

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Benton County Courthouse, Prosser, WA
Tuesday, August 3, 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; Clerk Josie Delvin; Eric Hsu, OPD Manager; DPA Ryan Brown; Assessor Bill Spencer; Robert Blain, Operations & Capital Programs.

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of July 27, 2021 were approved.

Agenda Review

The following items were added to Other Business:

- Office of Public Defense – Staffing Request
- Benton County Airplane – Surplus/Rental Option
- 38th Avenue Project Update
- Out of State Employees

Consent Agenda

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

Auditor

- a. Canvassing Board Delegation of Authority
- b. Line Item Transfer, Fund No. 0000-101, Dept. 102

Commissioners

- c. Line Item Transfer Fund No. 0305-101, Dept. 000
- d. Letter of Support for Columbia Basin Collaborative Utility Representative

Corrections

- e. Line Item Transfer, Fund No. 0000-101, Dept. 120

Human Services

- f. First Amended Agreement w/Housing Authority of City of Kennewick; Rescinding Resolution 2020-082
- g. Agreement w/Entrust Community Services for Employment Services
- h. Contract w/Debra Chapman as Transition Specialist
- i. Amended Contract w/WA State Dept of Commerce, Local Government Division for Community Development Block Grant

Information Technology

- j. Addition Services Addendum w/PageFreezer Software Inc. for Archiving Services
- k. Purchase of Seven Cisco DX80s From Golden Gate Networks for Corrections Dept.
- l. Purchase of Eight Monitors From CDW Government LLC for Auditor's Office
- m. Statement of Work from CDW Government LLC for Network Security Assessments
- n. Lease Agreement w/Ricoh for Three Copiers for Corrections Dept; Rescinding Resolution 2021-290

Juvenile

- o. Contract w/Comprehensive Healthcare for Outpatient Treatment Services

Public Safety

- p. Line Item Transfer, Fund No. 0148-101, Dept. 115

Public Works

- q. Authorization to Proceed With Advertisement & Bid Process for 2021 Pavement Marking

Purchasing

- r. Accepting Work by D & D Tri Rivers Excavating for Evans Road Culvert Replacement Project
- s. Purchase of One Rotary Broom Attachment From Alamo Industrial for ER&R

Public Comment

None.

Prosser Economic Development Association Update

Neal Ripplinger, Executive Director for PEDDA, provided a Powerpoint presentation and updated the Board as follows:

- Business retention, recruitment, and expansion in the Prosser area
- Final results of the community assessment (tourism study) through USDA grant
- Wayfinding banners for Tour Prosser – with a goal of driving traffic from Exit 80 into downtown
- Prosser Leadership 2020/2021 class graduation and community project
- TBEX North America, the largest networking event for travel bloggers, will visit Tri-Cities with an optional stop in Prosser in October 2021

Other Business

Office of Public Defense – Staffing Request

Eric Hsu, OPD Manager, requested the Board authorize an additional staff attorney instead of a contract position and transfer funds from the contract line item to a line item to support the staff attorney. He said they were having difficulty filling the contract attorney slots and this would allow flexibility to assign them to different cases, if needed.

MOTION: Commissioner Small moved to approve the Line Item Transfer, Public Safety Tax Fund, 0148-101, Dept. 136 to allow for a transfer from a contract attorney to a staff attorney. Commissioner McKay seconded and upon vote, the motion carried

Aircraft – Surplus and Rental

Mr. Rasmussen said he contacted two aircraft rental companies and they both indicated they would be willing to accommodate Benton County on a 24-hour availability, if needed.

Additionally, if the Board still wanted to consider the surplus process for the Benton County airplane, they would need to have a public hearing based on the value of the aircraft.

Chairman Delvin said that Civil Air Patrol (part of the Air Force) did a presentation and they had five planes available for use in Benton County, if the need arose. He said he was going to bring that information to Emergency Dispatch to let them know it was available as an option.

Mr. Rasmussen discussed the ongoing maintenance costs of the Benton County owned airplane, including insurance (\$8,000/year), hangar costs, and maintenance. They would be saving money that could be dedicated to a contract for rental, and proceeds of the sale could go back to the Investigative Fund.

The Board agreed to move forward with the surplus process.

38th Avenue Project Update

Mr. Rasmussen said they had a joint project with the City of West Richland to upgrade 38th Avenue. Benton County contributed \$330,000, in addition to supporting their request for federal funding, and the final bookkeeping on the project indicated there was \$90,000 left unspent. However, the interlocal agreement did not consider what would happen if there was money left over.

Mr. Rasmussen said there was an additional project available to upgrade a bike path in the County on the SR 224/Van Giesen project, which would benefit Benton County to have those bike paths extend out to the wineries. He asked if the Board was agreeable to transferring the leftover funds to that project and the Board agreed to have Mr. Rasmussen move forward with using those funds for that project.

Out of State Employees

Chairman Delvin said it was his understanding the Assessor made an offer of employment to someone to work from Missouri. He expressed concern about potential tax withholding, a required state business license, L & I requirements, and other potential liabilities. He suggested the Board might want to look at a hiring moratorium to require positions be approved by the Board before offers of employment were made.

Assessor Bill Spencer said this was a former employee and even though it was an entry level position, it required some skill and they had not been able to find anyone that could skillfully do that job for what they were willing to pay.

Commissioner Small said the County had paid for relocation costs for employees in the past, but not entry level positions. He suggested if the Assessor needed to have this position be reviewed or evaluated regarding pay, then he should bring that to the Board for its consideration. He expressed concern about hiring an employee that did not plan to live in Benton County or even Washington State.

Mr. Spencer said they were behind in the segregations department, but since COVID, working remotely had been a viable option, and this person has the proper qualifications.

Commissioner McKay said he understood the issue with keeping qualified employees, and it might be different if this person lived in Washington. However, he strongly encouraged him to find someone in the State of Washington.

The Board agreed it would be open minded to looking at proposals for the position regarding salary. Ms. Wingfield (via/videoconference) indicated that most of the Assessor's positions were covered by collective bargaining agreements and would need to be negotiated.

Mr. MacPherson said the County would need to obtain a business registration from the State of Missouri and wanted to know if the Board was willing to do that.

The Board indicated it was not willing to obtain a business registration from the State of Missouri.

The Board briefly recessed, reconvening at 9:48 a.m.

Executive Session – Potential Litigation

The Board went into executive session at 9:48 a.m. for up to 30 minutes with PA Andy Miller (via/WebEx). Also present were Eric Johnson, WSAC, (via/WebEx), Paul Lawrence (via/WebEx), Jerrod MacPherson, Matt Rasmussen, Cami McKenzie, Ryan Brown, and Eri Hsu.

The Board came out at 10:20 a.m. No decisions were made in executive session.

Other Business - Continued

EFSEC Letter

Commissioner McKay asked if the Board had received a response to the EFSEC letter and Mr. MacPherson said they had not.

Letter to Kennewick School District Board

Commissioner McKay said he received several phone calls about the mask requirement in schools and wanted to know if the Board was willing to send a letter to the Kennewick School District Board about masks being optional.

Chairman Delvin said he was agreeable to looking at it and Commissioner McKay said he would research the matter. Commissioner Small requested he bring back the issue in two weeks when Commissioner Delvin was present.

Accounts Payable

Check Date: 07/30/2021

Warrants #: 219968-220098
Total all funds: \$2,554,479.93

EFT's #: 1862-1886
Transfers #: 07302101-07302103
Total all funds: \$193,219.99

Resolutions

2021-573: Line Item Transfer, Fund No. 0000-101, Dept. 102
2021-574: Line Item Transfer Fund No. 0305-101, Dept. 000
2021-575: Line Item Transfer, Fund No. 0000-101, Dept. 120
2021-576: First Amended Agreement w/Housing Authority of City of Kennewick
2021-577: Agreement w/Entrust Community Services for Employment Services
2021-578: Contract w/Debra Chapman as Transition Specialist
2021-579: Amended Contract w/WA State Dept of Commerce, Local Government Division for Community Development Block Grant
2021-580: Addendum w/PageFreezer Software Inc. for Archiving Services
2021-581: Purchase of Seven Cisco DX80s From Golden Gate Networks for Corrections Dept.
2021-582: Purchase of Eight Monitors From CDW Government LLC for Auditor's Office
2021-583: Statement of Work from CDW Government LLC for Network Security Assessments
2021-584: Lease Agreement w/Ricoh for Three Copiers for Corrections Dept.
2021-585: Contract w/Comprehensive Healthcare for Outpatient Treatment Services
2021-586: Line Item Transfer, Fund No. 0148-101, Dept. 115

- 2021-587: Authorization to Proceed With Advertisement & Bid Process for 2021 Pavement Marking
- 2021-588: Accepting Work by D & D Tri Rivers Excavating for Evans Road Culvert Replacement Project
- 2021-589: Purchase of One Rotary Broom Attachment From Alamo Industrial for ER&R
- 2021-590: Line Item Transfer - Public Safety Tax Fund Number 0148101, Dept. 136

There being no further business before the Board, the meeting adjourned at approximately 10:24 a.m.

Clerk of the Board

Chairman