

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, January 26, 2021, 9:00 a.m.

Meeting provided by Video Live-Broadcast and Telephonically

Present: Chairman Jerome Delvin
Commissioner Shon Small (via/WebEx)
Commissioner Will McKay (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; HR Manager Lexi Wingfield. Auditor Brenda Chilton; Michelle Cooke and Andrea Watts, Planning Division; PA Andy Miller; Robert Blain, Operations & Capital Programs.

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of January 12, 2021 and January 14, 2021 were approved.

Review Agenda

Jerrod MacPherson requested the following changes to the agenda:

- Change Order No. 6 – Banlin Construction
- Vaccination Site Update
- Discussion – CJTA Funding – Drug Diversion

Consent Agenda

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

Assessor

- a. Line Item Transfer, Fund No. 0000-101, Dept. 101

Auditor’s Office

- b. Coding Correction
- c. Line Item Transfer, Fund No. 0000-101, Dept. 102

- d. Line Item Transfer, Fund No. 0000-101, Dept. 102
- e. Line Item Transfer, Fund No. 0106-101, Dept. 000
- f. Line Item Transfer, Fund No. 0111-101, Dept. 000
- g. Surplus and Disposition of Personal Property
- h. Appointments to the Benton County Accessible Community Advisory Committee

Commissioners

- i. Benton County Tax Levy
- j. Disbursement From the Historical Preservation Fund for the Benton County Museum & Historical Society
- k. Disbursement From the Historical Preservation Fund for the East Benton County Historical Society
- l. Disbursement From the Historical Preservation Fund for the Hanford Reach Interpretive Center Foundation
- m. Disbursement From the Historical Preservation Fund for the White Bluffs Quilt Museum
- n. Disbursement From the Historical Preservation Fund for the Desert Fiber Arts
- o. Disbursement From the Historical Preservation Fund for the Benton City Revitalization Organization
- p. Line Item Transfer, Fund No. 0000-101, Dept. 107
- q. Reappointment of Kevin Christensen to the Benton County Mosquito Control Board

Facilities

- r. Line Item Transfer, Fund No. 0000-101, Dept. 110

Fairgrounds

- s. Contract w/Tree Service LLC for Tree Removal Project

Human Resources

- t. Agreement w/Teamsters Local 839, Representing Sheriff's Office/Correction Department Clerical Employees
- u. Agreement w/Public Safety Testing for Entry Level Testing
- v. Establishing a Salary Placement for the Fire Marshall Position
- w. Line Item Transfer, Fund No. 0000-101, Dept. 110
- x. Line Item Transfer, Fund No. 0000-101, Dept. 119
- y. Line Item Transfer, Fund No. 0000101, Dept. 120
- z. Line Item Transfer, Fund No. 0000-101, Dept. 120
- aa. Line Item Transfer, Fund No. 0305-101, Dept. 000
- bb. Line Item Transfer, Fund No. 0502-101, Dept. 000
- cc. Line Item Transfer, Fund No. 0501-101, Dept. 650
- dd. Line Item Transfer, Fund No. 0116-101, Dept. 000

Human Services

- ee. Agreement w/Columbia Basin Veterans Coalition to Reduce Homelessness
- ff. Agreement w/Domestic Violence Services to Reduce Homelessness
- gg. Agreement w/Safe Harbor Crisis Nursery to Reduce Homelessness
- hh. Agreement w/Bradley Bricker for Construction Costs Funding
- ii. Agreement w/Goodwill Industries of the Columbia to Reduce Homelessness
- jj. First Amended Agreement w/Housing Authority of City of Kennewick
- kk. Agreement w/Oxford House to Reduce Homelessness
- ll. Agreement w/WA State Dept of Commerce for Homelessness Housing
- mm Line Item Transfer, Fund No. 0154-101, Dept. 000

nn. Line Item Transfer, Fund No. 0154-101, Dept. 000

Information Technology

oo. Purchase of 7 Laptops, 7 Docking Stations & 14 Monitors for Elections' Department;
Rescinding Resolutions 2020-342 & 2020-429

pp. Collaboration Upgrade and Mitigation Statement of Work From CompuNet, Inc.

qq. Purchase of 6 PowerEdge Servers From Dell, Inc.

rr. Purchase of One Computer and Two Monitors From Dell for Superior Court Clerk's Dept.

Juvenile

ss. Line Item Transfer, Fund No. 0115-101, Dept. 171

Office of Public Defense

tt. Public Defense Services w/Eric Scott for Juvenile Court Dependency Cases

uu. District Court Public Defense Services Agreement w/Jared Hanson

vv. Acknowledging Superior Court Public Defense Contract Termination Notice for Megan Whitmire

ww Termination of Superior Court Public Defense Contract w/Bart Tomerlin

xx. Amended Contract w/Dennis Hanson Increasing Caseload Capacity

yy. Amended Contract w/Catherine Harkins Increasing Caseload Capacity

Planning

zz. Quit Claim Deed w/Dept of Ecology for Rural Water Supply Program

aaa Final Plat of County Acres; SUB 2020-009

bbb Line Item Transfer, Fund No. 0000-101, Dept. 116

Public Safety

ccc Line Item Transfer, Fund No. 0148-101, Dept. 121

ddd Line Item Transfer, Fund No. 0148-101, Dept. 106

eee Line Item Transfer, Fund No. 0148-101, Dept. 123

Public Works

fff Line Item Transfer, Fund No. 0101-101, Dept. 500

ggg Digital Submittal Certification of the 2021 Road Levy Certification & Estimated Revenue Produced

hhh Adoption of Equipment Rental and Revolving Fund Vehicle Rates/Assessments

iii Assigning Contract to Performance Validation, Inc. for Commissioning Services for New Administration Building

Risk Management

jjj Appointing PayneWest Insurance As the Broker/Agent of Record for Insurance Policies and/or Bonds

Sheriff

kkk Contract Modification w/U.S. Department of Energy for Law Enforcement Services

lll. User License Agreement for Online Weapons Permit Application w/Permitium LLC

mmm Agreement w/Pronto Process Services, Inc. for Process Service & Delivery

nnn. Agreement w/Energy Northwest for Specialized Law Enforcement Services

ooo. Contract w/Kenneth Cole Counseling for Psychological Services

ppp. Line Item Transfer, Fund No. 0000-101, Dept. 125

qqq Line Item Transfer, Fund No. 0000-101, Dept. 121

Treasurer

rrr. Cancelling Tax Assessments on Personal Property Determined to be Uncollectible

WSU Extension

sss. Line Item Transfer, Fund No. 0000-101, Dept. 108

Public Comment

None.

Public Hearing – Short Plat Vacation – SPV 2020-004

Michelle Cooke and Andrea Watts, Planning, presented the Short Plat Vacation 2020-004 submitted by Richard and Danielle Vice to vacate an unused 10-foot irrigation easement in order to construct an in-ground pool. No objections were received, and the Sunnyside Valley Irrigation District submitted comments in favor of the vacation. Additionally, the Planning Division recommended approval as submitted.

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

MOTION: Commissioner McKay moved to approve SPV 2020-004 to vacate the 10-foot irrigation easement running east to west through the northeast corner of Lot 1 of Short Plat 1282 in Section 27, Township 9 North, Range 25 East, W.M. Commissioner Small seconded and upon vote, the motion carried.

Elections’ Support Appreciation Letter

Auditor Brenda Chilton presented an appreciation letter to the Board expressing her gratitude for the assistance they received from the Board and many departments during the 2020 General Election. She said this was an historic election year with the pandemic, historic turnout and grants received and they could not have done this without the efforts of Benton county employees. She said with new legislation and same day voter registration, the voting center was very successful.

Other Business

Change Order No. 6 – Administration Building– Banlin Construction

Robert Blain presented Change Order No. 6 for the Administration Building in the amount of \$16,732.19 plus WSST. He said the original amount was \$12,547,345 and with the current standing it was \$13,603,906 and still under the 10% threshold. He added that a lot of the changes were owner-initiated.

MOTION: Commissioner Small moved to approve Change Order No. 6 with Banlin Construction LLC for the New Administration Building as presented in the amount of \$16,732.19 plus WSST. Commissioner McKay seconded and upon vote, the motion carried.

Vaccination Site Update - Fairgrounds

Matt Rasmussen gave an update on the mass vaccination site located at the Benton County Fairgrounds. He said on January 18 they found out from a statewide press release that the site would be open for business on Monday the 25th and it prompted hundreds of calls to the Fairgrounds. They worked with the Health District and brought in an incident management team from fire authorities in the area that specialized in dealing with setting up emergency sites and they worked all last week setting it up.

He said there were a lot of last-minute changes and they were working on the assumption it would be first-come first-serve with pre-registration and then again informed by a press release there would be appointments at the site. By that time the parking lot was already full when the State Dept. of Health announced there would be appointments and people were understandably upset when the vaccine was gone.

He said it had been very challenging and they were attempting to meet with leaders of the state and local health districts and asking for advance notice of changes. Despite all the challenges, Benton County's site had the highest throughput for the entire State. Mr. Rasmussen stated that the contact person assigned from the State Dept. of Health was also finding out about these changes moments before they were.

Chairman Delvin said he would make some calls to the Governor's staff to see what he could find out.

CJTA Funding and Potential Treatment Program

PA Andy Miller discussed CJTA funding, which is a state fund and how they receive a lot of their drug court money. He said they were working on creating a drug diversion program for individuals who probably do not qualify for Drug Court. He said it would be for low level drug offenses and in order to create the program, they needed a Resolution from the Board.

The Board discussed the qualifications to be enrolled in the program and Mr. Miller said it would be unlawful possession (user amount) and to expand services to those that did not need the expanded services of Drug Court. Additionally, they typically did not give second chances for treatment court, but the implementation of the program would be in the PA's office and the role of the Commissioners would be to say they could use the money for that purpose.

The Board agreed to have Mr. Miller work with Human Services Department on preparing a Resolution for the Board's approval.

Horse Heaven Wind Farm

Commissioner McKay requested the Board have a town hall meeting to meet with citizens and get a feel for the community's position on the wind farm proposed by Scout Clean Energy.

Chairman Delvin said he was in favor of holding a special meeting to hear comments but wanted folks to know this meeting would not have anything to do with what was happening in Olympia.

Commissioner Small agreed to having the meeting and agreed that even if Benton County were opposed to this type of site, the decision would go to the State and the Hearings Examiner, and not the Commissioners.

Mr. MacPherson offered to work with the PA's office regarding timing; the State had a process and Benton County was involved, but timing was important. The Board agreed to have Mr. MacPherson work with the PA's office regarding this issue.

Resolution Requesting Statutory Language Setting Limits on State of Emergency

Commissioner McKay requested the County continue to re-send the Resolution to the Governor's office until they received a response. The Board agreed.

Executive Session – Unfair Labor Practice Discussion

Jerrod MacPherson announced at 9:51 a.m. the Board would go into executive session for up to 15 minutes to discuss an unfair labor practice. The Board briefly recessed to reconvene in the Executive Conference Room.

Present were Chairman Delvin, Commissioner McKay, and Commissioner Small (via/teleconference), Jerrod MacPherson, Stephen Hallstrom, Matt Rasmussen, Brenda Chilton, Lexi Wingfield, 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 10:09 a.m. and Mr. Hallstrom announced the Board discussed an unfair labor practice, but no decisions were made in executive session.

MOTION: Commissioner McKay moved to authorize the County Administrator to provide the County Auditor the necessary financial documentation to continue compliance with the overpayments ULP decision. Commissioner Small seconded and upon vote, the motion carried.

Accounts Payable

Check Date: 01/11/2021

P-Card #: 0121

Total all funds: \$430,617.75

Check Date: 01/15/2021

Warrants #: 213691-213910

Total all funds: \$2,552,438.24

EFT's #: 1600
Transfers #: 01152101-01152115
Total all funds: \$556,902.43

Check Date: 01/22/2021

Warrants #: 213964-214074
Total all funds: \$419,576.78

Warrants #: 214075-214202
Total all funds: \$735,613.98

EFT's #:
Transfers #: 01222101-01222106; 01222002
Total all funds: \$719,706.08

EFT's #: 1601
Transfers #01222107-01222110
Total all funds: \$329,540.07

Payroll

Check Date: 01/15/2021

Payroll Draw Checks
Total all funds: \$120,221.89
Warrant # 242987-242988
Direct Deposit #: 159287-159441

Payroll Draw Deductions/Transfers
Total all funds: \$22,866.63
Taxes #: 101210115

Resolutions

2021-047: Line Item Transfer, Fund No. 0000-101, Dept. 101
2021-048: Election Reserve Fund - Coding Correction
2021-049: Line Item Transfer, Fund No. 0000-101, Dept. 102
2021-050: Line Item Transfer, Fund No. 0000-101, Dept. 102
2021-051: Line Item Transfer, Fund No. 0106-101, Dept. 000
2021-052: Line Item Transfer, Fund No. 0111-101, Dept. 000
2021-053: Surplus and Disposition of Personal Property
2021-054: Appointments to the Benton County Accessible Community Advisory Committee
2021-055: Benton County Tax Levy
2021-056: Historical Preservation Fund Grant - Benton County Museum & Historical Society
2021-057: Historical Preservation Fund Grant - East Benton County Historical Society

2021-058: Historical Preservation Fund Grant - Hanford Reach Interpretive Center Foundation

2021-059: Historical Preservation Fund Grant - White Bluffs Quilt Museum

2021-060: Historical Preservation Fund Grant - Desert Fiber Arts

2021-061: Historical Preservation Fund Grant - Benton City Revitalization Organization

2021-062: Line Item Transfer, Fund No. 0000-101, Dept. 107

2021-063: Reappointment of Kevin Christensen to the Benton County Mosquito Control Board

2021-064: Line Item Transfer, Fund No. 0000-101, Dept. 110

2021-065: Contract w/Tree Service LLC for Tree Removal Project

2021-066: Agreement w/Teamsters Local 839, Representing Sheriff's Office/Corrections Department Clerical Employees

2021-067: Agreement w/Public Safety Testing for Entry Level Testing

2021-068: Establishing a Salary Placement for the Fire Marshall Position

2021-069: Line Item Transfer, Fund No. 0000-101, Dept. 110

2021-070: Line Item Transfer, Fund No. 0000-101, Dept. 119

2021-071: Line Item Transfer, Fund No. 0000101, Dept. 120

2021-072: Line Item Transfer, Fund No. 0000-101, Dept. 120

2021-073: Line Item Transfer, Fund No. 0305-101, Dept. 000

2021-074: Line Item Transfer, Fund No. 0502-101, Dept. 000

2021-075: Line Item Transfer, Fund No. 0501-101, Dept. 650

2021-076: Line Item Transfer, Fund No. 0116-101, Dept. 000

2021-077: Agreement w/Columbia Basin Veterans Coalition to Reduce Homelessness

2021-078: Agreement w/Domestic Violence Services to Reduce Homelessness

2021-079: Agreement w/Safe Harbor Crisis Nursery to Reduce Homelessness

2021-080: Agreement w/Bradley Bricker for Construction Costs Funding

2021-081: Agreement w/Goodwill Industries of the Columbia to Reduce Homelessness

2021-082: First Amended Agreement w/Housing Authority of City of Kennewick

2021-083: Agreement w/Oxford House to Reduce Homelessness

2021-084: Agreement w/WA State Dept of Commerce for Homelessness Housing

2021-085: Line Item Transfer, Fund No. 0154-101, Dept. 000

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2021-087: Purchase of 7 Laptops, 7 Docking Stations & 14 Monitors for Elections' Department; Rescinding Resolutions 2020-342 & 2020-429

2021-088: Collaboration Upgrade and Mitigation Statement of Work From CompuNet, Inc.

2021-089: Purchase of 6 PowerEdge Servers From Dell, Inc.

2021-090: Purchase of One Computer and Two Monitors From Dell for Superior Court Clerk's Dept.

2021-091: Line Item Transfer, Fund No. 0115-101, Dept. 171

2021-092: Public Defense Services w/Eric Scott for Juvenile Court Dependency Cases

2021-093: District Court Public Defense Services Agreement w/Jared Hanson

2021-094: Acknowledging Superior Court Public Defense Contract Termination Notice for Megan Whitmire

2021-095: Termination of Superior Court Public Defense Contract w/Bart Tomerlin

2021-096: Amended Contract w/Dennis Hanson Increasing Caseload Capacity

2021-097: Amended Contract w/Catherine Harkins Increasing Caseload Capacity

- 2021-098: Quit Claim Deed w/Dept of Ecology for Rural Water Supply Program
- 2021-099: Final Plat of County Acres; SUB 2020-009
- 2021-100: Line Item Transfer, Fund No. 0000-101, Dept. 116
- 2021-101: Line Item Transfer, Fund No. 0148-101, Dept. 121
- 2021-102: Line Item Transfer, Fund No. 0148-101, Dept. 106
- 2021-103: Line Item Transfer, Fund No. 0148-101, Dept. 123
- 2021-104: Line Item Transfer, Fund No. 0101-101, Dept. 500
- 2021-105: Digital Submittal Certification of the 2021 Road Levy Certification & Estimated Revenue Produced
- 2021-106: Adoption of Equipment Rental and Revolving Fund Vehicle Rates/Assessments
- 2021-107: Assigning Contract to Performance Validation, Inc. for Commissioning Services for New Administration Building
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- 2021-111: Agreement w/Pronto Process Services, Inc. for Process Service & Delivery
- 2021-112: Agreement w/Energy Northwest for Specialized Law Enforcement Services
- 2021-113: Contract w/Kenneth Cole Counseling for Psychological Services
- 2021-114: Line Item Transfer, Fund No. 0000-101, Dept. 125
- 2021-115: Line Item Transfer, Fund No. 0000-101, Dept. 121
- 2021-116: Cancelling Tax Assessments on Personal Property Determined to be Uncollectible
- 2021-117: Line Item Transfer, Fund No. 0000-101, Dept. 108
- 2021-118: Vacation of the 10-Foot Irrigation Easement - Applicants Richard and Danielle Vice Parcel Number 127953011282007; File Number SPV 2020-004
- 2021-119: Approving Contract Change Order No. 6 with Banlin Construction

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

Clerk of the Board

Chairman