

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Benton County Courthouse, Prosser, WA  
Tuesday, March 8, 2022, 9:00 a.m.  
*Meeting provided in-person, by Video Live-Broadcast and Telephonically via/WebEx*

**Present:** Chairman Shon Small  
Commissioner Will McKay  
Commissioner Jerome Delvin (ECA) (via/WebEx)  
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; Clerk Josie Delvin; DPA Ryan Brown; Linda Ivey, Finance Manager; DPA Stephen Hallstrom.

#### Pledge of Allegiance

The Board recited the Pledge of Allegiance.

#### Approval of Minutes

The Minutes of March 1, 2022 were approved.

#### Agenda Review

- Update to Reopening Plan – Masking Policy
- Executive Session – Pending Litigation

#### Consent Agenda

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

#### Auditor

- a. Surplus & Disposition of Personal Property

#### Public Works

- b. Solid Waste Interlocal Agreement w/Cities of Benton City, Kennewick, Prosser, Richland and West Richland w/State of Washington Dept. of Ecology for Coordinated Prevention Grant

- c. Appointment of the Solid Waste Advisory Committee
- d. Federal Aid Project Prospectus w/Washington State DOT for County Safety Improvements
- e. Initiating County Road Project Designated as CE 2128 CRP

**Purchasing**

- f. Purchase of Hazardous Waste Handling & Disposal Services From Clean Harbors Environmental Services
- g. Accepting Work Performed by Continental Door Company for Garage Door Maintenance & Repair Project
- h. Memorandum of Understanding w/Molina Healthcare of WA for Managed Medicaid Services in Corrections

**Sheriff**

- i. Coding Correction of Funds From Current Expense to Public Safety Tax Fund

**Public Comment**

None.

**Public Hearing - Amending Ordinance 404 and Ordinance 226 – Prohibiting the Use of Fireworks During Periods of Extreme Fire Danger**

Greg Wendt and Ryan Brown presented the ordinance prohibiting the use of fireworks during periods of extreme fire danger. They researched potential options regarding the use of fireworks during unusually hot, dry summers and during periods of extreme fire danger. After meeting with the Fire Marshal and local fire chiefs, they recommended the following change:

“Effective June 28, 2023 and each year thereafter, the discharge of all fireworks, regardless of type, is prohibited between June 28th and July 5th of any year that the Energy Release Value for the Southeast Washington Region is determined by the Department of Natural Resources or any other agency of the State of Washington to be valued at 17 or higher at any time on or after June 19th in a particular year and the Benton County Fire Marshal subsequently publishes notice of a Fire Danger Classification of Extreme on the Benton County Website. The proposed change to the local fireworks ordinance is not able to take effect until at least one year after adoption. In this case, any changes made will become effective on March 8, 2023.”

Commissioner Delvin commented that he thought there was something approved in the legislature that made the ordinance effective immediately. Mr. Brown said he would research that and if needed, they could amend the ordinance.

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

**MOTION:** Commissioner McKay moved to approve the resolution amending Ordinance 404 and Ordinance 226 and adding a new section to BCC Chapter 7.30 prohibiting the use of fireworks during periods of extreme fire danger. Chairman Small seconded and upon vote, the motion carried.

## **Other Business**

### **Trios Building Update**

Mr. Rasmussen said there was significant progress on the contract negotiations and hopefully they would be solidifying that in the next couple of weeks.

### **Amendment to Reopening Guide**

Mr. Rasmussen presented a resolution to amend the Benton County Roadmap to Recovery Reopening Guide. He said that on midnight, March 11, 2022, the State would be dropping the indoor masking requirements, and if the Board adopted this, it would be effective on Monday, March 14 for Benton County. He said this was the only change to the plan and elected officials could choose to have a more restrictive plan in their space. However, as a county facility, they were recommending that Benton County drop that requirement.

These changes applied to all departments under the Commissioners' Office/Administration and to the public areas of County facilities.

**MOTION**: Commissioner McKay moved to approve the Resolution Amending the Roadmap to Recovery Reopening Guide to update the requirements for face Coverings. Chairman Small seconded and upon vote, the motion carried.

The Board briefly recessed, reconvening at 9:20 a.m.

### **Executive Session – County's Position/Strategy in Union Negotiations**

The Board went into executive session at 9:20 a.m. for up to 10 minutes with Lexi Wingfield and DPA Stephen Hallstrom to discuss the County's position and strategy in union negotiations. Also present were Jerrod MacPherson, Matt Rasmussen, Cami McKenzie, Ryan Brown, and Commissioner Delvin via/WebEx.

The Board came out at 9:31 a.m. No decisions were made in executive session.

### **Executive Session – Pending Litigation**

The Board went into executive session at 9:31 a.m. for up to 10 minutes with DPA Ryan Brown. Also present were Jerrod MacPherson, Matt Rasmussen, Cami McKenzie, and Commissioner Delvin via/WebEx.

The Board came out at 9:40 a.m. No decisions were made in executive session.

### **Tort Claims**

CC 2022-06: Received 03/10/2022 from Daniel Charles Penselin

**Accounts Payable**

Check Date: 03/04/2022

Warrants #: 228754-228908  
Total all funds: \$1,252,172.95

EFT's #: 2183-2185  
Transfers #: 03042201-03042203  
Total all funds: \$70,563.02

**Resolutions**

- 2022-174: Surplus & Disposition of Personal Property
- 2022-175: Solid Waste Interlocal Agreement w/Cities of Benton City, Kennewick, Prosser, Richland, & W. Richland w/State of WA Dept. of Ecology- Coordinated Prevention Grant
- 2022-176: Appointment of the Solid Waste Advisory Committee
- 2022-177: Federal Aid Project Prospectus w/Washington State DOT for County Safety Improvements
- 2022-178: Initiating County Road Project Designated as CE 2128 CRP
- 2022-179: Purchase of Hazardous Waste Handling & Disposal Services From Clean Harbors Environmental Services
- 2022-180: Accepting Work Performed by Continental Door Company for Garage Door Maintenance & Repair Project
- 2022-181: Memorandum of Understanding w/Molina Healthcare of WA for Managed Medicaid Services in Corrections
- 2022-182: Coding Correction of Funds From Current Expense to Public Safety Tax Fund
- 2022-183: Adoption of Ordinance 64 Relating To Fireworks
- 2022-184: Amending the Benton County Roadmap to Recovery Reopening Guide for County Facilities

There being no further business before the Board, the meeting adjourned at approximately 9:40 a.m.

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Clerk of the Board

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Chairman