

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Benton County Courthouse, Prosser, WA
Tuesday, November 2, 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; Michelle Cooke, Assistant Planning Manager; Lexi Wingfield, HR Manager; Eric Hsu, OPD Manager; Kyle Sullivan, Human Services Manager; Sheriff Tom Croskrey; Commander Matt Clarke; Katie Gillies, Sheriff's Office; Finance Manager Linda Ivey; Facilities Manager Jeff Jones; Robert Blain, Operations & Capital Programs; DPA Ryan Brown; Clerk Josie Delvin; PA Reid Hay; Treasurer Ken Spencer; PA Andy Miller; Sgt. Carlos Trevino.

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of October 26, 2021 were approved.

Agenda Review

The following item was added for discussion:

- Tribal Letter – authorizing Chairman to sign letter regarding recovery center

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:

Human Services

- a. Contract w/The ARC of Tri-Cities for Special Olympics Services
- b. Contract w/Breanna Zavicar for Community Prevention Coordinator Services

- c. 2nd Amended Contract w/BF Community Action Committee for COVID-19 Public Services
- d. Agreement w/Compass Career Solutions, LLC for Employment Services
- e. Agreement w/Goodwill Industries of the Columbia Inc for Employment Services

Juvenile

- f. Amendment No. 4 w/NCIC Inmate Communications for Inmate Telecommunications Systems
- g. Agreement w/State of WA Administrative Office of the Courts for Becca Bill Program
- h. Contract w/Connections Consulting MA LLC for Interpreter Services

Protective Inspection Services

- i. Line Item Transfer, Fund No. 0149-101, Dept. 000

Public Comment

None.

Preliminary Plat of Harvest Ridge – SUB 2021-001

Michelle Cooke presented the proposal to subdivide 172.36 acres into 42 residential lots and one 122.30 acre-tract, located in Badger South area. The land is zoned RL One-Acre. The Planning Commission voted 4-0 in favor, subject to seven findings of fact and 22 conditions of approval. The Planning Division also recommended approval.

MOTION: Commissioner McKay move to adopt the Planning Commission’s Recommendation, Findings of Fact and Conditions as the Board’s own and approve the preliminary plat of Harvest Ridge – SUB 2021-001 with the seven findings of fact and 22 conditions of approval as recommended by the Planning Commission. Commissioner Small seconded and upon vote, the motion carried.

Office of Public Defense Update

Eric Hsu updated the Board and briefly discussed the following:

- Challenges
 - Retention & Burnout – attrition rate is alarmingly high
 - Recruitment – unprecedented difficulties in recruitment
 - Unpredictability of Caseloads
 - Potential changes - increased compensation; recruiting on law school campuses; more staff; working with partnership with State Office of Public Defense for new ideas

Office of Public Defense - Reclassification of Office Support Position

Eric Hsu and Lexi Wingfield presented the reclassification of an Office Support position. Their current Office Support position left and in looking at internal equity and recruiting, they felt a reclassification to Courthouse Legal Secretary IV made sense in looking for a certain skill set. The reclassification would be budget neutral.

MOTION: Commissioner Small moved to approve the Line Item Transfer as presented to change the Office Support Position 1656 to a Legal Secretary IV. Commissioner McKay seconded and upon vote, the motion carried.

Human Services - Reclassification of Administrative Assistant

Kyle Sullivan and Lexi Wingfield presented the reclassification of an administrative assistant position. Mr. Sullivan said with the increase in COVID dollars and the increase in permanent funding, they had more contracts to administer and were dealing with a workflow issue. The budgeted Administrative Assistant was open and unfilled, and they wanted to change the position to an Office Assistant IV, which was also budget neutral.

MOTION: Commissioner Small moved to approve the Line Item Transfer to change the Administrative Assistant to an Office Assistant IV as presented. Commissioner McKay seconded and upon vote, the motion carried.

Facilities Department - Position Request

Jeff Jones and Lexi Wingfield presented a request for an additional maintenance worker to ensure proper maintenance coverage with the additional square footage of the new Administration Building. Ms. Wingfield said the money would come from the Planning Department, from a budgeted and unfilled position (Code Compliance Official). This position would remain unfilled for the remainder of the 2021-2022 budget as they had a greater need for the money in Facilities.

MOTION: Commissioner Small moved to approve the Line Item Transfer to fund a new Facilities Maintenance Worker as presented. Commissioner McKay seconded and upon vote, the motion carried.

Sheriff's Office Position Requests - Two Record Clerks

Sheriff Croskrey & Katie Gillies presented a request for two new records clerks. Sheriff Croskrey said the Guild was willing to give up one of its positions for these two new records clerks, as they also saw the need. Over the years, there was an increase of 20 deputies, but administration was not increased. This would also be a budget neutral move for the Sheriff's Office as the salary of one deputy would cover the two positions. It was funded in the Public Safety Tax fund and the deputy position would remain unfilled and unfunded.

MOTION: Commissioner Small moved to approve the Line Item Transfer to fund two new Records Clerk positions in the Sheriff's Office as presented. Commissioner McKay seconded and upon vote, the motion carried.

Sheriff's Office Agreement with WA Traffic Safety Commission - Traffic Safety Project

Commander Matt Clarke & Katie Gillies presented the Agreement with the WA Traffic Safety Commission for the Traffic Safety Project for grant funding to conduct overtime high-visibility

enforcement to reduce crashes in the amount of \$50,420 (shared between Region 14 agencies). Benton County would receive approximately \$6,500.00.

MOTION: Commissioner Small moved to approve the Interlocal Agreement between the Benton County Sheriff's Office and WA Traffic Safety Commission and authorize the Benton County Sheriff to sign said Agreement. Commissioner McKay seconded and upon vote, the motion carried.

Finance Presentation

Linda Ivey and Matt Rasmussen presented the Finance update through October 30, 2021.

- Current Expense - 37.5% completed
 - Revenue included American Rescue Plan Grant Dollars and it was affecting the revenue numbers
 - With that revenue stream extracted out and excluded – revenues were at 33% - timing and property tax also looked good
 - Expenditures – everyone was a little bit under – total expended at 35%

- Public Safety Tax Fund – 37.5% completed
 - Revenues – up about \$960,000
 - Expenditures – underspending – ongoing operations and contracts – extra \$1 million
 - Summary – extra beginning fund balance; revenues were up, and expenditures were down = extra \$2 million; already approved spending \$1.5 million that was not yet spent. Overall, they were ahead about \$500,000.00
 - One-time capital expenditures: Radio tower with City of Richland project was going slow - \$5,272,000 and was currently pending (only \$149,233 spent)

Additional Requests

- PA's Office – Legal Secretary VI Position

Mr. Rasmussen said there was additional funding available in the Public Safety Sales Tax that was not anticipated. He said the Prosecuting Attorney's Office needed a Legal Secretary VI position to assist with the massive influx of complicated public records requests being received by their office. Andy Miller discussed the complicated requests and said they needed an additional staff person to help with the criminal side so they could move staff around to help with the public records requests.

MOTION: Commissioner Small moved to approve the Line Item Transfer within Public Safety Tax Fund 0148101, Dept. 115 to Dept. 117 in the amount of \$87,190.00 to fund a Legal Secretary VI position as requested. Commissioner McKay seconded and upon vote, the motion carried.

- Justice Center Upgrade – Secured Entrance

The second use of funds would be to upgrade the secured entrance to the main Justice Center building to improve security for staff and the public. Currently, individuals were required to go through security screening unless they had a badge to show security. They wanted to configure the front entrance and have a locked employee/contractor entrance for badges that would eliminate badges that were not active so they would not be able to bypass the security system. The cost was estimated at \$170,000.00. The Board agreed to move forward on that project.

Capital Purchases Presentation – Sheriff’s Office

Commander Clarke and Sargent Trevino discussed the following capital purchases from Public Safety Tax Fund:

- Interview Room Recording System – JAVS i-Record
- Investigations Forensic Software – Cellebrite Cloud Analyzer
- Investigations Forensic Software – Berla iVE
- Investigations Forensic Software – GrayKey
- Portable Radar Speed Trailer Replacement
- Thermal Imagers for Fleeing Subjects & Rescue Operations
- Waterways Safety – Safe Boat Refurbish
- AFIS Mobile Fingerprint Scanner

Other Business

Recruitment Video

Commissioner Small suggested using PST funds for a recruitment video showing Benton County’s technology, etc. Mr. Rasmussen said there was a process for using the PST funds and they would ask those questions.

Recovery Center

Mr. Rasmussen said with the \$2.75 million allocated for the design, per the Governor’s Executive Order, the County was required to go through an archaeological and cultural resources review. As part of that process, Benton County was required to send a letter to the tribes asking them to come talk to Benton County if they had questions. He requested the Board authorize the Chairman to sign those letters once they were prepared.

MOTION: Commissioner Small moved to approve the Chairman to sign the letters of consultation to the tribes as described. Commissioner McKay seconded and upon vote, the motion carried.

Mobile Crisis Response Teams

Mr. Rasmussen said the County needed to implement the Mobile Crisis Response Teams before the Recovery Center opened. He was putting together a meeting with Franklin County, had spoken to providers, and they had a pretty good idea what they wanted to put together. He asked the Board members if anyone wanted to attend the meeting with Franklin County and Commissioner Small agreed to attend.

Property Tax Update

Treasurer Ken Spencer announced they had collected 97% of the property tax to date, which was better than the previous year. He discussed a new law 1410 regarding changes to the penalty and interest phase and they were currently waiting for guidance from the State on how to implement that law.

The Board briefly recessed, reconvening at 10:33 a.m.

Executive Session – Pending Litigation

The Board went into executive session at 10:33 a.m. for up to 15 minutes with DPA Reid Hay and DPA Ryan Brown to discuss pending litigation. Also present were Jerrod MacPherson, Matt Rasmussen, and Cami McKenzie.

The Board came out at 10:49 a.m. No decisions were made in executive session.

MOTION: Commissioner McKay moved to continue to defend the action brought with the Growth Management Hearings Board, by the Breezie Lane Neighbors, without settlement. Commissioner Small seconded and upon vote, the motion carried.

Tort Claims

CC 2021-30: Received on November 1, 2021 from Jonathan Michael Rodriguez

Resolutions

- 2021-777: Contract w/The ARC of Tri-Cities for Special Olympics Services
- 2021-778: Contract w/Breanna Zavicar for Community Prevention Coordinator Services
- 2021-779: 2nd Amended Contract w/BF Community Action Committee for COVID-19 Public Services
- 2021-780: Agreement w/Compass Career Solutions, LLC for Employment Services
- 2021-781: Agreement w/Goodwill Industries of the Columbia Inc for Employment Services
- 2021-782: Amendment No. 4 w/NCIC Inmate Communications for Inmate Telecommunications Systems
- 2021-783: Agreement w/State of WA Administrative Office of the Courts for Becca Bill Program
- 2021-784: Contract w/Connections Consulting MA LLC for Interpreter Services

- 2021-785: Line Item Transfer, Fund No. 0149-101, Dept. 000
- 2021-786: Approving Findings of Fact and Conditions of Approval Regarding the Preliminary Plat of Harvest Ridge - SUB 2021-001
- 2021-787: Transfer of Funds Within Public Safety Tax Fund 0148101, Dept. 136 - \$54,011 - Office of Public Defense
- 2021-788: Transfer of Funds Within Human Services Fund 0108101, Dept 560 - \$93,129
- 2021-789: Transfer of Funds Within Current Expense Fund 0000101, Dept. 116 To Dept. 110 - \$88,636.00
- 2021-790: Transfer of Funds Within Public Safety Tax Fund 0148101, Dept. 121 - \$100,221.00
- 2021-791: Authorizing the Benton County Sheriff to Sign the Interagency Agreement Between Benton County Sheriff's Office and Washington Traffic Safety Commission Providing Grant Funding for Overtime Related to Law Enforcement Traffic Safety Emphasis Patrols
- 2021-792: Transfer of Funds Within Public Safety Tax Fund 0148101, Dept. 115 to Dept. 117 - \$87,190.00

There being no further business before the Board, the meeting adjourned at approximately 10:50 a.m.

Clerk of the Board

Chairman