

WEEKLY REVIEW

BENTON COUNTY BOARD OF COMMISSIONERS
August 25, 2020



This document is a weekly review of the Board of County Commissioners meeting, Tuesday, August 25, 2020. Information related to agenda changes, Consent Agenda, and Public Comment are on the [County website](#).

Public Hearings

Application for Franchise Renewal, Northwest Pipeline – Doug D'Hondt, County Engineer

Benton County has received an application to renew a Franchise Order and Agreement with Northwest Pipeline, LLC for a natural gas transmission system within Benton County road right of way. The Public Works Department recommends approval of the application, subject to the six (6) items listed in the report to the Commissioners. **The Board moved and seconded to approve the Franchise Order and Agreement with Northwest Pipeline, LLC. Motion carried.**

Application for Franchise Renewal, Washington State University – Doug D'Hondt, County Engineer

Benton County has received an application to renew a Franchise Order and Agreement with Washington State University for an irrigation system within Benton County road right of way. The Public Works Department recommends approval of the application, subject to the six (6) items listed in the report to the Commissioners. **The Board moved and seconded to approve the Franchise Order and Agreement with Washington State University. Motion carried.**

Scheduled Business

Criminal Justice Treatment Account – Kyle Sullivan, Human Services Manager

Greater Columbia Behavioral Health (GCBH) began receiving additional Criminal Justice Treatment Account (CJTA) dollars for the development and/or expansion of Therapeutic Drug Courts. The new dollars cannot be used to supplant existing funding or projects and must be utilized for new projects and contracted with the County or a city. The GCBH Executive Committee requested that this be discussed with the member Boards of Commissioners (a total of 8 counties). There is a requirement outlined in [RCW 71.24.580](#) that a panel provides recommendations on how these dollars could be spent. Currently there is no panel, and staff is requesting that the Board give direction to move forward with creation of said panel. Currently, Benton County receives approximately \$16,000 per month in CJTA dollars, which are all currently utilized in contracts for services through GCBH, with an additional approximate \$14,000 per month of new funds anticipated. **The Board moved and seconded to direct the Human Services Manager move forward with the creation of the Criminal Justice Treatment Account (CJTA) panel. Motion carried.**

Wheeled All-Terrain Vehicles on County Roads – Matt Rasmussen, Deputy County Administrator

In 2013 the Washington State Legislature changed the law to allow Wheeled All-Terrain Vehicles (WATVs) to be used on County Roads and City Streets with speed limits of 35 miles per hour and less ([RCW 46.09.455](#)). Counties over 15,000 population and all Cities must specifically pass an ordinance allowing the use of WATVs. In 2014, Benton County considered such an ordinance but ultimately decided against allowing WATVs based on potential risk and the lack of an interconnected network of eligible roads. Earlier this year, the County reduced the speed limits on certain roads in the area around the City of Prosser, which has prompted renewed public interest in allowing WATVs. Currently, 23 of 39 counties and approximately 32 cities allow WATVs in some fashion. Of our neighboring counties, only Klickitat and Walla Walla allow WATVs and those uses are extremely limited. Klickitat County limits WATVs to the area around the community of Glenwood with approximately 2.75 miles of road and Walla Walla limits to event-specific purposes only. The City of Prosser and the City of Kennewick have elected to allow WATVs on their roadways.

On October 1, 2019 staff presented the concept of allowing WATVs on County Roads to the Board. The Board directed staff to prepare a draft ordinance and bring it back for further consideration. The County Engineer along with a representative from the Commissioners' Office, the Benton County Sheriff's Office and the Prosecuting Attorney's Office worked in conjunction to prepare draft ordinance language. Delays resulted from the ongoing COVID-19 pandemic, but the draft language is now ready for the Board's consideration. The proposed language is intended to be compatible with the rules in the City of Prosser and City of Kennewick so that WATV users do not encounter significant rule changes when crossing jurisdictional boundaries. The proposed language has been reviewed by the County Engineer and the Benton County Sheriff's Office. It has also been approved as to form by the Prosecuting Attorney's Office. Should the Board wish to proceed with further consideration of the Ordinance, the next step will be to hold a public hearing. This is a topic that has the potential to generate some interest from the public and considering the current restrictions on in person attendance at Board meetings due to ongoing COVID-19 restrictions, staff recommends that the Board closely consider the timing of such a hearing. **The Board gave direction to staff to continue working on this matter and schedule a public hearing for a later date.**

Emergency Remote Work Policy – Matt Rasmussen, Deputy County Administrator

Early on in the response to the COVID-19 pandemic schools in Washington State were closed in an effort to reduce the spread of the disease. In the initial part of the pandemic a majority of workers were ordered to stay home, which helped offset the impact of children being at home due to school closures. Some day care centers have also been impacted through closures and/or reductions in capacity due to social distancing requirements. With the beginning of the traditional school year being largely remote learning and more workers having returned to work as businesses reopen there is going to be a larger impact to working parents than was expected. The County recognizes that there is a need to be reasonably flexible as far as allowing certain employees to work remotely. The Commissioners staff, in conjunction with the Human Resources Department and the Risk Manager have developed a policy that provides for certain employees, under certain circumstances, to work remotely when they can complete all of their regular duty assignments while away from the office. The policy is drafted with the intent of being utilized for the Commissioners' departments but includes elected officials for those elected departments that wish to utilize it. **The Board moved and seconded to approve the Emergency Remote Work Policy as presented. Motion carried.**

Other Business

Personal Services Contract w/ Visit Tri-Cities – Matt Rasmussen, Deputy County Administrator

Staff has identified the need for continued community outreach related to the COVID-19 pandemic and community response. A personal services contract with Visit Tri-Cities was presented to continue this effort, in an amount not to exceed \$435,500, to be paid for by CARES Act funding, to produce television and radio advertising that will provide information and messaging to the community about the COVID-19 pandemic and what the public can do to reduce the spread of the virus. **The Board moved and seconded to approve the Personal Services Contract with Visit Tri-Cities as presented. Motion carried.**

Work Crew Request Letter from Cities – Jerrod MacPherson, County Administrator

The County has received a letter from the Cities of Richland, Kennewick, and West Richland requesting refunds on costs they have paid related to the work crew program. This program, operated by the Corrections Department, has been shut down since March due to the COVID-19 pandemic and the Cities, along with the County, have been paying for associated costs even though no work crews are going out. **The Board requested that staff prepare a response to that letter, for presentation and Board consideration next week.**

Resolution for Open Positions – Commissioner Delvin

Commissioner Delvin requested that staff prepare a resolution requiring that all departments who currently have any unfilled position(s) to present to the Board their need to fill said position(s), with the goal being to ensure that, given the ongoing pandemic, that the County is being financially prudent and only filling positions that are essential to continued County services.

Letter for Request for Criminal Investigation – Commissioner Delvin

The Board directed staff to prepare a letter to the Washington State Attorney General and the head of the Washington State Patrol formally requesting a criminal investigation regarding the 14,000 rounds of Benton County-owned ammunition found at the former residence of Sheriff Jerry Hatcher.

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