

WEEKLY REVIEW

BENTON COUNTY BOARD OF COMMISSIONERS
December 22, 2020



This document is a weekly review of the Board of County Commissioners meeting, Tuesday, December 22, 2020. Information related to agenda changes, Consent Agenda, and Public Comment are on the [County website](#).

Scheduled Business

Change Order No. 2 with V K Powell Construction for the Courthouse Upgrades – Robert Blain, Director of Operations & Capital Programs

On September 1, 2020 the Board approved Resolution 2020-600 to execute a contract with V K Powell Construction, LLC for the Courthouse Upgrades project in the amount of \$1,435,000.00 plus WSST. Change Order No. 1 was previously approved for a reduction of \$542,666.00 plus WSST, bringing the total contract amount down to \$892,334.00. Additional unforeseen items have been identified to complete the project, with five (5) modifications included in Change Order No. 2: 1) reduction in cost of permit of \$890.00 plus WSST; 2) enclosing the HVAC unit on the third-floor lobby, adding \$253.00; 3) removal of old crown molding and installation of new molding, adding \$808.00 plus WSST; 4) rerouting a vent pipe found during demolition to continue service and allow removal of a wall, adding \$4,607.00 plus WSST; and 5) rebuilding the east wall of the Board room wider to allow for fire rating, adding \$842.00 plus WSST. All changes are combined into Change Order No. 2 for a total cost of \$5,620.00 plus WSST for a new total contract amount of \$897,954.00 with no increase in contract time. **The Board moved and seconded to approve the Chairman to sign Change Order No. 2 with V K Powell Construction, LLC for the Courthouse Upgrade project increasing the contract by \$5,620.00 plus WSST for a new contract amount not to exceed \$897,954.00 plus WSST. Motion carried.**

Change Order No. 5 with Banlin Construction for Administration Building – Robert Blain, Director of Operations & Capital Programs

On January 28, 2020 the Board approved Resolution 2020-101 to execute a contract with Banlin Construction, LLC for the New Administration Building project in the amount of \$12,547,345.00 plus WSST. The Board has previously approved Change Orders No. 1-4 for an additional \$1,028,849.99 plus WSST, bringing the total contract amount to \$13,576,195.29 plus WSST and increasing the contract time by 56 days for a new total of 506 calendar days. Additional unforeseen items have been identified to complete the project, and three (3) modifications are included in Change Order No. 5: 1) adding plexiglass barriers to workstations in the Contact Center in order to comply with State-mandated safety precautions due to COVID-19, adding \$18,265.23 plus WSST; 2) adding additional supports for the parapet walls, adding \$5,343.57 plus WSST; and 3) revising how the TPO membrane roof system is fastened (changed from adhered to mechanically fastened), reducing \$12,630.00. All changes are combined into Change Order No. 5 for a total cost of \$10,978.80 plus WSST with no increase in contract time. **The Board moved and seconded to approve the Chairman to sign Change Order No. 5 with Banlin Construction, LLC for the New Administration Building project increasing the contract by \$10,978.80 plus WSST for a new contract amount not to exceed \$13,587,174.09 plus WSST. Motion carried.**

Corrections Department Position Changes Due to Reduction in Force – Chief Souza, Corrections and Adam Morasch, Risk Manager

In November 2020, the Corrections Department announced a reduction in force due to significant revenue loss resulting from the ongoing COVID-19 pandemic. Since that announcement, alternatives have been sought to reduce the number of lost positions, resulting in the identification of ways to retain three (3) staff members: 1) The County will restart the work crew program with a 100% County utilization work crew, with

costs made up by reducing certain contract work and using work crew to perform said services. The currently vacant work crew deputy position will be filled with an existing corrections officer, allowing one employee that was planned for layoff to take the open position; 2) one position will be moved to the inmate benevolence fund to allow for the employee to remain with the County for an additional year and helping Corrections maintain sufficient staff to get through the worst of the COVID-19 pandemic impacts; and 3) the Security Supervisor (currently within the Corrections budget) will be moved to the Risk Management fund to free up budget within Corrections to be used to retain an additional Corrections officer. **The Board moved and seconded the following: 1) to approve a transfer of funds within the Inmate Benevolence Fund number 0116101 for a new custody officer position; 2) to approve a transfer of funds within Insurance Management Fund number 0504101 for a new security supervisor position, and 3) to approve a transfer of funds within Current Expense Fund number 0000101, Department 120, Corrections to change a security supervisor to a custody officer. All three (3) motions carried.**

Other Business

Interagency Contract with Washington State Department of Corrections – Chief Souza, Corrections

On December 17, 2020 Governor Inslee issued Proclamation 20-80, DOC – Prison Commitments, which suspends the transfer of newly sentenced felons from county jails to Department of Corrections’ (DOC) facilities. The proposed Interagency Contract establishes a temporary per diem rate effective during the temporary suspension and contract term. The per diem for Prison Drug Offender Sentencing Alternative (DOSA) and Community Custody Probation (CCP) returns, the County will be paid the current negotiated violator rate of \$82.25 per day through the seventh day of confinement. Beginning on the eighth day, the County will be paid \$93.71 as further outlined in the contract. Beginning on the eighth day, DOC will pay the County the per diem rate of \$93.71 per day for DOC sentenced felons who are not Prison DOSA or CCP returns. **The Board moved and seconded to approve the Interagency Contract between Benton County and Department of Corrections for Proclamation 20-80 – Prison Commitments for a rate further outlined in the Interagency Contract between Benton County and Department of Corrections. Motion carried.**

Corrections Department Staff Layoff Cash Out of Sick Leave & Vacation Leave Regardless of Length of Service – Lexi Wingfield, HR Manager & Chief Souza, Corrections

Due to COVID-19, the Corrections Department has seen a reduction in revenue from the State Department of Corrections and the US Marshall’s Services due to the decrease in inmate population, and it does not appear that revenues will return in the near term. Therefore, the Corrections Department has opted to reduce staff effective January 1, 2021. The staff impacted by the layoffs are covered by different Collective Bargaining Agreements based on position, which have provisions for vacation and sick leave cash outs. The County has proposed the cash out of vacation and sick leave for these employees, without precedent setting and not changing the existing contracts or language. **The Board moved and seconded, without precedent setting and not to change the existing contracts or language, to cash out Corrections Department employees being laid off effective January 1, 2021 the employees’ all accumulated annual leave and sick leave at 25%, not to exceed \$3,000, regardless of length of service. Motion carried.**

Memorandum of Agreement between Benton County and Teamsters Unions, Local 839 and Local 760 Regarding 2021 Kelly Time - Chief Souza, Corrections & Lexi Wingfield, HR Manager

This Memorandum of Agreement (MOA) is entered into between Benton County Corrections Department and Teamsters Union Local 839 and Local 760 regarding Department practices relating to the issuance and use of Kelly Time for staff members working 12-hour shifts. Currently, contract language contained in the Collective Bargaining Agreements (CBAs) with Teamsters Local 839 (Corrections Officers) and Local 760 (Supervisors), Kelly Time is earned at a rate of one 12-hour Kelly day off per 28-day work period in exchange for six 8-hour or five 10-hour days of training time to take place throughout the year, paid at a regular pay rate, to be conducted on a squad’s regular day off in a specified work period. Employees earn 12 hours of Kelly time each work period, allowing them to take a full 12-hour day off as Kelly Time each work period. Kelly Time is not carried from one pay period to the next and must be scheduled in advance. Changes in Kelly Time practice are necessary to maintain adequate staffing levels and revenue during the COVID-19 pandemic and resulting reductions in jail staff. Changes are as follows, to allow for two employees to utilize

accrued vacation on any given day, which can be used in conjunction with the assigned Kelly Time off. Employees working 12-hour shifts will be provided one 4-hour time period off per 14-day work period. Employees will be allowed to either arrive to work 4 hours past the original start time of their assigned shift or be allowed to leave 4 hours prior to the conclusion of their assigned shift once per 14-day work period. Kelly Time off cannot be carried from one pay period to the next and must be scheduled in advance and in coordination with the Squad Sergeant. **The Board moved and seconded to approve the resolution and authorizing the Chairman to sign the Memorandum of Agreement as presented, pending union approval. Motion carried.**

Authorizing Unused Sick Leave at Voluntary Retirement to be Paid into Employee VEBA Trust Account – Lexi Wingfield, HR Manager

An employee is set to voluntarily retire on January 31, 2021 and has requested the County to permit him to receive a lump sum payment to his VEBA Trust Account equivalent to 50% of unused sick leave in lieu of being paid for 50% of unused sick leave, saving the County from paying payroll taxes on said payment. This request is revenue neutral and potentially saves the County payment of additional payroll taxes for compensating the employee for unused sick leave per the controlling Collective Bargaining Agreement. **The Board moved and seconded to authorize the employee to receive a lump sum payment to his VEBA Trust Account equivalent to 50% of his unused qualifying sick leave, in lieu of being paid 50% of unused sick leave as proposed. Motion carried.**

Proposed Early Retirement Incentive Policy Change – Commissioner Small

Commissioner Small proposed to change the recently approved Early Retirement Incentive Policy to be available for those with 20 years of service or more, rather than the originally approved length of service of 25 years or more. The HR Manager agreed to bring forth this change at a later Board meeting in 2021 for final approval. **The Board agreed to this proposed change, with no formal action at this time.**

Letter to the Cities Regarding Jail Use Agreement – Jerrod MacPherson, County Administrator

Staff presented a letter in response to the Cities requests regarding on-going negotiations and recent discussions related to the Jail Use Agreement and pertaining costs. **The Board moved and seconded to approve the letter as presented. Motion carried.**

Interagency Agreement with WSU Extension – Matt Rasmussen, Deputy County Administrator

Each budget cycle, the County appropriates certain funds to assist the WSU Extension program. With the passage of each new budget, a new interagency agreement is entered into defining the roles of each party and costs for services. The County will pay WSU Extension \$260,839 over the course of the 2021-2022 budget cycle. **The Board moved and seconded to approve the Interagency Agreement with WSU Extension as presented. Motion carried.**

Continuation of Ad Campaign with Visit Tri-Cities – Matt Rasmussen, Deputy County Administrator

Staff presented to the Board for consideration the continuation of the ad campaign with Visit Tri-Cities regarding COVID-19, masking, etc. **The Board moved and seconded to approve up to \$100,000 for the campaign ad as presented and gave direction to staff to proceed with the project. Motion carried.**

Meeting Cancellations

The Board cancelled the next two regularly scheduled meetings, December 29, 2020 and January 5, 2021.

###

Contact: Shyanne Palmus, Communications Coordinator
Shyanne.Palmus@co.benton.wa.us | 509-222-3760