

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting

Benton County Courthouse, Prosser, WA

Tuesday, April 19, 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
County Administrator Jerrod MacPherson
Alt. Clerk of the Board Marilu Flores

Benton County Employees Present During All or a Portion of the Meeting: Deputy County Administrator Matt Rasmussen; Robert Heard, IT Manager; Cody Shelton, IT; Adam Fyall, Sustainable Development Manager; Human Services Manager Kyle Sullivan; Sheriff Tom Croskrey; Lt. Jason Erikson; Katie Gillies, Sheriff's Office; Sheriff Commander Lee Cantu; Detective Justin Gerry; Finance Manager Linda Ivey; Corrections Chief Robert Guerrero; HR Manager Lexi Wingfield; Treasurer Ken Spencer; BCPA Ryan Brown & Stephen Hallstrom; Clerk Josie Delvin

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of April 12, 2022 were approved.

Agenda Review

The following items were added to the agenda:

- Executive Session for County's Position and Strategy in Labor Negotiations

Consent Agenda

MOTION: Commissioner Delvin moved to approve the consent agenda items "a" through "h". Commissioner McKay seconded and upon vote, the Board approved the following:

Commissioners

- a. Award of Contract for Official County Newspaper

Human Resources

- b. Agreement w/Compensation Connections for Bi-County Bargaining Salary Study
- c. Collective Bargaining Agreement w/Teamsters Local 839; Representing Juvenile Detention

Purchasing

- d. Contract w/White Bluffs Consulting LLC for Permitting Process @ Two Rivers Park
- e. Purchase of Security Equipment w/Integrated Security Solutions for Voting Center
- f. Ratifying Contract w/Hill International for Project Management Services @ Benton County Recovery Center
- g. Ratifying Contract w/Hill International for Project Management Services for Sheriff's Office and Juvenile Justice Center

Sheriff

- h. Line Item Transfer, Fund No. 0127-101, Dept. 000

Public Comment

None.

Public Hearing -Continued – Benton County Redistricting

Adam Fyall presented on the Commissioner District Redistricting Plan which was continued from April 12, 2022. Mr. Fyall indicated that he had not received additional presentations or documents from the public, committee or staff. Mr. Fyall indicated before the Board was a resolution prepared adopting Alternative 1 as the new districting plan. Upon passage, Mr. Fyall would transmit everything to the State and Auditor to complete the project. Mr. Fyall thanked the Auditor's Office, GIS and committee for their assistance.

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

MOTION: Commissioner Delvin moved for the adoption of Alternative 1 as presented by the Redistricting Committee as the Redistricting Plan for Benton County Commissioner districts for the 2022-2031 electoral cycle. Commissioner McKay seconded and upon vote, the motion carried.

Information Technology Position Changes

Robert Heard, IT Manager, indicated that a position that was originally budgeted as an Information Systems Analyst III, Courthouse Union, grade 16, was changed to an Information Systems Analyst II Courthouse Union, grade 14. Mr. Heard indicated that at the time, it was appropriate to have the position a System Analyst II based on qualifications, but requested that the Board approve the position be moved back to the original Information Systems Analyst III.

MOTION: Commissioner Delvin moved to approve the Line Item Transfer to change Central Services budgeted position 1701 from an Information Systems Analyst II to an Information Systems Analyst III. Commissioner McKay seconded and upon vote, the motion carried.

Human Services Positions

Kyle Sullivan, Human Services Manager, and Lexi Wingfield presented the following:

- Outreach Coordinator Classification Description
- Establishing Salary Grade for Outreach Coordinator
- Transfer of Funds for Outreach Coordinator & Housing Program Navigator

Mr. Sullivan indicated that he has identified a need to create a classification description for an Outreach Coordinator and establishing a salary grade 11 on the non-bargaining salary schedule. He stated that it has been difficult for current staff to do outreach duties and the Outreach Coordinator would be working out in the field. The second position is for an additional housing program navigator. Both positions are grant funded.

Commissioner Small indicated he appreciated the work being done to help those in need.

MOTION: Commissioner Delvin moved to approve the resolution to establish the Outreach Coordinator classification description. Commissioner McKay seconded and upon vote, motion carried.

MOTION: Commissioner Delvin moved to approve the resolution to establish the Outreach Coordinator as a grade 11 on the Benton County non-bargaining salary schedule. Commissioner McKay seconded and upon vote, motion carried.

MOTION: Commissioner Delvin moved to approve the resolution and line item transfer to create an Outreach Coordinator and an additional Housing Program Navigator. Commissioner McKay seconded and upon vote, motion carried.

Discussion: Commissioner Small inquired about the status of the Veterans' position. Mr. Sullivan indicated that he was working with HR and Franklin County and should bring back to the Board in a couple of weeks.

BNSF Grant Application for Benton County Sheriff's Office

Commander Lee Cantu came before the Board seeking approval to submit the BNSF grant application for up to \$5,000 for the detective training program. This grant would be used for training requiring travel around the county and for supplies to assist with processing crime scenes. Commander Cantu indicated that this grant is reimbursable with no match requirement.

MOTION: Commissioner Delvin moved to approve the submittal of the BNSF grant application for an amount of \$5,000 to assist with the detective training program. Commissioner McKay seconded and upon vote, motion carried.

Opioid Settlement Memorandum of Understanding Discussion

Matt Rasmussen and Ryan Brown discussed litigation involving certain local governments in the State of Washington and pharmaceutical companies over the adverse impacts of opioids in the

communities. Benton County was not originally a party to the litigation, and it appears those local governments may have reached a settlement that would extend to all eligible local governments in the state. Benton County received a draft copy of Memorandum of Understanding (MOU) to join the lawsuit which has been reviewed by legal with a deadline of April 30, 2022 in order to receive a proportional share of the settlement funds. Mr. Brown indicated that there would be certain commitments the County would have to make in order to be eligible to receive funds with most of the work being completed after agreeing to the MOU. He stated that should the County choose not to sign on to the MOU, we would be on our own to pursue litigation against the pharmaceutical companies if it is believed there should be payment for the harm caused by opioids. Pros and cons were discussed with a decision needed in the very near future. The exact settlement amount is unknown, but it is estimated that Benton County would receive 1.48% of the total settlement with an estimated overall settlement amount being approximately \$150 - \$200 million of which Benton County would receive approximately between \$2 - \$3 million.

Commissioner McKay indicated that he did not see any harm to the County if we joined the lawsuit. He further stated that he read where opioid overdoses were significantly up. Commissioner Delvin asked on how the defined regions were set up.

Direction was given to move forward and put on next week's agenda.

Setting Salaries for Elected Officials for Years 2025 & 2026

Matt Rasmussen presented on a resolution on elected officials salaries. Mr. Rasmussen indicated this was before the Board a few weeks ago and has since spoken with elected officials and done compatibles. Mr. Rasmussen was bringing before the Board the following options:

- Alternative 1 ~ maintains the status quo and proposes an increase of 2.25% in 2025 and 2026 for all elected officials. All salaries are equal.
- Alternative 2 ~ proposes a 2.25% increase in 2025 and 2026 for all elected officials except the Commissioners which would have no increase for those two years
- Alternative 3 ~ proposed placing the Sheriff at 5% above all the other elected officials starting in 2023 and adding a 2.25% in 2025 and 2026 for all elected officials
- Alternative 4 ~ proposed placing the Sheriff @ 5% above all the other elected officials starting in 2023 and adding a 2.25% increase for all elected officials except the Commissioners which would receive no increase in those two years.

Commissioner Delvin stated he would understand historically the sheriff getting paid more if the jail was included under his control and was struggling comprehending the justification. Commissioner McKay indicated that he sees the Sheriff having more duties as other elected officials to include evening and nighttime calls. Commissioner Small indicated that the Sheriff had more liability, and the partnership was outstanding. Commissioner Small suggested increasing the Sheriff's salary above other elected officials 7 to 7.5% and gave an example of the recent shooting at the Fred Meyers wherein the Sheriff's Office was one of the first responding agencies. Commissioner Delvin indicated that he would be agreeable to Alternative 2 with Commissioner McKay agreeing with increasing the Sheriff's salary (possibly to even 7%) and freezing the Commissioners. Commissioner Delvin indicated that the Commissioners should have

a decent salary which would encourage having good Commissioners serve. Commissioner McKay indicated that in his opinion Commissioners' role should not be a career rather more of a role to make a difference and serve. Commissioner Delvin proposed Alternative 4 with 5% increase for the Sheriff and no increase for Commissioners.

Board consensus was with Alternative 4, but with the change of increasing the Sheriff's salary to 7% above all other elected officials starting in 2023 and adding a 2.25% for all elected officials for 2025-2026 except the Commissioners with Commissioner Delvin not agreeable. Staff would prepare necessary documents for next week's meeting.

Finance Presentation

Linda Ivey presented the Finance update through March 31, 2022.

- Current Expense – 62.5% completed
 - Revenue included American Rescue Plan Grant Dollars (ARPA) and it was skewing the revenue numbers.
 - With that revenue stream (ARPA) extracted out and excluded – revenues were at 59%. Property tax looks good, as Property Tax first half is due by the end of April. Sales tax is above average at this time.
 - Expenditures, with the American Rescue Plan Grant Dollars (ARPA) excluded – everyone was a little bit under – total expended at 61%

- Public Safety Tax Fund – 62.5% completed
 - Revenues – up about \$1.8 million over budget.
 - Expenditures – underspending – ongoing operations and contracts – extra \$1.6 million
 - Summary – extra beginning fund balance; revenues were up, and expenditures were down = extra \$2 million
 - One-time capital expenditures: Radio tower with City of Richland project was going slow - \$5,421,350 budgeted for one-time expenditures and was currently pending \$4,740,128 (only \$681,222 spent)
 - Public Safety Tax RFP is in process with requests due by the end of April.

Ms. Ivey's recommendation was to wait before spending and being conservative.

Commissioner Small reflected on how much Public Safety Tax funds have helped out on budgets. Commissioner Delvin indicated that the Public Safety Tax committee will be meeting in the near future and has been working with Ms. Palmus on getting the committee going for discussion on informational campaign on funding.

Other Business

Lifepoint Discussion

Commissioner Delvin said he had a meeting with Greater Columbia Behavioral Health regarding LifePoint for designation on funding for the crises response center and stated there seemed to be a

trust factor on the partnership and perhaps Benton County needs to walk away. Commissioner Delvin addressed the possibility of having discussions on the County's position in buying a different building.

Ben Franklin Transit

Commissioner McKay updated the Board regarding the Ben Franklin Transit's no mandates on masks and now being optional. He further stated that they are going through the process for hiring a new administrator.

Executive Session – Qualifications of a Candidate for Public Employment

The Board went into executive session at 10:15 a.m. for up to 5 minutes with Chief Robert Guerrero to discuss the qualifications of a candidate for public employment. Also present were Jerrod MacPherson, Matt Rasmussen, Lexi Wingfield, Steve Hallstrom and Marilu Flores.

The Board came out at 10:18 a.m. No decisions were made in executive session.

MOTION: Commissioner Delvin moved to approve the Salary Request form as presented for Julio Martinez. Commissioner McKay seconded and upon vote, the motion carried.

The Board briefly recessed for five minutes at 10:18 a.m., reconvening at 10:23 a.m.

Executive Session - Review Performance of a Public Employee

The Board went into executive session at 10:23 a.m. for up to 10 minutes with Sheriff Tom Croskrey, Katie Gillies and Detective Justin Gerry. Also present were Jerrod MacPherson, Matt Rasmussen, Lexi Wingfield and Marilu Flores. The Board came out at 10:37 a.m. and stated it needed an additional 10 minutes in executive session. The Board came out at 10:49 a.m. No decisions were made in executive session.

Executive Session – County's Position and Strategy in Labor Negotiations

The Board went into executive session at 10:49 a.m. for up to 25 minutes with Lexi Wingfield. Also present were Matt Rasmussen, Steve Hallstrom, Linda Ivey and Marilu Flores.

The Board came out at 11:18 am. No decisions were made in executive session.

Accounts Payable

Check Date: 04/15/2022

Warrants #: 230363 – 230832

Total all funds: \$3,007,885.61

EFT's #: 2240 - 2244

Transfers #: 04152201 – 04152209

Total all funds: \$583,152.31

Payroll

Check Date: 04/15/2022

Payroll Draw Checks

Total all funds: \$110,448.40

Warrant #: 243608

Direct Deposit #: 170558 - 170700

Payroll Draw Deductions/Transfers

Total all funds: \$20,327.08

Taxes 101220413

Resolutions

- 2022-269: Collective Bargaining Agreement w/Teamsters Local 839; Representing Juvenile Detention
- 2022-270: Award of Contract for Official County Newspaper
- 2022-271: Agreement w/Compensation Connections for Bi-County Bargaining Salary Study
- 2022-272: Contract w/White Bluffs Consulting LLC for Permitting Process @ Two Rivers Park
- 2022-273: Purchase of Security Equipment w/Integrated Security Solutions for Voting Center
- 2022-274: Ratifying Contract w/Hill International for Project Management Services @ Benton County Recovery Center
- 2022-275: Ratifying Contract w/Hill International for Project Management Services for Sheriff's Office and Juvenile Justice Center
- 2022-276: Line Item Transfer, Fund No. 0127-101, Dept. 000
- 2022-277: Benton County Redistricting Plan
- 2022-278: Information Systems Analyst II to Information Systems Analyst III
- 2022-279: Establishing Outreach Coordinator Classification Description
- 2022-280: Establishing Salary Grade for Outreach Coordinator
- 2022-281: Transfer of Funds for Outreach Coordinator & Housing Program Navigator

There being no further business before the Board, the meeting adjourned at approximately 11:18 a.m.

Clerk of the Board

Chairman