

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting

Benton County Courthouse, Prosser, WA

Tuesday, May 10, 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
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; Greg Wendt, Community Development Director; Robert Blain, Operations & Capital Programs; Adam Fyall, Sustainable Development Manager; Clerk Josie Delvin; DPA Ryan Lukson; Julie Long, Assistant Chief Deputy; Treasurer Ken Spencer; Kyle Sullivan, Human Services Manager; Lorene Roe, Chief Deputy Auditor; District Court Judge James Bell; District Court Judge Jennifer Azure; Michelle Cooke, Planning Manager; Lexi Wingfield, HR Manager; Chief of Corrections Robert Guerrero; Finance Manager Linda Ivey; Myriam Gutierrez, Auditor's Office; Matt Mahoney, Operations Manager.

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of May 3, 2022 were approved.

Agenda Review

The following executive sessions were added to the agenda:

- County's Position in Labor Negotiations
- Review Performance of Public Employee
- Evaluate Qualifications of Candidate for Public Employment

Consent Agenda

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

Commissioners

- a. Older Americans Proclamation

Coroner

- b. Contract w/Spokane County Medical Examiner’s Office for Forensic Pathology Services

District Court

- c. Third Amended Agreement w/nCourt for Online Payment Option

Human Services

- d. Contract w/J Dorsett for Bonding & Leadership Development Services to Youth & Adult Groups

Information Technology

- e. Purchase of RoadEng Starter Bundle From Softree Technical Systems for Public Works

Juvenile

- f. Contract w/Amy Campbell for Functional Family Therapy
- g. Contract w/Amy Campbell for Family Counseling

Purchasing

- h. Contract w/Bagley Landscape Construction for Public Services Building
- i. Agreement w/King County Regional Automated Fingerprint Identification System for Fingerprint Mobile Identification
- j. Contract Amendment #1 w/C.H. Johnson Consulting. for Fairgrounds Feasibility Study & Master Plan
- k. 3rd Contract Amendment w/Meier Architecture & Engineering for Design of Shooting Range @ Rattlesnake Mountain Shooting Facility

Sheriff

- l. Line Item Transfer, Fund No. 0000-101, Dept. 121 for Overtime

Public Comment

None.

Public Hearing - Community Development Block Grant

Kyle Sullivan, Human Services, and Diana Young, CAC, presented the public hearing to close out the 2021 grant and request permission to apply for grant funding for 2022-2023.

Ms. Young discussed the services provided, including rental and utility assistance in non-entitlement areas for low to moderate income households in Benton and Franklin Counties for 11 households with 26 individuals. Other services provided included free diapers, coats, food, hygiene, and case management.

CAC would continue services for the new grant, including eviction prevention and rapid re-housing services, as well as the other services.

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

MOTION: Commissioner Delvin moved to close out Contract #20-62210-002 Community Development Block Grant (CDBG) Public Services Grant and apply for 2022-23 CDBG Public Services Grant between Washington State Department of Commerce, Local Government Division and Benton County. Commissioner McKay seconded and upon vote, the motion carried.

Public Hearing - Ordinance Relating to BCC Title 11 Zoning; File No OA 2022-001

Greg Wendt and Michelle Cooke, Planning, presented the public hearing for adoption of the ordinance. Mr. Wendt said the applicant was requesting to amend the zoning text in the Red Mountain Agricultural District to allow agricultural stands as a conditional use permit option provided the stand would be located on a parcel at least two (2) acres in size but less than twenty (20) acres.

The application was reviewed by Planning Staff, the PA's office, and also received a positive recommendation from the Red Mountain AVA. Additionally, the Planning Commission held a public hearing and voted unanimously to forward a recommendation for approval, subject to five findings of fact.

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

MOTION: Commissioner Delvin moved to adopt the Planning Commission's Findings and Conclusions as their own and approve the application for the Ordinance Amendment as noted in Casefile CPA 2022-001 and authorize the Chairman to sign the Notice of Approval for the Comprehensive Plan Amendment. Commissioner McKay seconded and upon vote, the motion carried.

Justice Center Tenant Improvement Project Discussion

Robert Blain, Capital Projects Manager, presented a map outlining the proposed areas and recommendations to move forward on remodeling the Justice Center to provide additional space to several departments. He requested approval to move forward with the architect and departments to complete a design for the tenant improvement project.

The Board agreed with moving forward.

Parks Comprehensive Master Plan Contract with Beckwith Consulting Group

Adam Fyall said they attempted to complete a master plan every six years, however the last one was adopted in 2014.

He presented a contract with Beckwith Consulting Group for the new Benton County Comprehensive Parks Plan in the amount of \$140,505.00.

MOTION: Commissioner Delvin moved to approve the contract between Benton County and Beckwith Consulting Group for development of the Comprehensive Parks Plan for the Benton County Parks System as presented. Commissioner McKay seconded and upon vote, the motion carried.

Public Safety Sales Tax - Funding Request for Hiring Bonuses

Ryan Lukson and Julie Long, PA's office discussed the difficulty of hiring for unfilled positions in different departments. Specifically, the PA's office had two openings and another coming in the next few months. Additionally, two employees would be out on maternity leave in August. Mr. Lukson said this issue was compounded by the shortage of law students, the cost of living in Tri-Cities, and housing shortages. They requested the Board consider hiring bonuses and retention pay or they risked losing deputies if they could not be competitive. 29 counties were hiring attorneys and Benton County's deputies were currently overwhelmed with caseloads. The request would be funding for hiring bonuses for three positions at \$10,000 each.

Eric Hsu, OPD via/WebEx, said they were having a recruitment issue, and public defense was having a harder time than the PA's office because they recruited for contracts. He said they were in the midst of a crisis and only getting a handful or one or two applicants and struggling under high workloads. A plan to make the hiring more competitive was much needed.

District Court Judge James Bell said they were having a hard time hiring and keeping employees and losing people to city jobs and retail. They had open positions they could not fill and were only getting 1.6 interviews per listing. He said that a bonus and retention program would be helpful.

Clerk Josie Delvin said she had mixed feelings about the concept of hiring bonuses. She also was having a difficult time filling positions but was concerned her current employees would see this as a slap in the face because they had been here doing the work. Additionally, she was concerned about giving someone a hiring bonus and then having to let them go during the probationary period. She said she supported the other departments in their request but was not sure she would use hiring bonuses.

Chief Robert Guerrero discussed his problem hiring and said they were currently down five employees and losing another three this summer. Additionally, for every four applicants, they were able to complete one background check. He requested the Board consider hiring bonuses and said he was also concerned about retaining current employees.

Treasurer Ken Spencer said they were having the same problems with hiring and getting a low number of applicants, and that it was not just on the public safety side.

Commissioner Delvin said he shared the sentiments of the Clerk's office regarding long term employees and treating new employees different. He hoped there were other ways to attract employees and thought a little more research should be done and perhaps the joint study on salaries might shed some light. If the County were to move forward, he felt it should be a countywide policy.

Sheriff Tom Croskrey via/videoconference, said it was his perspective at the Sheriff's Office that they needed competitive wages and raises for the deputies, not hiring bonuses. He said they were losing employees to other entities, and it was affecting public safety. He said they were down nine deputies and two clerical positions and wanted to attract applicants through better wages.

Commissioner McKay said that hiring bonuses made him nervous, but believed it needed to be addressed countywide, instead of just being addressed through public safety. He said he had never seen employment issues like this before and wanted to resolve it for the whole county.

Chairman Small expressed concern about the recent serious crimes and homicides in Benton County and the public safety issue. Additionally, he was concerned about the cost of retention pay and the livelihood of the County and didn't want to start laying off employees.

The Board agreed to have Ms. Wingfield work with Administration and the Finance Manager and try and come back with recommendations. Mr. Lukson asked if he could be part of the discussions with HR and the Board agreed.

Other Business

ECA Conference

Commissioner Delvin reported on his attendance at the ECA conference in Carlsbad and said that (WIPP – Waste Isolation Pilot Plant) was back up and running. Additionally, a private company was coming in to expand and build a facility for cleanup.

Ben/Franklin Transit Interviews

Commissioner McKay said they had interviews for the General Manager position and had narrowed it down to two finalists. He said the atmosphere had changed at the Transit and complimented Ed Frost on helping with that change.

Water Training

Commissioner McKay said he attended water training and commented on how loud the windmills were; he said he was a mile away and could still hear them. Additionally, he said he met with the Futurewise attorney and had a discussion with him about the purpose of Futurewise.

Executive Session – Evaluate Performance of Public Employee

The Board went into executive session at 10:12 a.m. for up to 10 minutes with Jerrod MacPherson to evaluate the performance of a public employee. Also present were Matt Rasmussen, Linda Ivey, and Cami McKenzie.

The Board came out at 10:19 a.m. No decisions were made in executive session.

MOTION: Commissioner McKay moved to approve the salary request statement for Rayce Miller as presented for the project manager position for the Munis conversion. Commissioner Delvin seconded and upon vote, the motion carried.

The Board briefly recessed, reconvening at 10:23 a.m.

Executive Session - Review Qualifications of Applicant for Public Employment

The Board went into executive session at 10:23 a.m. with Robert Blain for up to 10 minutes to review the qualifications of applicant for public employment. Also present were Matt Rasmussen, Jerrod MacPherson, Lexi Wingfield, and Cami McKenzie.

The Board came out at 10:29 a.m. No decisions were made in executive session, but direction was given.

Executive Session - County's Position in Labor Negotiations

The Board went into executive session at 10:29 a.m. for up to 10 minutes with Lexi Wingfield to discuss the County's position in labor negotiations. Also present were Jerrod MacPherson, Matt Rasmussen, Linda Ivey, and Cami McKenzie. The Board came out at 10:42 a.m. No decisions were made but direction was given.

Tort Claims

CC 2022-11: Received on May 9, 2022 from Bryan Paul Hernandez

Resolutions

- 2022-309: Older Americans Proclamation
- 2022-310: Contract w/Spokane County Medical Examiner's Office for Forensic Pathology Services
- 2022-311: Third Amended Agreement w/nCourt for Online Payment Option
- 2022-312: Contract w/J Dorsett for Bonding & Leadership Development Services to Youth & Adult Groups
- 2022-313: Purchase of RoadEng Starter Bundle From Softree Technical Systems for Public Works
- 2022-314: Contract w/Amy Campbell for Functional Family Therapy
- 2022-315: Contract w/Amy Campbell for Family Counseling
- 2022-316: Contract w/Bagley Landscape Construction for Public Services Building
- 2022-317: Agreement w/King County Regional Automated Fingerprint Identification System for Fingerprint Mobile Identification
- 2022-318: Contract Amendment #1 w/C.H. Johnson Consulting. for Fairgrounds Feasibility Study & Master Plan
- 2022-319: 3rd Contract Amendment w/Meier Architecture & Engineering for Design of Shooting Range @ Rattlesnake Mountain Shooting Facility
- 2022-320: Line Item Transfer, Fund No. 0000-101, Dept. 121 for Overtime

- 2022-321: Close Out Contract # 20-62210-002 CDBG Public Services Grant and apply for 2022-23 CDBG Public Services Grant between Washington State Department of Commerce and Benton County
- 2022-322: Adoption of Ordinance 642 Relating to Zoning and The Red Mountain Agricultural District - Amending the Section Relating to Uses Requiring Permits - Conditional Use Permits Required and Amending Ordinance 611
- 2022-323: Contract with Beckwith Consulting Group for Development of the Comprehensive Parks Plan for the Benton County Parks System

There being no further business before the Board, the meeting adjourned at approximately 10:42 a.m.

Clerk of the Board

Chairman