

# WEEKLY REVIEW

BENTON COUNTY BOARD OF COMMISSIONERS  
August 17, 2021



*This document is a weekly review of the Board of County Commissioners meeting, Tuesday, August 17, 2021. Information related to agenda changes, Consent Agenda, and Public Comment are on the [County website](#).*

## Public Hearings

### *Continued – Benton County Shoreline Master Plan Update – Greg Wendt, Community Development Director*

On June 22, 2021 the Board held a public hearing on the Periodic Update to the Shoreline Master Plan (SMP) for Benton County. The Shoreline Management Act (SMA), RCW 90.58, requires mandatory periodic updates to local shoreline master programs every eight (8) years. Every Washington city and county must periodically review and, if needed, revise its SMP to ensure compliance with the SMA. The June 22, 2021 public hearing was opened for public testimony, but no one was present who wished to testify, so the public portion of the hearing was closed, and a motion was made to continue the decision-making process until August 17, 2021 to obtain initial approval of the SMP from Department of Ecology. As of today, the Department of Ecology is still reviewing the document and has not issued a determination on the Initial Approval of the Shoreline Master Plan. As such, staff is requesting that the public hearing be continued until September 14, 2021 to have more time for Department of Ecology review. **The Board moved and seconded to continue the public hearing on the Shoreline Master Plan decision-making process until 9 AM on September 14, 2021 at the Benton County Courthouse. Motion carried.**

### *Continued – Planning Ordinance Amendment #OA 2021-002 Relating to Critical Areas, General Provisions, & Fish & Wildlife Habitat Conservation Areas, Amending Ordinance 609 – Greg Wendt, Community Development Director*

On June 22, 2021 the Board held a public hearing on an Ordinance Amendment relating to BCC Title 15, Critical Areas, General Provisions and Fish and Wildlife Habitat Conservation Areas for Benton County. The June 22, 2021 public hearing was opened for public testimony and after receiving all testimony the public portion of the hearing was closed, and a motion was made to continue the decision-making process until August 17, 2021. Before the Board can adopt the amendment, the Department of Ecology is required to make an initial determination as part of the update process. To date, the Planning Division has not received comments from Department of Ecology. As such, staff is requesting that the public hearing be continued until September 14, 2021 to have more time for Department of Ecology to comment, review, and approve the amendment. **The Board moved and seconded to continue the public hearing decision-making process on the ordinance amendment to BCC Title 15 relating to Critical Areas, General Provisions, and Fish and Wildlife Habitat Conservation Areas until until 9 AM on September 14, 2021 at the Benton County Courthouse. Motion carried.**

### *Ordinance Amendment #OA 2021-003 on Zoning Regulations Regarding Housing – Greg Wendt, Community Development Director*

Benton County is proposing a text amendment to the County Zoning Regulations, Ordinance 611, Ordinance 617, and Ordinance 634 with a focus on the following:

1. Chapter 11.03 Definitions, amending BCC 11.03.010(64) updating definition of dwelling unit.
2. Chapter 11.03 Definitions, amending BCC 11.03.010(71) removing definition of farm labor housing.
3. Chapter 11.03 Definitions, amending BCC 11.03.010(88) adding definition for household.
4. Chapter 11.17 Growth Management Act Agricultural Zoning District (GMAAD), amending BCC 11.17.070(l)(m)(n) removing farm labor housing from uses requiring a Conditional Use Permit.

The proposed amendments to Chapter 11.03 clarify the definitions of a household and dwelling until and removes farm labor housing. The proposed amendment to Chapter 11.17 removes farm labor housing from uses requiring a Conditional Use Permit in the GMAAD Zoning District. On Jun 8, 2021 the Planning Commission conducted an open record public hearing to discuss the proposed ordinance amendment and at the conclusion of the public hearing recommended approval, subject to seven (7) findings of fact. **The Board moved and seconded to adopt the Planning Commission’s Finding and Conclusions as its own and approve the proposed zoning amendment, amending Ordinances 611, 617, and 634, Chapter 11.03.010 and 11.17.070 as noted in Casefile OA 2021-003. Motion carried.**

## **Scheduled Business**

### *Clerk’s Office Positions Title Changes – Josie Delvin, Benton County Clerk*

The Benton County Clerk presented multiple position title changes within her office, including:

1. Updating title for Position 1912 from Indigent Screener to Legal Process Assistant III
2. Updating Position 1914 (Indigent Screener) to become vacant and unfilled

The Board moved and seconded to transfer funds within Public Safety Tax, Fund Number 0148101, Department Number 106 and to transfer funds within the Clerks Collection Fund, Fund Number 0146101, Department Number 000. Motion carried.

### *American Rescue Plan Act (ARPA) Funding – Matt Rasmussen, Deputy County Administrator; Linda Ivey, Finance Manager; & Karlee Ainsworth, HR Assistant Manager*

The American Rescue Plan Act (ARPA) grant was received by Benton County in May 2021, and staff are discussing four (4) areas of eligible uses:

1. Office of Public Defense: Funds to assist with legal services/professional services to increase speed of case resolution.
2. Clerk’s Office: Funds for OnBase project, allowing the office to move toward paperless system and streamline work to reduce in-person interaction.
3. Prosecuting Attorney’s Office: Funds for two (2) Deputy Prosecuting Attorneys, one (1) Legal Secretary II, and temporary help to increase speed of case resolution.
4. Coroner’s Office: Funds for a Lead Deputy Coroner, approval of salary grade and job description.

Funding for these expenses ends with the conclusion of the ARPA Grant on December 31, 2024.

The Board moved and seconded to approve the transfer of funds within Current Expense, Fund 0000101, Department 139 for: Office of Public Defense (\$134,000), Clerks Office (\$433,000), Prosecuting Attorney’s Office (\$461,677), and Coroner’s Office (\$102,670); and to approve the Salary Grade and Job Classification and description for the Lead Deputy Coroner as presented. Motion carried.

### *Blake Decision – Josie Delvin, Benton County Clerk*

The *Blake* Decision by the Supreme Court called out simple possession of illegal drugs as unconstitutional, which requires the vacating, dismissing, resentencing, and refunding of legal financial obligations back to 1971. Three (3) requests relating to this issue were presented:

1. Clerk’s Office: Funds for Legal Process Assistant IV, supplies, and computer.
2. Prosecuting Attorney’s Office: Funds for Deputy Prosecuting Attorney, supplies, and services.
3. Superior Court: Funds for Case Manager, ½ Court Commissioner, supplies, and computer.

The Board moved and seconded to approve the transfer of funds within Current Expense, Fund Number 0000101, Department 115 to the following: Department 106 for Clerk’s Office (\$102,000), Department 117 for the Prosecuting Attorney’s Office (\$224,000), and Department 123 for Superior Court (\$252,823). Motion carried.

## Other Business

### *Letters of Support to Benton County School District Boards – Commissioner McKay*

At last week's meeting, Commissioner McKay requested that staff prepare a letter to each of the Benton County School District Boards expressing the Commissioners' support of their efforts to return to full-time, in-person instruction and to reinstate local oversight of COVID-19 response in our community. **The Board moved and seconded to approve the letter as presented. Motion carried.**

### *Recovery Center Special Meeting – Commissioner Delvin*

The Board is wishing to host a special meeting on August 31, 2021 at 6 PM (location to be determined) to discuss the implementation of a 0.01% Sales & Use Tax for Chemical Dependency or Mental Health Treatment Services or Therapeutic Courts, as authorized in RCW 82.14.460. Additional discussion will be held regarding the creation of an advisory committee for the proposed behavioral health crisis recovery center. Public comment will also be taken regarding these items. **The Board gave staff to proceed as planned.**

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