

WEEKLY REVIEW

BENTON COUNTY BOARD OF COMMISSIONERS
April 27, 2021



This document is a weekly review of the Board of County Commissioners meeting, Tuesday, April 27, 2021. Information related to agenda changes, Consent Agenda, and Public Comment are on the [County website](#).

Public Hearing

Olsen Brothers Ranches Inc. Franchise Renewal – Cristina Woods, Engineering Technician III

Benton County received an application to renew a Franchise Order and Agreement for electrical lines, irrigation system, and associated facilities from Olsen Brothers Ranches Inc. Public Works staff recommends approval of the application as presented, subject to the six (6) items presented to the Commissioners. **The Board moved and seconded to approve the Franchise Order and Agreement with Olsen Brothers Ranches Inc. subject to the six (6) items listed in the report to the Commissioners. Motion carried.**

Kiona Irrigation District Franchise Renewal – Cristina Woods, Engineering Technician III

Benton County received an application to renew a Franchise Order and Agreement for irrigation water transmission system and associated facilities from Kiona Irrigation District. Public Works staff recommends approval of the application as presented, subject to the six (6) items presented to the Commissioners. **The Board moved and seconded to approve the Franchise Order and Agreement with Kiona Irrigation District subject to the six (6) items listed in the report to the Commissioners. Motion carried.**

Short Plat Vacation – SPV 2021-002 – Michelle Cooke, Assistant Planning Manager

On May 4, 2007, Short Plat 3000 was recorded under Auditor's File Number 2007-014028, creating four residential lots off Buena Vista Road in the Prosser area of unincorporated Benton County. The short plat also created a 10- foot irrigation easement running north to south through the middle of the short plat. The property was re-platted under Short Plat 3614 and the same irrigation easement is shown on Lot 3 of that short plat also. The applicants are requesting the vacation of approximately 170-feet of the 10- foot irrigation easement running through the southeast corner of Lot 2 of short plat 3000 and Lot 3 of short plat 3614. The applicants are proposing to replace the vacated easement with a new 10-foot irrigation easement adjacent to the east property line as described in BCCM 1.7. Owners of property within 300 feet of the subject parcel and all concerned agencies, including Sunnyside Valley Irrigation District, were notified of the proposed vacation and no objections or concerns have been received to date. Planning staff recommends approval of the proposed vacation as presented. **The Board moved and seconded to approve the vacation of approximately 170-feet of the 10- foot irrigation easement running through the southeast corner of Lot 2 of short plat 3000 and Lot 3 of short plat 3614, conditioned upon the applicant recording a new irrigation easement as legally described in BCCM 1.7, with the Benton County Auditor. The applicant shall provide the Benton County Planning Division with a copy of the recorded document(s), prior to the signing of the resolution by the Board of County Commissioners. The document must be recorded within 1 year of the date of approval by the Benton County Board of Commissioners or this approval will be null and void. Motion carried.**

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Scheduled Business

Interagency Agreement w/ Washington State Administrative Office of the Courts – Tiffany Deaton, Superior Court Administrator

The 2019 Washington State Legislature passed 2SSB 5604, which implemented the Uniform Guardianship Act (UGA). Significant new county expenses for implementation of the UGA will be incurred by requiring the court to appoint attorneys and court visitors. The Administrative Office of the Courts is offering funding for reimbursement. The Superior Court is requesting Benton County to authorize entering into the 2021 Interagency Agreement, IAA21633 with the Washington State Administrative Office of the Courts for reimbursement of qualified costs for UGA appointment services consistent with the attached agreement. Benton County will receive up to a maximum of \$15,480.00 in qualified reimbursement costs for UGA appointment services incurred during the period of January 1, 2021 – June 30, 2021. **The Board moved and seconded to approve the resolution and sign the Interagency Agreement, #IA21633, between the Administrative Office of the Courts and Benton County. Motion carried.**

2nd Addendum to Metro Interlocal Agreement w/ Cities & Franklin County – Matt Rasmussen, Deputy County Administrator

Benton County has historically participated in the regional Metro Drug Task Force (“Metro”) program along with Franklin County and the major cities (Kennewick, Pasco, Richland, West Richland). Starting in 2018, the grants that traditionally provided the majority of Metro funding began to dry up, resulting in a shortfall in the program’s budget. Benton and Franklin Counties agreed to assist in covering that shortfall through June 2019. Since then, Metro has continued to operate while a new agreement was negotiated to address ongoing budget shortfalls. A new agreement has been reached to address the funding shortfall through the end of 2024. Benton County and Franklin County are assuming the cost of an administrative position and an additional \$50,000 annually to assist with training, overtime, and confidential buy funds. The cost is split 75% to Benton County and 25% to Franklin County. Costs will be offset by any grants obtained by the program. Additional budget shortfalls beyond the administrative position and confidential buy funds are split between the six (6) parties as outlined in the agreement. The agreement further stipulates that beyond December 31, 2024 all funding shortfalls will be split between all six (6) parties unless otherwise agreed. The total annual shortfall is approximately \$141,000, with Benton County’s share totaling \$105,750 annually. Over the term of the agreement, Benton County will pay a total of \$423,000 with funds from the Public Safety Sales Tax. **The Board moved and seconded to approve the 2nd Addendum to the Metro Interlocal Agreement and authorized the Chairman of the Board to sign the agreement on behalf of Benton County. Motion carried.**

Benton County Offices Reopening Discussion – Matt Rasmussen, Deputy County Administrator

The Administrator, Deputy Administrator, and Commissioners discussed the County’s plans for reopening County public facilities. While many County facilities have been open in some form (law enforcement, courts, Public Services Building, etc.), there are other facilities that have remained closed to the public entirely or available by appointment only. The next State [Healthy Washington: Roadmap to Recovery](#) evaluation will be occurring on Monday, May 3, 2021. Based on current metrics used for evaluation, it is possible that Benton County may be moved back to Phase 2. **The Board decided to table the decision on the matter of reopening County buildings until next Tuesday’s regular Board meeting, May 4, 2021, pending the decision made by the State on Monday regarding the County’s Healthy Washington Phase Status.**

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Other Business

Resolution Acknowledging the 1st & 2nd Amendments to the US Constitution – Commissioner McKay

Commissioner McKay presented a resolution acknowledging the supremacy of the Constitution of the United States of America and affirming the fundamental rights of Benton County's citizens to free speech and peaceable assembly, to keep and bear arms, and maintain essential liberties and freedoms protected in the Bill of Rights to the US Constitution. **The Board moved and seconded to approve the resolution as presented by Commissioner McKay. Motion carried.**

Auditor's Office Voting Center Security Contract – Lorene Roe, Chief Deputy Auditor

The Auditor's Office presented a proposed security contract with Phoenix Protective Corporation to provide armed, uniformed security services at the Voting Center from April 28, 2021 through May 4, 2021 (excluding May 2, 2021). During this time, Election Division staff will be checking and verifying the signatures submitted for the Sheriff Recall petition. The security officers provide a proactive approach to deter and detect any possible activity that could disrupt the employees of the Election Division from completing their duties. The contract will cost \$5,850 and will be paid from the Election Reserve Fund. **The Board moved and seconded to approve the contract with Phoenix Protective Services Corporation to provide armed security services at the Voting Center during the Sheriff Recall signature checking process. Motion carried.**

Change Order No. 9 w/ Banlin Construction for the Administration Building – Robert Blain, Director of Operations & Capital Programs

On January 28, 2020 the Board of County Commissioners approved Resolution 2020-101 and executed a contract with Banlin Construction, LLC for the New Administration Building project in the amount of \$12,547,345.30 plus WSST. The Board previously approved Change Orders No. 1 through 8 for an additional \$1,799,199.03 plus WSST, bringing the total contract to \$14,327,939.43 plus WSST and increasing the contract time by 105 days for a total of 555 calendar days. Additional unforeseen items have been identified to complete the project. Four (4) modifications are included: 1) adding three (3) tamper switches for the fire waterflow system to the fire alarm monitoring system for a cost of \$1,771.49 plus WSST; 2) adding gypsum board and studs as required to the reveal detail on the fire rated walls for a cost of \$4,961.86 plus WSST; 3) modifying some of the duct work in the hearing room to accommodate the required fire/smoke dampers for a cost of \$11,097.12 plus WSST; and 4) adding four (4) internal windows to allow the passthrough of natural light into an internal workspace for a cost of \$11,097.12 plus WSST. These changes constitute Change Order No. 9 for a total cost of \$18,604.90 plus WSST and will not increase the project time. **The Board moved and seconded to approve the Chairman to sign Change Order No. 9 with Banlin Construction, LLC for the New Administration Building project, increasing the contract by \$18,604.90 plus WSST for a new contract amount not to exceed \$14,346,544.33 plus WSST. Motion carried.**

Change Order No. 5 w/ VK Powell Construction for Courthouse Terrazzo Flooring Project – Robert Blain, Director of Operations & Capital Programs

On September 1, 2020 the Board of County Commissioners approved Resolution 2020-600 and executed a contract with V K Powell Construction, LLC for the Courthouse Upgrades project in the amount of \$1,435,000.00 plus WSST. The Board previously approved Change Order Nos. 1, 2, 3 and 4 for a reduction of \$492,319.00 plus WSST, bringing the total contract amount to \$942,681.00. Additional unforeseen items have been identified to complete the terrazzo restoration on the project. Two (2) modifications are included: 1) restoring additional terrazzo on the second and third floor landings that were unanticipated to need repair after removal of carpet; and 2) a credit related to the casework in the Commissioners' Meeting Room, totaling \$1,000.00 plus WSST. These changes constitute Change Order No. 5 for a total cost of \$6,194.00 plus WSST. **The Board moved and seconded to approve the Chairman to sign Change Order No. 5 with V K Powell Construction, LLC for the Courthouse Upgrades project increasing the contract by \$6,194.00 plus WSST for a new contract amount not to exceed \$948,875.00 plus WSST. Motion carried.**

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