

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Benton County Courthouse, Prosser, WA  
Tuesday, July 26, 2022, 9:00 a.m.  
*Meeting provided in-person, by Video Live-Broadcast and Telephonically via/WebEx*

**Present:** Chairman Pro Tem Will McKay  
Commissioner Jerome Delvin  
County Administrator Jerrod MacPherson  
Clerk of the Board Cami McKenzie

**Absent:** Chairman Shon Small (Vacation – Excused)

**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; Clerk Josie Delvin; DPA Ryan Brown; Michelle Cooke, Planning Manager; Human Services Manager Kyle Sullivan; Michael McGhan, Public Works.

#### Pledge of Allegiance

The Board recited the Pledge of Allegiance.

#### Approval of Minutes

The Minutes of July 19, 2022 were approved.

#### Agenda Review

The following items were added to the agenda for discussion:

- Vehicle Purchase for Sheriff's Office
- New Hire Relocation Expenses

#### Consent Agenda

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

#### Commissioners

- a. Consulting Agreement w/Gordon Thomas Honeywell Governmental Affairs for Federal Governmental Affairs Services

### **Human Services**

- b. Amendment C to Agreement w/WA State Dept of Commerce for COVID-19 Assistance
- c. Agreement w/Greater Columbia Behavioral Health for the Community Behavioral Health Rental Assistance Program

### **Information Technology**

- d. Purchase of One Laptop, Dock and Two Monitors From Dell, Inc. for Canine Shelter

### **Juvenile**

- e. Food Services Contract Amendment No. 2 w/Aramark Correctional Service

### **Office of Public Defense**

- f. Superior Court Public Defense Services Agreement w/Brian Hultgrenn

### **Planning**

- g. Re-Appointment of Martin Sheeran to the Planning Commission
- h. Re-Appointment of Lloyd Coughlin to the Planning Commission
- i. Appointment of Dave Sharp to the Energy Facility Site Evaluation Council for the Wautoma Solar Project

### **Purchasing**

- j. Contract Amendment w/Sazan Group for Comprehensive Energy Audit @ Justice Center & Jail
- k. Contract Change Order No. 2 w/Booth and Sons Construction for Moderate Risk Waste Facility
- l. Change Order #2 w/Tyler Technologies for the Munis Software Upgrade
- m. Contract w/HDR Engineering for Solid & Hazardous Waste Management Plan
- n. Transfer of Transfer & Allocation of the Energy Study Certification Tax Benefits Earned on the Jail Boiler Replacement Project to Apollo Mechanical Contractors
- o. Contract Award of Shooting Range Expansion Project to Goodman & Melenbacher Ent, Inc.
- p. Amending Resolution 2020-830 for the Purchase of Liquid Magnesium Chloride Storage Tanks From Ag Enterprise Supply
- q. Contract w/Auto Rescue for As Needed Towing Services
- r. Contract Amendment #1 w/CKJT Architects for Design of Justice Center Tenant Improvement Project

### **Public Comment**

None.

### **Public Hearing – Request for Zone Change - ZC 2022-004**

Michelle Cooke and Greg Wendt presented the application for a change in zone designation for six contiguous parcels located approximately 1/4 mile east of the intersection of E Cochran Road and S Finley Road, lying north of E Cochran Road in the Finley area of unincorporated Benton County from Heavy Industrial to the Rural Lands Five Acre District. The requested zone change would allow the existing single-family residences and uses on the properties to continue and would be in conformance under a rural residential zoning district. At the conclusion of the open record hearing, the Planning Commission voted to forward a recommendation of approval.

The Planning Division recommended approval, subject to the Planning Commission's findings and conclusions.

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

**MOTION:** Commissioner Delvin moved to adopt the Planning Commission's recommendation, findings, and conclusions as the Board's own and approve zone change request ZC 2022-004. Commissioner McKay seconded and upon vote, the motion carried.

**Public Hearing – Request for Zone Change - ZC 2022-005**

Michelle Cooke and Greg Wendt presented the application for a change in zone designation for three contiguous parcels located north of SR 397, west of S Yew Street, and east of the Kennewick city limits in the Finley area of unincorporated Benton County from Rural Lands Five Acre to the Light Industrial District. The requested zone change would allow the existing industrial uses on the properties to continue and would be in conformance under an industrial zoning district. At the conclusion of the open record hearing, the Planning Commission voted to forward a recommendation of approval of the proposed zone change to the Board of County Commissioners subject to the Planning Commission's findings and conclusions.

The Planning Division recommended approval subject to the Planning Commission's recommendation.

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

**MOTION:** Commissioner Delvin moved to adopt the Planning Commission's recommendation, findings, and conclusions as the Board's own and approve the zone change request ZC 2022-005. Commissioner McKay seconded and upon vote, the motion carried.

**Public Hearing – Request for Zone Change – ZC 2022-006**

Michelle Cooke and Greg Wendt presented the application for a change in the zoning designation of seven parcels located approximately 1/4 mile west of the intersection of Wiser Parkway and Badger Road in the Kennewick area of unincorporated Benton County from Interchange Commercial to the Light Industrial District. The requested zone change would allow added industrial uses to be sited on the undeveloped properties in an area which contains existing industrial development and uses. At the conclusion of the open record hearing, the Planning Commission voted to forward a recommendation of approval of the proposed zone change to the Board of County Commissioners subject to the Planning Commission's suggested findings and conclusions.

The Planning Division recommended approval, subject to the Planning Commission recommendations.

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

**MOTION:** Commissioner Delvin moved to adopt the Planning Commission’s recommendations, findings, and conclusions as the Board’s own and approve zone change request ZC 2022-006. Commissioner McKay seconded and upon vote, the motion carried.

**Closed Record Appeal Hearing – Preliminary Plat of of Harvest Ridge Phase 2 - SUB 2022-001**

Michelle Cooke and Greg Wendt presented the preliminary plat application to subdivide approximately 120.90 acres into 101 residential lots. The land is zoned Rural Lands One-Acre District.

At the conclusion of the open record hearing, the Planning Commission voted to forward a positive recommendation to the Board of County Commissioners subject to findings and conditions. The Planning Division recommended approval, subject to the Planning Commission recommendations.

**MOTION:** Commissioner Delvin moved to adopt the Planning Commission’s Recommendation, Findings of Fact and Conditions as the Board’s own and approve the preliminary plat of Harvest Ridge Phase 2- SUB 2022-001 with the findings of fact and conditions of approval as recommended. Chairman Pro Tem seconded and upon vote, the motion carried.

**Closed Record Appeal Hearing - Preliminary Plat of Cottonwood 2002-002**

Michelle Cooke and Greg Wendt presented the preliminary plat application to subdivide approximately 25.58 acres into 13 residential lots. The land is zoned Rural Lands One-Acre District.

At the conclusion of the open record hearing, the Planning Commission voted to forward a positive recommendation to the Board of County Commissioners subject to findings of fact and conditions of approval. The Planning Division recommended approval, subject to the Planning Commission recommendations.

**MOTION:** Commission Delvin moved to adopt the Planning Commission’s Recommendation, Findings of Fact and Conditions as the Board’s own and approve the preliminary plat of Cottonwood Creek Phase 4 - SUB 2022-002 with the findings of fact and conditions of approval as recommended by the Planning Commission. Chairman Pro Tem McKay seconded and upon vote, the motion carried.

**Updated Benton County Veterans Assistance Fund Policies & Procedures**

Kyle Sullivan presented the updated Veterans Assistance Fund Policies & Procedures with changes specific to adding the Veterans Services Officer.

**MOTION:** Commissioner Delvin moved to approve the update to the Benton County Veterans Assistance Fund policies and procedures as presented. Commissioner McKay seconded and upon vote, the motion carried.

### **Veterans Service Officer in Human Services Department**

Kyle Sullivan said he worked with HR, and the Veterans Service Advisory Board to work on a job description and come up with the appropriate description and salary grade for the new Veterans Service Officer. He said he planned to come back in a year and provide data to see where they were at and if a second position was needed.

**MOTION**: Commissioner Delvin moved to approve the Resolution to establish the Veterans Service Officer classification description as presented and the Resolution to establish the Veterans Service Officer as a grade 12 on the Non-Bargaining salary schedule. Chairman Pro Tem McKay seconded and upon vote, the motion carried.

**MOTION**: Commissioner Delvin moved to approve the Resolution and Line Item Transfer to establish the Veterans Service Officer position as presented. Chairman Pro Tem McKay seconded and upon vote, the motion carried.

### **Amended Agreement w/Franklin County for Provision of Services by Human Services Department**

Kyle Sullivan presented the Amended and Restated Memorandum of Agreement between Benton and Franklin Counties to specifically address funding for the new Veterans Services Officer position, to be funded by both Counties' Veterans Assistance Fund.

**MOTION**: Commissioner Delvin moved to approve the Amended and Restated Memorandum of Agreement between Benton and Franklin Counties for the provision of services by the Human Services Department. Chairman Pro Tem McKay seconded and upon vote, the motion carried.

### **Other Business**

#### **Vehicle Purchase for Sheriff's Office**

Michael McGhan, Public Works, requested permission to purchase a truck replacement for the Sheriff's Department that was currently 18 years old and not heavy enough for the boats the County now owned. He said the market was very slim and they found one to purchase and were requesting the County waive the competitive bidding requirements due to the special market conditions.

**MOTION**: Commissioner McKay moved to approve waiving of the formal competitive bidding requirements under RCW 39.04.280(1)(b) due to special market conditions and approve the replacement of the 2004 Ford F-250 with the purchase of the 2022 Ford F-350 from Corwin Ford of Tri-Cities for use by the Benton County Sheriff's Office in an amount not to exceed \$85,000.00 including WSST. Commissioner Delvin seconded and upon vote, the motion carried.

### **New Hire Relocation Expenses**

DPA Ryan Brown presented a resolution to authorize the PA's office to reimburse a deputy prosecuting attorney candidate for relocation expenses from Pacific County up to the amount of \$5,000.00.

**MOTION**: Commissioner Delvin moved to approve the resolution authorizing the Prosecuting Attorney to reimburse Joe Faurholt up to \$5,000.00 for relocation expenses per the County's Relocation Expense Policy, Resolution 08-534. Chairman Pro Tem McKay seconded and upon vote, the motion carried.

Employee Certificates of Service for July

The following employees were recognized for their service to Benton County:

20 Years

Wayne Elston  
Cindi Kane  
James Snyder  
Dan Waggoner

25 Years

Kyle Sullivan

30 Years

Horacio Gonzalez

**Tort Claim**

CC 2022-15: Received July 25, 2022 from Tommie Slack  
CC 2022-16: Received July 29, 2022 from Barbara Goodwin

**Payroll**

Check Date: 07/19/2022

Special Payroll Run – Draw Checks  
Total all funds: \$733.26  
Warrant #: 243723

Special Payroll Run - Draw Deductions/Transfers  
Total all funds: \$121.48  
Taxes #: 101220714

**Accounts Payable**

Check Date: 07/15/2022

Warrants #: 234379-234707  
Total all funds: \$1,446,320.88

EFT's #: 2375-2382  
Transfers #: 07152201-07152211  
Total all funds: \$3,538,840.74

Check Date: 07/21/2022

Warrants #: 234949  
Total all funds: \$12,500.00

Check Date: 07/22/2022

Warrants #: 234793-234948  
Total all funds: \$1,677,888.53

EFT's #: 2383-2384  
Transfers #: 07222201-07222207  
Total all funds: \$310,465.64

## **Resolutions**

- 2022-487: Consulting Agreement w/Gordon Thomas Honeywell Governmental Affairs for Federal Governmental Affairs Services
- 2022-488: Amendment C to Agreement w/WA State Dept of Commerce for COVID-19 Assistance
- 2022-489: Agreement w/Greater Columbia Behavioral Health for the Community Behavioral Health Rental Assistance Program
- 2022-490: Purchase of One Laptop, Dock and Two Monitors From Dell, Inc. for Canine Shelter
- 2022-491: Food Services Contract Amendment No. 2 w/Aramark Correctional Service
- 2022-492: Superior Court Public Defense Services Agreement w/Brian Hultgrenn
- 2022-493: Re-Appointment of Martin Sheeran to the Planning Commission
- 2022-494: Re-Appointment of Lloyd Coughlin to the Planning Commission
- 2022-495: Appointment of Dave Sharp to the Energy Facility Site Evaluation Council for the Wautoma Solar Project
- 2022-496: Contract Amendment w/Sazan Group for Comprehensive Energy Audit @ Justice Center & Jail
- 2022-497: Contract Change Order No. 2 w/Booth and Sons Construction for Moderate Risk Waste Facility
- 2022-498: Change Order #2 w/Tyler Technologies for the Munis Software Upgrade
- 2022-499: Contract w/HDR Engineering for Solid & Hazardous Waste Management Plan
- 2022-500: Transfer of Transfer & Allocation of the Energy Study Certification Tax Benefits Earned on the Jail Boiler Replacement Project to Apollo Mechanical Contractors
- 2022-501: Contract Award of Shooting Range Expansion Project to Goodman & Melenbacher Ent, Inc.
- 2022-502: Amending Resolution 2020-830 for the Purchase of Liquid Magnesium Chloride Storage Tanks From Ag Enterprise Supply

- 2022-503: Contract w/Auto Rescue for As Needed Towing Services
- 2022-504: Contract Amendment #1 w/CKJT Architects for Design of Justice Center Tenant Improvement Project
- 2022-505: Change In Zoning Classification For Six Parcels From Heavy Industrial To Rural Lands Five Acre District - Applicant Vicki Brock
- 2022-506: Change In Zoning Classification For Three Parcels From Rural Lands Five Acre To Light Industrial District - Applicant Thomas Fisher
- 2022-507: Zoning Change Classification For Seven Parcels From Interchange Commercial To Light Industrial District - Applicant Jerritt Wiser
- 2022-508: Approval Of Preliminary Plat Application Sub 2022-001 Harvest Ridge Phase 2 - Applicant Geoff Clark
- 2022-509: Approval Of Preliminary Plat Application Sub 2022-002 Cottonwood Creek Phase 4 - Applicant Badger Properties Ii
- 2022-510: Execution Of Update To The Benton County Veterans Assistance Fund Policies And Procedures
- 2022-511: Establishing A Veterans Service Officer Classification Description In The Human Services Department
- 2022-512: Establishing The Salary Grade For A Veterans Service Officer In The Human Services Department
- 2022-513: Transfer Of Funds Within Veterans Assistance Fund Number 0104101 Department Number 000
- 2022-514: Amended And Restated Memorandum Of Agreement Between Benton And Franklin Counties Regarding The Provision Of Services By The Benton-Franklin Human Services Department
- 2022-515: Purchasing A 2022 Ford F-350 Xlt Super Duty For The Benton County Sheriff's Office And Waiving Competitive Bidding Requirement Due To Special Market Conditions From Corwin Ford Of Tri Cities
- 2022-516: Authorizing The Prosecuting Attorney To Reimburse Joe Faurholt Up To \$5,000 For Relocation Expenses Per The County's Relocation Expense Policy Resolution 08-534

There being no further business before the Board, the meeting adjourned at approximately 9:24 a.m.

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Clerk of the Board

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Chairman