

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Benton County Courthouse, Prosser, WA
Tuesday, October 26, 2021, 9:00 a.m.

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

Present: Chairman Pro Tem Shon Small
Commissioner Will McKay
County Administrator Jerrod MacPherson
Clerk of the Board Cami McKenzie

Absent: Chairman Jerome Delvin (Vacation)

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; Lexi Wingfield, HR Manager; Robert Blain, Operations & Capital Programs; Undersheriff Jon Law and Katie Gillies, Sheriff's Office; Commander Scott Souza, Corrections; Elaine Osborne, Chief Deputy Clerk; Treasurer Ken Spencer; Sustainable Development Manager Adam Fyall.

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of October 19, 2021 were approved.

Agenda Review

The following item was added to discussion under "Other Business":

- Adopting Governor's Proclamation – Prison Commitments

Consent Agenda

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

Human Services

- a. Professional Services Contract w/Michelle Santo
- b. Amend Agreement w/US Dept. of Treasury for Emergency Rental Assistance

- c. Interagency Agreement - WA State Dept. of Commerce - Community Development Block Grant
- d. 1st Amendment to Agreement – WA State Dept. of Commerce - Consolidated Homeless Grant

Juvenile

- e. Personal Services Contract with Sandy Bonilla dba Essence Therapy, PLLC
- f. Personal Service Contract w/Stephenson Computer Consulting

Prosecuting Attorney

- g. Budget Adjustment – Current Expense Fund, Dept. 117

Public Works

- h. Ratify Change Order No. 1 – Stripe Rite, Inc. – 2021 Pavement Marking
- i. Purchase and Installation by Pape Machinery of Engine for John Deere Motor Grader

Purchasing

- j. Professional Service Contract with Dr. Lou Sowers – As Needed Psychological Evaluations
- k. 1st Amendment to Professional Service Agreement with Ideal Option, PLLC

Public Comment

Jim Adkins, Prosser, said he wanted to know if the Fairgrounds arena was available for public use, and if it wasn't, then why not. He requested the Board consider overnight boarding, camping and allowing the public use of the facility to ride their horses.

The Board agreed to review the matter and see if it was an option.

Ratifying Change Order No. 2 – Freeform – Administration Building Furnishings

Robert Blain presented the Resolution to Ratify Change Order No. 2 with Freeform for the furnishings packet for the New Admin Building. They needed to extend the contract time and increase the amount for additional furniture items needed. The County Administrator signed the agreement on October 8 and it was required that the Board ratify the agreement.

MOTION: Commissioner McKay moved to ratify Change Order No. 2. to the contract with Contract Resource Group, Inc. dba Freeform for the Furnishing Package for the New Administration Building as presented. Chairman Pro Tem Small seconded and upon vote, the motion carried.

Change Order No. 11 – Banlin Construction – Administration Building

Robert Blain presented Change Order No. 11 with Banlin Construction outlined as follows:

- Modify the electrical for the blinds in the Hearing Room to accommodate motorized Units - \$6,233.85 plus WSST
- Additional supports for the Plexi-glass barriers in the Contact Center. \$2,155.22 plus WSST

- Deduction for not supplying the Distributed Antenna System – includes additional channels for the jail use and will be incorporated for use at the entire campus - deduction of \$100,000.00 plus WSST – this will be rolled into a separate contract.
- Total credit of \$91,610.33 plus WSST and will not increase the contract

MOTION: Commissioner McKay moved to approve Change Order No. 11 with Banlin Construction, LLC for the New Administration Building project decreasing the contract by \$91,610.93 plus WSST for a new contract amount not to exceed \$14,282,007.20 plus WSST. Chairman Pro Tem seconded and upon vote, the motion carried.

Authorizing Transfer of Energy Study Certification Tax Benefits from Benton County to MMEC Architecture & Interiors for New Administration Building

Robert Blain presented a resolution authorizing the transfer of energy tax credits from Benton County to the architect. He said that MMEC Architecture & Interiors presented a letter to the County stating the Admin Building as designed had tax credits available. Benton County was not able to use the credits but could assign them to MMEC.

MOTION: Commissioner McKay moved to transfer and allocate the Energy Study Certification tax benefits for the energy efficient assets designed for the Benton County Administration Building, per the Energy Policy Act of 2005 and Internal Revenue Bulletin 2008-14, from Benton County to the primary designer, MMEC Architecture & Interiors, and authorize the Chairman to sign the Energy Tax Deduction Transfer and Allocation Notice. Chairman Pro Tem Small seconded and upon vote, the motion carried.

Taxes for 2022 Collection Discussion

Linda Ivey and Matt Rasmussen said the Board would have a public hearing on November 16, 2021 to present resolutions for taxes for 2022 collection. They said they were limited to a 1% increase in the levy rate this year if the Board opted to take it. If the Board did not take it, it could be banked for future years.

Commissioner McKay said he agreed with taking the 1% and Chairman Pro Tem Small agreed.

Ms. Ivey said the dollar amount generated would be around \$200,000. Mr. Rasmussen indicated that if a property owner’s assessed value did not change, their taxes should decrease.

Ms. Ivey said she would prepare the four resolutions for consideration and adoption at the public hearing on November 16, 2021.

Other Business

Proclamation – Prison Commitments

Chief Souza said that on October 19, 2021 Governor Inslee issued Proclamation 20.80.1, suspending the transfer of DOC prisoners to Department of Corrections from the Jail.

He said the impact would be five prisons per week, with 20 prisoners over the four-week period the proclamation was in place. DOC would pay the jail \$98.40 per day after the 8th day they were incarcerated, which was approximately \$13.00 less per prisoner per day, versus if they were a contract prisoner.

MOTION: Commissioner McKay moved to approve the resolution acknowledging Proclamation 20-80.1 issued by Governor Jay Inslee on October 19, 2021 and no DOC transfers will be made starting October 25, 2021 through November 7, 2021, as further outlined in the attached Proclamation 20-80.1 Chairman Pro Tem Small seconded and upon vote, the motion carried.

The Board briefly recessed, reconvening at 9:24 a.m.

Executive Session – Review Qualifications of Applicant for Public Employment

The Board went into executive session at 9:24 a.m. for up to 10 minutes with Lexi Wingfield and Jon Law to review the qualifications of an applicant for public employment. Also present were Jerrod MacPherson, Matt Rasmussen, Cami McKenzie, Katie Gillies, and Scott Souza.

The Board came out at 9:29 a.m. No decisions were made in executive session.

MOTION: Commissioner McKay moved to approve the Resolution to transfer funds within Current Expense, Department Number 118 to create the Lead Civil Clerk position and moved to approve the Salary Request Form as presented for Shelly Olsen. Chairman Pro Tem Small seconded and upon vote, the motion carried.

Executive Session – Review Qualifications of Applicant for Public Employment

The Board went into executive session at 9:31 a.m. for up to 10 minutes with Lexi Wingfield and Scott Souza to review the qualifications of an applicant for public employment. Also present were Jerrod MacPherson, Matt Rasmussen, and Cami McKenzie.

The Board came out at 9:38 a.m. No decisions were made in executive session.

MOTION: Commissioner McKay moved to approve the Salary Request Form as presented for Jason Alexander. Chairman Pro Tem Small seconded and upon vote, the motion carried.

Accounts Payable

Check Date: 10/04/2021

Warrants #: 222027

Total all funds: \$5,000.00

Check Date: 10/22/2021

Warrants #: 222537-222753
Total all funds: \$1,335,064.63

EFT's #: 1983-1986
Transfers #: 10222101-10222106
Total all funds: \$195,964.03

Resolutions

- 2021-761: Professional Services Contract w/Michelle Santo
- 2021-762: Amend Agreement w/US Dept. of Treasury for Emergency Rental Assistance
- 2021-763: Interagency Agreement - WA State Dept. of Commerce - Community Development Block Grant
- 2021-764: 1st Amendment to Agreement – WA State Dept. of Commerce - Consolidated Homeless Grant
- 2021-765: Personal Services Contract with Sandy Bonilla dba Essence Therapy, PLLC
- 2021-766: Personal Service Contract w/Stephenson Computer Consulting
- 2021-767: Budget Adjustment – Current Expense Fund, Dept. 117
- 2021-768: Ratify Change Order No. 1 – Stripe Rite, Inc. – 2021 Pavement Marking
- 2021-769: Purchase and Installation by Pape Machinery of Engine for John Deere Motor Grader
- 2021-770: Professional Service Contract with Dr. Lou Sowers – As Needed Psychological Evaluations
- 2021-771: 1st Amendment to Professional Service Agreement with Ideal Option, PLLC
- 2021-772: Ratifying Contract Change Order No. 2 with Freeform for Furnishings Package For The New Administration Building
- 2021-773: Approving Contract Change Order No. 11 with Banlin Construction for the New Administration Building Project
- 2021-774: Authorizing the Transfer and Allocation of the Energy Study Certification Tax Benefits Earned on the New Administration Building from Benton County to MMEC Architecture and Interiors
- 2021-775: Acknowledging Proclamation 20-80.1 DOC Prison Commitments Amending Proclamations 20-05 and 20-80
- 2021-776: Transfer of Funds within Current Expense Fund Number 0000101, Dept. 118

There being no further business before the Board, the meeting adjourned at approximately 9:38 a.m.

Clerk of the Board

Chairman