

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Benton County Courthouse, Prosser, WA  
Tuesday, January 4, 2022, 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; Lexi Wingfield, HR Manager; Greg Wendt, Community Development Director; Robert Blain, Operations & Capital Programs; County Engineer Doug D'Hondt; Clerk Josie Delvin; Adam Morasch, Risk Manager; Treasurer Ken Spencer; Matt Mahoney, Operations Manager.

#### Pledge of Allegiance

The Board recited the Pledge of Allegiance.

#### Approval of Minutes

The Minutes of December 21, 2021 were approved.

#### Agenda Review

The following items were added to the agenda:

- Purchase from Envirotech
- Walla Walla Interlocal Agreement
- Update to Benton County Safe Reopening Plan
- Executive Session - Review Performance of Public Employee
- Executive Session – Review Qualifications of Applicant for Public Employment

#### Consent Agenda

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

**Auditor**

- a. Canvassing Board Appointment

**Commissioners**

- b. Appointment of Randall Bricker to the Kiona Irrigation District
- c. Re-appointment of Cynthia Gray to the Benton County Mosquito Control Board

**Human Services**

- d. Fourth Amended Contract w/WA State Health Care Authority for Community Prevention Wellness Initiative Services

**Juvenile**

- e. Contract w/Regional Toxicology Services for Urinalysis Testing
- f. Contract w/Roto-Rooter Plumbing for Plumbing Services

**Office of Public Defense**

- g. Juvenile Court Public Defense Agreement w/Susan Henwood
- h. Juvenile Court Public Defense Agreement w/Branden Landon
- i. Juvenile Court Public Defense Agreement w/Diana Anderson
- j. Juvenile Court Public Defense Agreement w/Kathleen Moreno
- k. Juvenile Court Public Defense Agreement w/Michelle Trombley
- l. Amended Superior Court Public Defense Agreement w/Michelle Alexander
- m. Early Termination Notice of District Court Public Defense Agreement w/Rebecca Lemons
- n. Early Termination Notice of Superior Court Public Defense Agreement w/Jennifer Azure
- o. Early Termination Notice of Superior Court Public Defense Agreement w/Jennifer Azure for Uniform Guardianship Act Cases
- p. Early Termination Notice of Juvenile Court Public Defense Agreement w/Jennifer Azure

**Planning**

- q. Appointment of Lorna Zaback to Benton County Planning Commission, District 3

**Public Safety**

- r. Line Item Transfer, Fund No. 0148-101, Dept. 115 to 136
- s. Line Item Transfer, Fund No. 0148-101, Dept. 121

**Purchasing**

- t. Agreement w/Ideal Option for Medicated Assisted Opioid Treatment Networks Within the Jail
- u. Contract Award to Apollo Mechanical Contractors for Courtroom IT HVAC Project
- v. Contract Award to Banlin Construction of Justice Center Front Entrance Security Upgrade Project
- w. Purchase of Crack Seal Machine From Arrow Construction Supply for Public Works Dept.

**Sheriff**

- x. Line Item Transfer, Fund No. 0000-101, Dept. 125

**Board Organization – Year 2022**

The Board discussed the proposed organization for 2022, appointing Commissioner Small as Chairman, Commissioner McKay as Chairman Pro Tem, and adding Matt Mahoney to the Solid Waste Advisory Committee as an alternate.

**MOTION:** Commissioner McKay moved to approve the resolution for the Board Organization for Year 2022 as presented. Commissioner Small seconded and upon vote, the motion carried.

Commissioner Small proceeded to Chair the remainder of the meeting.

### **Public Comment**

None.

### **Public Hearing – Amending the 2022-2027 Six-Year Road Program**

County Engineer Douglas D’Hondt presented the resolution for approval of the Amendment to the 2022-2027 Six-Year Road Program. Additional federal funding in the amount of \$533,000.00 was secured for the Countywide Safety Improvement Project since the approval of the previous program. The money was going to be used for guardrails on specific roads, markers, etc.

As there was no one present to testify, public testimony was closed.

**MOTION:** Commissioner McKay moved to Amend the 2022-2027 Six-Year Road Program to include the Countywide Safety Improvements Project as presented. Commissioner Delvin seconded and upon vote, the motion carried.

### **Scheduled Business**

#### **Acceptance of Bid - Moderate Risk Waste Facility**

Doug D’Hondt and Robert Blain presented a resolution accepting a bid for the Moderate Risk Waste Facility. The resolution accepted the seconded lowest bidder and allowed them to release the bond for the first bidder. Siefken & Sons was awarded the bid on December 7, 2021 in the amount of \$1,000,000.00 and since that time, found a bidding error with an amount too great for them to proceed with the project and requested to have their bid withdrawn. Booth & Sons was the second lowest bidder in the amount of \$1,059,700.00.

**MOTION:** Commissioner Delvin moved to accept Siefken & Sons Construction, Inc.’s request to have their bid withdrawn, relinquish their bid bond and award the Moderate Risk Waste Facility project to Booth and Sons Construction, Inc. for \$1,059,700.00. The Chairman is approved to sign the letter to Siefken & Sons Construction, Inc. accepting their request to withdraw their bid. Commissioner McKay seconded and upon vote, the motion carried.

### **Other Business**

#### **EnviroTech Services Contract**

Doug D’Hondt said there was a supply issue for road salt with the regular vendor and delivery would be 21 days versus 5 days with EnviroTech. Their current supply was gone and with the weather, the Road Department needed to contract with an additional vendor.

**MOTION:** Commissioner Delvin moved to approve the purchase of road salt from EnviroTech Services, Inc. through the use of the Washington State Master Contract Usage Agreement from

January 1 through May 31, 2022 in an amount not to exceed \$50,000 and the Chairman is approved to sign the Purchase Agreement. Commissioner McKay seconded.

### Discussion

Commissioner McKay asked why this was now an emergency, and not dealt with back in November before it became an emergency.

Mr. D'Hondt said it was pre-planned, but they were running out of space to store the material and with the recent weather, the supply was very low.

Upon vote, the motion carried unanimously.

### Interlocal Cooperation Agreement with Walla Walla County

Mr. D'Hondt said they had been working on this contract for months but now Walla Walla County was in dire need of using Benton County's snow blower, which is why the item was moved up for approval.

**MOTION**: Commissioner McKay moved to approve the Interlocal Cooperation Agreement with Walla Walla County for purchasing, sales and providing equipment and services. Commissioner Delvin seconded and upon vote, the motion carried.

Mr. D'Hondt introduced Matt Mahoney, the new Operations Manager for Public Works. He said he worked 32 years at Franklin County.

### Update to Benton County Safe Reopening Plan

Adam Morasch requested the Board approve the update to the Benton County Safe Reopening to mirror the State's language and change the isolation/quarantine period from 10 days to 5 days,

**MOTION**: Commissioner McKay moved to approve the 4<sup>th</sup> Amendment to the Benton County Roadmap to Recovery Reopening Guide as presented. Commissioner Delvin seconded and upon vote, the motion carried.

### Local Income Tax Proposal

Commissioner McKay discussed the proposed local income tax and requested the Board issue a proclamation stating Benton County was opposed to income tax. The Board agreed and Commissioner McKay said he would work with Admin to have it on the agenda.

### Masking/Vaccination Mandates in Schools

Commissioner McKay said he was meeting with local residents and school board members regarding the State School Superintendent's proposal for masking and vaccination requirements for children. He said he would keep the Board informed.

**Executive Session – Review Performance of Public Employee**

The Board went into executive session at 9:24 a.m. for up to 10 minutes with HR Manager Lexi Wingfield to review the performance of a public employee. Also present were Jerrod MacPherson, Matt Rasmussen, and Cami McKenzie.

The Board came out at 9:34 a.m. No decisions were made in executive session.

**MOTION:** Commissioner Delvin moved to authorize the Chair to sign the separation and release agreement with Scott Souza as presented. Commissioner McKay seconded and upon vote, the motion carried.

**Executive Session – Review Qualifications of Applicant for Public Employment**

The Board went into executive session at 9:35 a.m. for up to 15 minutes with Lexi Wingfield to review the qualifications of an applicant for public employment. Also present were Jerrod MacPherson, Matt Rasmussen, and Cami McKenzie. Lt. Robert Guerrero was present via/teleconference.

The Board came out at 9:49 a.m. No decisions were made in executive session.

**MOTION:** Commissioner Delvin moved to approve the Employment Agreement with Robert Guerrero to be Interim Chief of Corrections and transfer funds to create an Interim Chief of Corrections. Commissioner McKay seconded and upon vote, the motion carried.

**Tort Claim**

CC 2021-34: Received December 27, 2021 from Michael Alan Jackson Ham

**Accounts Payable**

Check Date: 12/17/2021

Warrants #: 224929-225257  
Total all funds: \$3,138,353.38

EFT's #: 2065-2068  
Transfers #: 12172101-12172107  
Total all funds: \$317,062.87

Check Date: 12/22/2021

Warrants #: 225315-225919  
Total all funds: \$865,514.50

EFT's #: 2069-2074  
Transfers #: 12222101-12222103  
Total all funds: \$47,542.87

Check Date: 12/30/2021

Warrants #: 225987-226136  
Total all funds: \$2,139,101.04

EFT's #: 2075-2099  
Transfers #: 12302101-12302104  
Total all funds: \$510,321.10

### **Resolutions**

- 2022-001: Appointment of Randall Bricker to the Kiona Irrigation District
- 2022-002: Re-appointment of Cynthia Gray to the Benton County Mosquito Control Board
- 2022-003: Fourth Amended Contract w/WA State Health Care Authority for Community Prevention Wellness Initiative Services
- 2022-004: Contract w/Regional Toxicology Services for Urinalysis Testing
- 2022-005: Contract w/Roto-Rooter Plumbing for Plumbing Services
- 2022-006: Juvenile Court Public Defense Agreement w/Susan Henwood
- 2022-007: Juvenile Court Public Defense Agreement w/Branden Landon
- 2022-008: Juvenile Court Public Defense Agreement w/Diana Anderson
- 2022-009: Juvenile Court Public Defense Agreement w/Kathleen Moreno
- 2022-010: Juvenile Court Public Defense Agreement w/Michelle Trombley
- 2022-011: Amended Superior Court Public Defense Agreement w/Michelle Alexander
- 2022-012: Early Termination Notice of District Court Public Defense Agreement w/Rebecca Lemons
- 2022-013: Early Termination Notice of Superior Court Public Defense Agreement w/Jennifer Azure
- 2022-014: Early Termination Notice of Superior Court Public Defense Agreement w/Jennifer Azure for Uniform Guardianship Act Cases
- 2022-015: Early Termination Notice of Juvenile Court Public Defense Agreement w/Jennifer Azure
- 2022-016: Appointment of Lorna Zaback to Benton County Planning Commission, District 3
- 2022-017: Line Item Transfer, Fund No. 0148-101, Dept. 115 to 136
- 2022-018: Line Item Transfer, Fund No. 0148-101, Dept. 121
- 2022-019: Agreement w/Ideal Option for Medicated Assisted Opioid Treatment Networks Within the Jail
- 2022-020: Contract Award to Apollo Mechanical Contractors for Courtroom IT HVAC Project
- 2022-021: Contract Award to Banlin Construction of Justice Center Front Entrance Security Upgrade Project
- 2022-022: Purchase of Crack Seal Machine From Arrow Construction Supply for Public Works Dept.

- 2022-023: Line Item Transfer, Fund No. 0000-101, Dept. 125
- 2022-024: Organization of Benton County Commissioners for the Year 2022
- 2022-025: Approving the Amendment to the 2022-2027 Six-Year Road Program
- 2022-026: Awarding CB 21-07 – Moderate Risk Waste Facility Project to Booth and Sons Construction, Inc.
- 2022-027: Purchase of Road Sale from Envirotech Services, Inc.
- 2022-028: Interlocal Cooperation Agreement Between Benton County and Walla Walla County
- 2022-029: Amending the Benton County Roadmap to Recovery Reopening Guide for Benton County Facilities
- 2022-030: Authorizing the Chairman of the Board to sign the Separation and Release Agreement Between Benton County and Scott Souza
- 2022-031: Authorizing the Chairman of the Board to sign the Employment Agreement for Robert Guerrero to be Interim Chief of Corrections and Transfer of Funds – Current Expense Fund 0000-101, Dept. 120

There being no further business before the Board, the meeting adjourned at approximately 9:50 a.m.

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Clerk of the Board

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Chairman