

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Benton County Courthouse, Prosser, WA  
Tuesday, June 22, 2021, 9:00 a.m.

*Meeting provided in-person, by Video Live-Broadcast and Telephonically*

**Present:** Chairman Jerome Delvin  
Commissioner Shon Small  
Commissioner Will McKay  
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; Greg Wendt, Community Development Director; Michelle Cooke, Assistant Planning Manager; Robert Blain, Operations & Capital Programs; Treasurer Ken Spencer.

#### Pledge of Allegiance

The Board recited the Pledge of Allegiance.

#### Agenda Review

No changes.

#### Approval of Minutes

The Minutes of June 15, 2021 were approved.

#### Consent Agenda

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

#### Assessor

- a. Contract w/Automatic Funds Transfer Services for Printing & Mailing of Property Notices

#### Auditor

- b. Election Canvassing Board Appointment

#### Human Services

- c. Agreement w/Bradley Bricker for the Purchase of Two Properties for Affordable Housing Rentals

### **Juvenile**

- d. Contract w/Crest Counseling Services for Sex Offender Services & Treatment

### **Office of Public Defense**

- e. Superior Court Public Defense Contract w/Jennifer Azure
- f. Early Termination of District Court Public Defense Contract w/Brian Gieszler

### **Purchasing**

- g. Agreement w/CompuNet for Televisions for Administration Building
- h. Contract w/River City Environmental for As-Needed Grease Trap & Oil-Water Separator Pumping & Cleaning
- i. Third Amended Contract w/Parker Corporate Services for Unarmed Security Guard Services
- j. Memorandum of Understanding w/WA Traffic Safety Commission for Drug Recognition Experts

### **Public Comment**

Shelly Burt, via/WebEx, expressed concern about the Health Department's response to school buses requiring children to wear masks and potential heat exhaustion and asked for the Board's assistance regarding this issue.

### **Public Hearing - Benton County Shoreline Master Program Update**

Greg Wendt and Ben Floyd presented the proposed update to the Benton County Shoreline Master Program. A periodic update was required every 8 years and the last update was completed and approved in 2015. The required joint local/state public comment and public hearings have been conducted and the Planning Commission voted to forward a recommendation of approval to the Board, subject to 10 findings of fact. Mr. Wendt said they received a grant to complete the plan and hired Mr. Floyd to complete this evaluation and update.

Mr. Floyd said in 2015 they went through a review and this was a more limited update to address new requirements by the State. They completed a review of the latest requirements and only added a few changes; updated new approval dates, added some definitions and more specific language about development standards, along with some housekeeping edits throughout. He said they received several comments about the riparian buffers to be widened and more protected. He said they felt they were protected, with the other protections already in place and the updates were consistent with the State's checklist and requirements. Additionally, if this update were challenged, the Dept. of Ecology had no issues with Benton County changes and would help defend in any kind of challenge in this update.

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

**MOTION**: Chairman Delvin moved to close the public comment and continue the public hearing decision making process until August 17, 2021 at the Benton County Courthouse. Commissioner Small was seconded and upon vote, the motion carried.

**Public Hearing - Planning Ordinance Relating to Critical Areas, General Provisions & Fish & Wildlife Habitat Conservation Areas; Amending Ordinance 609**

Greg Wendt and Ben Floyd presented the Ordinance Amendment relating to critical areas, general provisions & fish & wildlife habitat conservation areas. The update included references associated with Voluntary Stewardship Program, minimum standard buffer widths for creeks and streams, and to the County's Best Available Science listing. The Planning Commission voted to forward a recommendation for approval to the Board, subject to 13 findings of fact.

The study involved field investigation and more intense GIS mapping and included streams outside the jurisdiction. They evaluated special conditions and focused on current conditions, although Fish and Wildlife focused on future restoration and full potential; there was a bit of a disconnect between Benton County's recommendations and some of the public and Fish & Wildlife. However, they felt the protections were in place to protect what was there.

Mr. Wendt commented that Mr. Floyd reached out to all the agencies and representatives and they were aware of the process and in agreement with Benton County's proposals. He said they recommended continuing the public hearing process for decision, so they had time to fully review the comments received.

Michael Crowder via/WebEx invited the Commissioners to visit Barker Ranch and review the habitat and riparian work being done on the ranch.

Patrick Paulson, via/WebEx, spoke in opposition to the amendment and read his written comments that were submitted into the record previously to the Planning Department.

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

**MOTION:** Chairman Delvin moved to close the public comment and continue the public hearing decision making process until August 17, 2021 at the Benton County Courthouse. Commissioner Small was seconded and upon vote, the motion carried.

**Other Business**

**Visit to Arizona – Recovery Centers**

Chairman Delvin and Mr. Rasmussen updated the Board on their visit to Arizona and the recovery centers. The RI International Recovery Center facility in Peoria was very successful with an average time of 2.38 seconds for law enforcement to drop off. They do not distinguish between mental health or substance abuse, have an acute and transitional housing unit, and 80% were discharged within 24 hours. Additionally, RI International was already licensed in Washington State with two facilities already in operation. Mr. Rasmussen commented that everything he read indicated the operational costs were less than jail or ER visits.

The Tuscon crisis center facility was created and built by a voter passed bond and was for juvenile and adults. The crisis line operators were there, as well as a 7 to 14-day facility for transitional housing and a 44-bed psych hospital. Additionally, they had detox available, but they did not call it a detox center and they do not refuse anyone. It is a 25,000 square foot facility, with under 5-minute average drop off time.

Their systems have been developing for over 20 years but were working and have become a model throughout the country.

Chairman Delvin said he believed the County would benefit and wanted to keep moving forward. He suggested having RI International give a presentation to the Board and invite the public and providers to participate. The Board agreed to reviewing the matter after the architect submitted the final report on the Trios building.

#### Letter – State Audit Findings

Chairman Delvin said he requested the State Auditor review the Sheriff’s policy regarding ammunition and weapons. After completion of the audit they submitted findings and gave the County the opportunity to reply, however, the Sheriff went ahead and responded to the audit without any input from the County.

Mr. MacPherson presented a letter responding to the State Audit findings for the Board’s approval.

Commissioner Small commented that with the findings submitted by the State Auditor, he wanted to submit a request back to the Attorney General to review the findings. Chairman Delvin said he would agree to that and expressed his frustration that the county could not hold an elected official accountable for criminal actions.

Commissioner McKay said he was in favor of the constituents deciding whether to vote him out, but that it would be different if a policy were in place. He said he wanted to see a policy in place in the Sheriff’s office regarding ammunition and weapons. However, he was in favor of sending the letter as presented.

**MOTION:** Commissioner Small moved to approve the letter to the State Auditor with Benton County’s response to the State Audit findings as presented. Commissioner McKay seconded and upon vote, the motion carried.

#### **Payroll**

Check Date: 06/15/2021

Payroll Draw Checks  
Total all funds: \$120,427.76  
Warrant #: 243218  
Direct Deposit #: 163096-163250

Payroll Draw Deductions/Transfers  
Total all funds: \$22,595.07  
Taxes #: 101210617

**Accounts Payable**

Check Date: 06/18/2021

Warrants #: 218557-218848  
Total all funds: \$1,306,531.45

EFT's #: 1815-1818  
Transfers #: 06182101-06182110  
Total all funds: \$1,535,042.99

Check Date: 06/21/2021

Warrants #: 218849  
Total all funds: \$25,935.67

**Resolutions**

- 2021-475: Contract w/Automatic Funds Transfer Services for Printing & Mailing of Property Notices
- 2021-476: Agreement w/Bradley Bricker for the Purchase of Two Properties for Affordable Housing Rentals
- 2021-477: Contract w/Crest Counseling Services for Sex Offender Services & Treatment
- 2021-478: Superior Court Public Defense Contract w/Jennifer Azure
- 2021-479: Early Termination of District Court Public Defense Contract w/Brian Gieszler
- 2021-480: Agreement w/CompuNet for Televisions for Administration Building
- 2021-481: Contract w/River City Environmental for As-Needed Grease Trap & Oil-Water Separator Pumping & Cleaning
- 2021-482: Third Amended Contract w/Parker Corporate Services for Unarmed Security Guard Services
- 2021-483: Memorandum of Understanding w/WA Traffic Safety Commission for Drug Recognition Experts

There being no further business before the Board, the meeting adjourned at approximately 9:53 a.m.

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Clerk of the Board

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Chairman