

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Tuesday, April 20, 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; Robert Heard, IT Manager; Finance Manager Linda Ivey; Human Services Manager Kyle Sullivan; HR Manager Lexi Wingfield; Cristina Woods, Public Works (via/WebEx).

#### Pledge of Allegiance

The Board recited the Pledge of Allegiance.

#### Approval of Minutes

The Minutes of April 13, 2021 were approved.

#### Consent Agenda

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

#### Assessor

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

#### Capital Projects

- b. Line Item Transfer, Fund No. 0305-101, Dept. 000

#### Commissioners

- c. Engagement Letter w/Foster Garvey, PC for Bond Counsel Services - Issuance of Limited Tax General Obligation Refunding Bonds, 2021
- d. 1<sup>st</sup> Amendment to Personal Service Agreement with Visit Tri-Cities

#### Human Resources

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

#### Office of Public Defense

- f. Line Item Transfer, Fund No. 0000-101, Dept. 136

**Purchasing**

- g. Contract w/Yakima Mechanical to Convert Equipment @ Kennewick Road Maintenance Facility From Propane to Natural Gas
- h. Contract w/Wave Design Group for On-Call Architectural & Engineering Services

**Sheriff**

- i. Moorage Agreement w/Richland Yacht Club for a Boat Slip at Columbia Point

**Public Comment**

None.

**Public Hearing – Columbia Irrigation District Franchise Application**

Cristina Woods (via/WebEx) presented the application for franchise filed by Columbia Irrigation District for an irrigation pipeline system and associated facilities.

She said the Public Works Department recommended approval, subject to the six items listed in the report to the Commissioners.

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

Commissioner McKay asked for the definition of “non-exclusive”. Douglas D’Hondt (via/WebEx) said it meant they did not have an exclusive right to the right of way and that other entities could also use the right of way.

**MOTION:** Commissioner McKay moved to approve the Franchise Order and Agreement with Columbia Irrigation District, subject to the six items listed in the report to the Commissioners. Commissioner Small seconded and upon vote, the motion carried.

**Recruitment and Selection Process for Nonpartisan Elective Office Vacancies Policy**

Lexi Wingfield presented a proposed updated policy to reflect current business practices and needs for the recruitment and selection process for nonpartisan elective office vacancies.. The policy was originally established in 2009 and had not been updated since.

Commissioner Small asked if it was reviewed by the PA’s office. Ms. Wingfield said it was not, however, there were no substantive changes and followed established RCW’s.

**MOTION:** Commissioner McKay moved to approve the updated Recruitment and Selection Process for Nonpartisan Elective Office Vacancies Policy as presented. Commissioner Small seconded and upon vote, the motion carried.

Ms. Wingfield provided a proposed schedule to follow with the current District Court Vacancy that was announced.

- Post Vacancy Announcement - April 21 through May 7
- June 4 - Committee results due

- June 8 - Special Meeting for Interviews
- July or August – appoint a new District Court Judge

The Committee will be comprised of the following:

- District Court Judges
- Prosecuting Attorney
- Clerk
- District Court Administrator
- Cities
- Bar Poll Results from PA’s office
- Bar Poll Results from OPD

The Committee will provide a ranking order for the applicants and once that is tabulated, the list will be given to the County Administrator for review and the top three candidates will be invited for an open meeting interview with the Board of Commissioners.

### **Prosser Economic Development Association Update**

Neal Ripplinger, Executive Director (via/WebEx) provided a Powerpoint update to the Board and briefly discussed the following:

- Business Retention, Recruitment and Expansion
- New High School Construction – students starting in the fall
- Construction - Two elementary schools/Library
- Housing Developments
- Prosser Business Spotlight/Partnership with Prosser Record Bulletin
- USDA Grant – facilitating a Tourism Study with Hub Collective
- Prosser Partners – Prosser Chamber of Commerce, City of Prosser, and Historic Downtown Prosser Association – meet twice a month to work on common projects
- USDA Grant – application complete for small business post-COVID resiliency grant
- Mustang Business Plan – partnered with Prosser School District – 10<sup>th</sup> annual event (held virtually)
- PEDAs Annual Meeting – Thursday, April 29

### **Position Request – Human Services**

Kyle Sullivan, Human Services Manager, said the Board previously approved two temporary housing program navigators through a grant. The grant was extended through September 2022 and he said the volume of work was still high and additional help was needed to manage the disbursement of the grant funds. He was requesting one additional extended temporary housing program navigator and may also, at a future date, ask to extend the other positions through the end of the grant. He reiterated these positions were paid for exclusively out of the grant and when the grant money was spent, they would no longer need the positions.

Commissioner McKay asked what was driving the increased workload. Mr. Sullivan said that federal grants were different, and there were a lot of hoops to jump through, with additional documentation requirements. He said there was a lot of money to get out to the public and their phone was ringing non-stop. Between the phone calls and back and forth with necessary documentation for federal requirements, it was more labor intensive than the original funding they received.

**MOTION:** Commissioner Small moved to approve the Resolution and Line Item Transfer to create a Temporary Housing Program Navigator as presented. Commissioner McKay seconded and upon vote, the motion carried.

### **Finance Presentation**

Linda Ivey and Matt Rasmussen updated the Board on the following:

#### Current Expense Year End – 2019-2020 Year End

Highlights included:

- Revenue
  - Retail/Sales & Use Tax – high at \$4 million over budget
  - Intergovernmental revenue – grants – quite a bit higher at \$3 million over budget
  - Charges for goods and services – security of personal property – jail revenue – lower than budgeted – primarily due to DOC contracts
  - Fines and forfeitures – trending downward – down 32% since 2015 and still declining – some may be due to slow down in courts; if they do not see a pickup after they get through the case log, they might have to look at expenditures
  - Misc. Revenue – interest - \$3.4 million more than budgeted
  - VIT Fund – Hanford Area one-time refueling received in odd years – now budgeted in Current Expense as one-time Revenue
  - Spent the Entire Cares Act Grant (\$4 million was not left unspent) and was used internally for wages, personal protection equipment and upgrades to Facilities, etc.
- Expenditures
  - Supplies/Services – underspent by 8% - an anomaly due to COVID

#### Current Expense – 2021-2022 – 1<sup>st</sup> quarter – Budget v. Actuals

- Time elapsed - 12.5 %
- Revenue
  - Property tax – 4% - low, but is normal for 1<sup>st</sup> quarter
  - Fines/Forfeitures – low at 6.5% (Jail revenue – DOC Contract). There are still not DOC prisoners in the jail, but there are other factors driving that number down, including the Blake decision and prisoners being released for simple possession charges
- Expenditures
  - OPD is a little high, but no concerns
  - Supplies/Services – running below average (due to COVID)

## Public Safety Tax – 2021-2022 – 1<sup>st</sup> Quarter – Budget v. Actuals

- Beginning Fund Balance – variance of \$64,000 under budget
- Revenues – down \$1.4 million, but the funds come 2 months behind; if estimated (only down \$18,000 for Feb. and March); no other revenues besides sales tax and interest
- Expenditures – \$646,000 underspent (adjusted for contract payments by taking out \$200,000 - a month behind)
- Expenditures - One-Time capital – Pending \$5,396,019
  - Largest share is the radio tower – there have been delays on engineering design, but they expected to start seeing those expenditures on a regular basis

Mr. Rasmussen suggested the Board wait until the end of the budget cycle before looking at the next RFP process to see where the fund was at. The Board discussed the goals if the PST did not continue past 2024. Mr. Rasmussen said the goal was to have enough money to end with a 12-month reserve to finish the programs.

### **Other Business**

#### Update – Recovery Center

Chairman Delvin said he received a call from the Hospital District that Lifepoint agreed to remove all restrictions on the deed on the old hospital, however, they would not be a provider. He said he would be meeting tomorrow with the Recovery Coalition, the Hospital District, Andy Miller, Matt Rasmussen, and Kyle Sullivan and would start working on that process. He said they were pretty sure they would get \$2.7 million from the State and wanted to make sure that building is what was needed. Additionally, they wanted to put out an RFP for providers (and have them on board early) and an RFP for A & E services.

Additionally, they still had a contract with Lourdes for Crisis Services, and that would continue (the current services would not change). However, he wanted to investigate getting detox services.

#### County Facilities Reopening Plan

Mr. Rasmussen said they were wrapping up the major portions of construction at the Courthouse within the next 1 ½ to 2 weeks but the meeting room still had some work to finish. He said they had not received specific guidance on when or how the public buildings could open. However, he was working on a reopening policy with the Risk Manager and they expected that to be ready to present as early as next week. He added that all major services were currently available to the public, in one way or another. Additionally, the Commissioners could declare the buildings were open, but each elected official could declare whether their office was open (and they could adopt the guidelines issued by the Commissioners or modify).

### Resolution Supporting 1<sup>st</sup> and 2<sup>nd</sup> Amendments

Commissioner McKay discussed the Resolution the Board adopted in April 2019 in support of the 2<sup>nd</sup> Amendment and asked if the Board would be willing to sign another resolution to include the 1<sup>st</sup> Amendment as well.

Chairman Delvin said the Board members took an oath to uphold the Constitution, but he would not have an issue with that if Commissioner McKay wanted to work with the Prosecutor's office on a new Resolution. Commissioner Small agreed.

### Fair Board – Use of Fairgrounds

Commissioner McKay said he received numerous phone calls about whether the Fairgrounds would be available for the Fair Board to put on a Fair in 2021.

Mr. Rasmussen said the State had the use of the Fairgrounds for the mass vaccination site and he was meeting with them daily and looking for a commitment as mission complete, which included a date at which the private providers could take on the demand of the vaccines. He was working with the State Dept. of Health and Incident Management Team as to what made sense, but he did not have a hard date yet. However, as soon as he knew anything, they would let the Fair Board know. The Fair Board's final date was May 26 to let the vendors know if there would be a fair this year.

### Accounts Payable

Check Date: 04/12/2021

P-Cards #: 0421

Total all funds: \$293,280.60

Check Date: 04/16/2021

Warrants #: 216522-216764

Total all funds: \$2,196,053.02

EFT's #: 1725-1729

Transfers #: 04162101-04162111

Total all funds: \$1,543,043.94

### Resolutions

2021-325: Line item Transfer, Fund No. 0000-101, Dept. 101

2021-326: Line Item Transfer, Fund No. 0305-101, Dept. 000

2021-327: Engagement Letter w/Foster Garvey, PC for Bond Counsel Services - Issuance of Limited Tax General Obligation Refunding Bonds, 2021

2021-328: 1<sup>st</sup> Amendment to Personal Service Agreement with Visit Tri-Cities

- 2021-329: Line Item Transfer, Fund No. 0000-101, Dept. 110
- 2021-330: Line Item Transfer, Fund No. 0000-101, Dept. 136
- 2021-331: Contract w/Yakima Mechanical to Convert Equipment @ Kennewick Road Maintenance Facility From Propane to Natural Gas
- 2021-332: Contract w/Wave Design Group for On-Call Architectural & Engineering Services
- 2021-333: Moorage Agreement w/Richland Yacht Club for a Boat Slip at Columbia Point
- 2021-334: Adopting the Updated Recruitment and Selection Process for Nonpartisan Elective Office Vacancies Policy
- 2021-335: Transfer of Funds within Human Services Fund Number 0108101 Department Number 560

There being no further business before the Board, the meeting adjourned at approximately 10:21 a.m.

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Clerk of the Board

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Chairman