommendations. The amendment also corrected outdated, missing or required code citations and insured all requirements in the code complied with the FEMA and NFIP standards.

The Planning Department recommended approval of the ordinance as proposed.

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

MOTION: Commissioner Small moved to approve the resolution and adopt the ordinance amendment to BCC 3.26 - Flood Damage Prevention Ordinance, File No. OA 2020-003 as described in the Agenda Action Sheet under the Planning Recommendation. Chairman Beaver seconded and upon vote, the motion carried.

Public Hearing – Ordinance Amendment to – BCC 17.10 – OA 2020-005

Michelle Cooke presented the ordinance amendment to BCC 17.10 to update the permit review process to comply with FEMA’s recommendations and ensure the County’s compliance with the NFIP and correct several permit types.

The Planning Department recommended approval of the ordinance as presented.

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

MOTION: Commissioner Small moved to approve the resolution and adopt the ordinance amendment to BCC Chapter 17.10, an ordinance relating to Permit Review Process amending the section relating to types of project permit applications; amending Ordinance 281, Section 6, Ordinance 558, Section 2 and BCC 17.10.050. Updating Table 17-1 to Replace Floodplain Public Utility Permit with Floodplain Development Permit in Application Type IV and in Type V replacing the words Floodway Development Variance with Floodplain Development Variance. Chairman Beaver seconded and upon vote, the motion carried.

PEDA Update

Neal Ripplinger via/WebEx gave a Powerpoint presentation and briefly discussed the following:

- Business Recruitment & Expansion – New Construction
- Broadband Action Team – Infrastructure
- COVID-19 Business Resource Information Newsletter
- Prosser Business Impact Survey
- Prosser Business Spotlight
- CARES Funding
- New Grant Writer
- 2020 Census

Request to Post and Fill Position – Canine Control

Joshua Castilleja and Lexi Wingfield requested the Board approve the part-time position for a Canine Control Officer to fill in on weekends, holidays and coverage when the other employees were out.

MOTION: Commissioner Small moved to authorize position 1136 Canine Control Officer I to be posted and filled. Chairman Beaver seconded and upon vote, the motion carried.

Request to Post and Fill Position - Juvenile

Darryl Banks said he had another resignation and requested the Board authorize hiring the Probation Legal Secretary IV and that most likely it would be filled in house and then he would need to backfill the Legal Assistant III.

MOTION: Commissioner Small moved to authorize posting and filling position Juvenile Operations Dept. 171 Legal Secretary IV and back fill Legal Assistant III, if needed. Chairman Beaver seconded and upon vote, the motion carried.

Request to Post and Fill Position - Superior Court

Tiffany Deaton said they had an unexpected retirement of a Bailiff and she requested to post and fill that position as soon as possible, as they were getting ready to re-start their jury trials.

MOTION: Chairman Beaver moved to authorize position 1483 Bailiff in Superior Court Administration be posted and filled. Commissioner Small seconded and upon vote, the motion carried.

Creation of Procurement Department – County Commissioners’ Office

Robert Blain presented the resolution creating the Procurement Department, as previously discussed. He said there were a few changes, including removal of the paragraph instructing the Auditor to deny vouchers.

MOTION: Commissioner Small moved to approve the Resolution Creating the Purchasing Department, as modified. Chairman Beaver seconded.

Discussion

Andy Miller asked if the policy was clear that the departments did not need to go through the procurement department for small purchases. Mr. Blain said the policy specified that purchases or leases less than \$10,000 could be directly negotiated by the department.

Upon vote, the motion carried.

Updating the County-Wide Procurement, Leasing & Contracting Policy

Mr. Blain presented the updated procurement policy, with some modifications including removal of the \$40,000 exemption (which would not be available with the creation of the department).

MOTION: Commissioner Small moved to approve the Procurement, Leasing & Contracting Policy as modified. Chairman Beaver seconded and upon vote, the motion carried.

Other Business

Memorandum of Agreement with Benton-Franklin Health District – Use of County Facility

Matt Rasmussen said the County received a request from Benton-Franklin Health District to use one of the County's sites to move one of the Covid-19 testing sites from Pasco to a site in Benton County. The Solid Waste Facility site on Ely Street was fully fenced and could remain set up full time, increasing the operating hours. He presented the agreement for the Board's consideration and said the County did not have plans to use it until March of next year.

MOTION: Commissioner Small moved to approve the facility use agreement as presented between Benton-Franklin Health District and Benton County. Chairman Beaver seconded and upon vote, the motion carried.

Covid-19 Update

Commissioner Small said he heard reports that if L & I went to a business regarding violations of the Governor's orders that the Sheriff's office would be called out and the individuals would be arrested. Additionally, someone in the Planning Commission had asked if there were businesses that could be allowed to open and supersede the Governor's order.

PA Miller said as the County's legal advisor, there were 31 cases going to court challenging Governor Inslee that have ruled in favor of the Governor's proclamation and affirmed the legalities of it. Additionally, he could look at the issue of the Sheriff's office making arrests if the Board wanted him to, but he was skeptical about that being true. Additionally, Mr. Miller said he believed a vast majority of constituents want elected officials to follow the law.

Commissioner Small also requested the Board send something out to the community about what the County had been doing on a weekly basis regarding Covid-19. Chairman Beaver agreed with getting information out to the community and constituents.

Commissioner Small thanked Commissioner Beaver for his service to Benton County for the past 12 years.

Payroll

Check Date: 12/04/2020

Payroll Checks

Warrant # 242895-242946

Direct Deposit #: 157914-158519

Total all funds: \$2,941,312.46

Payroll Deductions/Transfers

Taxes #: 101201201-101201211

ACH #: 1551-1557

Total all funds: \$2,590,781.98

Payroll Deductions/Warrants

Warrant #: 212676-212683

Total all funds: \$140,287.56

Resolutions

- 2020-951: 2nd Amendment to Historic Preservation Grant Agreement w/Benton County Museum & Historical Society
- 2020-952: Reappointment of Louise Matzner to the Mid-Columbia Library
- 2020-953: Line Item Transfer, Fund No. 0000-101, Dept. 109
- 2020-954: Line Item Transfer, Fund No. 0000-101, Dept. 120
- 2020-955: Contract w/Francisco Rojas for Interpreter Services
- 2020-956: Purchase of Haworth Furniture From Brutzmans Office Solutions
- 2020-957: Bi-County Non-Bargaining, Juvenile Justice and Superior Court Contribution to Insurance Benefits for 2021
- 2020-958: Bi-County Non-Bargaining Juvenile Justice & Superior Court Increase of Wages for 2021
- 2020-959: Priority & Subordination Agreement w/Housing Authority of the City of Kennewick
- 2020-960: Ratifying Second Amended Agreement, WA State Department of Commerce Community Services for Eviction Rent Assistance Program
- 2020-961: Ratifying Second Amended Agreement, WA State Dept. of Commerce, Community Services to Provide Quarantine/Isolation Rooms
- 2020-962: Community Development Block Grant, WA State Department of Commerce, Local Government Division

- 2020-963: Purchase of 39 Pocket Vehicle Kit Printers for Sheriff Patrol From CDW Government
- 2020-964: Purchase of Three-Year Renewal Subscription for Veeam From CompuNet, Inc.
- 2020-965: Contract w/City of Kennewick for the Graffiti Abatement Program
- 2020-966: District Court Public Defense Services Agreement w/Dawn Hickman
- 2020-967: Superior Court Public Defense Services Agreement w/Deric Orr
- 2020-968: Superior Court Public Defense Services Agreement w/Alan Tindell
- 2020-969: Line Item Transfer, Fund No. 0000-101, Dept. 136
- 2020-970: Line Item Transfer, Fund No. 0110-102, Dept. 000
- 2020-971: Final Plat of Steeplechase Phase 2 – SUB 2020-008
- 2020-972: Line Item Transfer, Fund No. 0000-101, Dept. 116
- 2020-973: Line Item Transfer t, Fund No. 0148-101, Dept. 121
- 2020-974: Coding Correction; Fund No. 0000-101, Dept. 136 to 0148-101, Dept. 136
- 2020-975: Line Item Transfer, Fund No. 0101-101, Dept. 500
- 2020-976: WSDOT Right of Way Procedures; Rescinding Resolution 2017-190
- 2020-977: Equipment Maintenance Agreement w/Benton County Fire District #6
- 2020-978: Franchise with City of Richland to Place Water, Sewer, Stormwater, Electrical, Facilities in County Road Rights of Way
- 2020-979: Setting Public Hearing to Consider Petition to Vacate Portion of County Right-of-Way Abutting SR 397
- 2020-980: Authorization to Pay Maintenance & Upgrade Fees & Hourly Rates for Programming & SQL/DBE & On-Site Services to Cascade Software Systems
- 2020-981: Memorandum of Understanding w/United States Marshal for Joint Law Enforcement Operations
- 2020-982: Contract w/LEPS-PSS for Psychological Evaluations
- 2020-983: Line Item Transfer, Fund No. 0000-101, Dept. 121
- 2020-984: 2021 Participant Position Allocation for Benton & Franklin Adult & Juvenile Drug Court Programs
- 2020-985: Superior Court Percentage Rates for Salaries, Benefits & Information Technology Assessments for 2021
- 2020-986: Contract w/Columbia Basin Interpreting/Translation Services for Interpreter Services
- 2020-987: Contract w/Ana Armijo for Interpreter Services
- 2020-988: Adoption of Ordinance 627 Relating to Flood Damage Prevention
- 2020-989: Adoption of Ordinance 628 Relating to Permit Review Process
- 2020-990: Creating a Purchasing Department
- 2020-991: Updating the County-Wide Procurement Leasing and Contracting Policy
- 2020-992: Approving a Memorandum of Agreement Between B-F Health District and Benton County for Use of the Benton County Solid Waste Facility – COVID-19 Testing

There being no further business before the Board, the meeting adjourned at approximately 9:55 a.m.

Clerk of the Board

Chairman