

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, March 23, 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: Deputy County Administrator Matt Rasmussen (via/WebEx); Robert Heard, IT Manager; Finance Manager Linda Ivey; Adam Fyall, Sustainable Development Manager; Greg Wendt, Director of Community Development and Michelle Cooke, Assistant Planning Manager; Brian Malley, Associate Planner.

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of March 16, 2021 were approved.

Consent Agenda

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

Office of Public Defense

- a. Amended District Court Public Defense Agreement w/John Gleason
- b. Providing Michelle Alexander Additional Compensation Handling a Juvenile Attempted Murder Case

Pest Board

- c. Reappointment of Matt Eddie to the Horticultural Pest & Disease Board
- d. Reappointment of David Murray to the Horticultural Pest & Disease Board
- e. Reappointment of Kevin Christensen to the Horticultural Pest & Disease Board

Public Works

- f. Renaming a Portion of Calico Court
- g. Certification of Road Fund Expenditures for Traffic Law Enforcement, Fish Passage Barrier Removal & Certification for Submittal to C.R.A.B.

Purchasing Dept.

h. Contract w/Dynamic Laundry Systems for Washer Replacement Project @ the Jail

Sheriff

i. Moorage Agreement w/Port of Kennewick for Boat Slip @ Clover Island Marina

j. Memorandum of Understanding w/US Marshal for Joint Law Enforcement Operations Task Force

Public Comment

Dave Kobus, Scout Clean Energy, said he delivered a document to the Board that was responsive to many of the issues that were presented at the town hall meeting, including: participating land owner rights, zoning, site control, property values, need, economic benefits, decommissioning requirements, birds and wildlife, and the overall economic report created for EFSEC. He said the application through EFSEC was a legitimate process and Scout Energy stood ready to be responsive and transparent.

Public Hearing - Short Plat Vacation - SPV 2021-001

Michelle Cooke and Brian Malley presented the application for SPV 2021-001. The applicants were requesting to vacate multiple irrigation easements and relocation of the easements, so they could subdivide the property into residential lots. Owners of property within 300 feet of the subject parcel and all concerned agencies, including Sunnyside Valley Irrigation District, were notified of the proposed vacation and no objections or concerns have been received to date. The Planning Division recommended approval of the proposed vacation as presented.

As there was no one present to testify, the public hearing was closed.

MOTION: Commissioner Small moved to approve SPV 2021-001 submitted by James and Carlene Parrish, conditioned upon the applicant recording new irrigation easements as shown in green and legally described in BCCM 1.3, with the Benton County Auditor. The applicant shall provide the Benton County Planning Division with a copy of the recorded document(s), prior to the signing of the resolution by the Board of County Commissioners. The document must be recorded within 1 year of the date of approval by the Benton County Board of Commissioners or this approval will be null and void. Commissioner McKay seconded and upon vote, the motion carried.

Scheduled Business

Hanford Briefing

Adam Fyall introduced Robert Suyama, Hanford Advisory Board representative, Pam Larsen (former Hanford Communities representative), soon to be the alternate representative to the Hanford Advisory Board, and David Reeploeg, Executive Director of Hanford Communities.

Hanford Advisory Board

- Expanded Membership representing local interests

- Advice Issued by HAB
 - Five-Year Plan for Tank Waste Cleanup; Central Plateau Cleanup; and River Corridor Cleanup

Hanford Communities

- Summary – background; objectives
- Governing board and elected officials; administrative board
- 2020 Changes
 - Transition to TRIDEC from City of Richland
 - Signed Ecology grant with updated scope of work (it was delayed until Sept.)
 - New website; communications – social media campaign
- 2021 Outlook
 - New administration – DOE changes and reorganization
 - New Congress
 - Hanford Site Contract Changes
- Priorities

Hanford Advisory Board – Cont.

- Pam Larsen thanked the Board for the nomination to the Hanford Advisory Board
- New Administration/New Appointments
- Waste Isolation Pilot Plant
- Idaho/Savannah River Sites
- DOE Environmental Management Program
- Definition of High-Level Waste

Scout Clean Energy’s Application to EFSEC – Horse Heaven Wind Farm

Jerrod MacPherson said they received numerous comments, both verbally and in writing. He said they were looking for direction from the Board about providing written testimony at the March 30, 2021 EFSEC meeting.

Chairman Delvin said he was opposed due to the visual aspect, but mainly because Benton County did not need the energy. If Western Washington needed energy, they could put in wind farms and Benton County did not need to be the dumping ground. Additionally, this project clearly went against the majority of the community.

Commissioner Small said he was opposed to the project. He asked Mr. Wendt if the Planning Department had ever stated this project would be a burden.

Mr. Wendt said he had numerous conversations with representative from Scout Energy, and there potentially would have been requirements by Benton County that they did not want to do. Additionally, as time went on, the project increased from 88 to 244 wind towers, with a solar component (the largest in the U.S. and a battery). He said Scout Energy asked if it would be a burden or if it would impact the department, and the answer was yes, it would obviously impact his department. But they did not ever say they would not process an application.

Additionally, they continued to grow the project to this size, potentially to get their project to EFSEC. Also, the timelines for the Benton County Process and the requirements for an EIS did not appeal to them, which he believed ultimately led to their decision.

Commissioner McKay said he was completely against the project. He said he would like a letter signed by all three Commissioners to EFSEC stating Benton County's opposition. He commented that during his campaign he met with Scout Energy and again after his campaign and that Scout Energy conducted a survey of 500 people in the Tri-Cities and that the majority was in favor of the project. However, he said the people responding to the Commissioners (about the same amount of people) was 90% opposed.

Commissioner McKay agreed to work with the Planning Department on the proposed response and to testify at the EFSEC hearings. The Board agreed it wanted to submit everything, including audio from the town hall meeting.

Supplement Requests for Public Hearing

Linda Ivey, Finance Manager, presented the following supplement requests for budget adjustments, with a proposed public hearing date of April 13, 2021.

- 0108101.551 - Human Services – four new grants due to COVID-19 - \$20,946,582
- 0000101.139 – Current Expense - CARES/CRRSAA - awarded \$39,000,000 – requesting \$20,000,000 – budget neutral as eligible expenses are reimbursed
- 0129101.000 - REET Technology - \$300,000 – software, development, and maintenance for the Assessor/Treasurer – previously a supplement in 2020 but was not expended
- 0149101.000 - Protective Inspection - \$213,418 – permit fee changes and staff addition, new vehicle
- 0000101.111 – Current Expense - District Court - \$49,203 – awarded for CARES for security and bailiff services
- 0000101.115 – Current Expense - Non-Departmental - \$6,215,000 per budget policy – cash carry forward - \$3.2 million of that amount was approved in 2020, but unappropriated for cash flow concerns due to COVID

MOTION: Commissioner Small moved to approve the requests for budget adjustment to go to public hearing as presented on April 13, 2021. Commissioner McKay seconded and upon vote, the motion carried.

Other Business

Meetings in Person

Commissioner Small asked for an update on when the Board would begin to meet in person. Mr. MacPherson said they planned for mid-to late April to meet in person, after the Prosser Courthouse Board Room was complete.

Phase 3 Discussion

Mr. MacPherson said they were still waiting for clear guidance from the Governor on opening government functions. Additionally, he did not yet have any guidance about the proposed three-foot rule for distancing.

Payroll

Check Date: 03/15/2021

Payroll Draw Checks

Total all funds: \$123,387.47

Warrant #: 243086

Direct Deposit #: 160827-160986

Payroll Deduction Transfers

Total all funds: \$23,187.84

Taxes #: 101210315

Resolutions

- 2021-258: Amended District Court Public Defense Agreement w/John Gleason
- 2021-259: Providing Michelle Alexander Additional Compensation - Handling a Juvenile Attempted Murder Case
- 2021-260: Reappointment of Matt Eddie to the Horticultural Pest & Disease Board
- 2021-261: Reappointment of David Murray to the Horticultural Pest & Disease Board
- 2021-262: Reappointment of Kevin Christensen to the Horticultural Pest & Disease Board
- 2021-263: Renaming a Portion of Calico Court
- 2021-264: Certification of Road Fund Expenditures for Traffic Law Enforcement, Fish Passage Barrier Removal & Certification for Submittal to C.R.A.B.
- 2021-265: Contract w/Dynamic Laundry Systems - Washer Replacement Project @ the Jail
- 2021-266: Moorage Agreement w/Port of Kennewick for Boat Slip @ Clover Island Marina
- 2021-267: MOU w/US Marshal for Joint Law Enforcement Operations Task Force

There being no further business before the Board, the meeting adjourned at approximately 10:17 a.m.

Clerk of the Board

Chairman