

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Benton County Courthouse, Prosser, WA
Tuesday, August 9, 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; Lexi Wingfield, HR Manager; Tiffany Deaton, Superior Court Administrator; Clerk Josie Delvin; DPA Ryan Brown; Treasurer Ken Spencer; Interim Chief Robert Guerrero; Finance Manager Linda Ivey; Superior Court Judge Joe Burrowes; Shyanne Palmus, Communications Coordinator; DPA Stephen Hallstrom; Tiffany Runge, Superior Court Administrator.

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of August 2, 2022 were approved.

Agenda Review

- Add executive sessions to discuss performance of public employees.

Consent Agenda

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

Clerk

- a. Amendment 1 to Interagency Reimbursement Agreement w/WA State Administrative Office of the Courts Regarding the Blake Decision

Commissioners

- b. Appointing Members to the Benton County Law & Justice Council; Rescinding Resolution 2015-370
- c. Surplus (to Prosser School District & Mabton Police Dept) & Disposition of Personal Property
- d. Line Item Transfer, Fund No. 0010, Dept. 115 for the Event Center Operations @ the Fairgrounds
- e. Reappointing Dorri Liikala to the Benton County Facilities District, Position #1
- f. Reappointing Ernie Kuhn to the Benton County Public Facilities District, Position #2
- g. Reappointing Howard Rickard to the Benton County Public Facilities District, Position #3
- h. Reappointing Valjean Meadows to the Benton County Public Facilities District, Position #4
- i. Reappointing Douglas Akers to the Benton County Public Facilities District, Position #5

Human Services

- j. Contract w/the ARC of Tri-Cities for Special Olympics Staffing and Supplies

Juvenile

- k. Amendment No. 1 w/Washington State Patrol for Criminal History Record Information; Amending Resolution No. 2019-615

Office of Public Defense

- l. Superior Court Public Defense Agreement w/Hayden Sebald for UGA Cases
- m. Termination Notice of District Court Public Defense Agreement w/Douglas McKinley
- n. Termination Notice of District Court Public Defense Agreement w/Anastasia McKinley
- o. Termination Notice of District Court Public Defense Agreement w/Jared Hanson

Purchasing

- p. Purchase of Machmini Microfilm Scanner From Crowley Company for the Clerk's Office

Sustainable Development

- q. Amended & Restated Disbursement Agreement w/City of Richland for Center Parkway Extension Project
- r. Amended & Restated Disbursement Agreement w/City of Prosser for the "Interstate 82 Utility Crossing – Phase Two" Project

Public Comment

None.

Amended Contract w/Aramark Correctional Services, LLC for Jail Food Services

Chief Guerrero presented the amended contract with Aramark, as they were requesting a cost increase of 10.79% this year and 4% next year due to current inflation costs as follows:

- (1/1/22 – 7/31/22) – \$88,848 per month-\$621,936
- (8/1/22 – 12/31/22) –\$98,435 per month-\$492,173
- (1/1/23 – 12/31/22) –\$102,372.05/month-\$1,228,464
- According to the numbers for 2023, the amount based on 400 prisoners would be approximately \$703,371 over the current 2021-2022 budgeted amount.

He said this was based on 400 people, and as long as they stayed under 500 for 30 calendar days, it would not affect the contract. This did not include any possible increase request for 2024. He said they would work with the Commissioners' Office to identify the funding for the increase to this service.

He added that the maintenance costs on kitchen equipment had improved significantly by removing inmates from the kitchen and using this service.

MOTION: Commissioner McKay moved to approve the attached First Contract Amendment between Benton County and Aramark Correctional Services, LLC as presented. Commissioner Delvin seconded and upon vote, the motion carried.

Line Item Transfer in Clerk's Office for Accounting Assistant Trainee

Clerk Josie Delvin presented a line item transfer so they could train an employee in the new position before the outgoing employee moved to their other position within the Clerk's office. She said due to attrition, she had the money available in her budget.

MOTION: Commissioner McKay moved to approve resolution for the line item transfer as presented by the Clerk to create a training line item. Commissioner Delvin seconded and upon vote, the motion carried.

Superior Court Staffing

Superior Court Judge Burrowes, Linda Ivey & Lexi Wingfield presented the staff requests as follows:

- Line Item Transfer for Staffing Due to Blake Decision
 - For Judges – to be reimbursed by State funds - \$124,216
 - Part-Time Court Commissioner, only in Benton County to be reimbursed by State funds - \$24,500 – position will end when funding ends. Linda reminded the Board they received the grant a year ago and at that time approved a part-time commissioner, however, had not been applying that funding. They used the judges and wanted to charge part of their wages to the Blake funding and back bill that to February, 2021.
- Line Item Transfer for Staffing Using ARPA Grant
 - Superior Court Commissioners (2) – to increase speed of case resolution due to backlog created by COVID-19 – utilize the two court commissioners for that and utilize the judges for trials – positions end December 31, 2024 - \$119,670

MOTION: Commissioner McKay moved to approve the line item transfer in Current Expense Department 123 Superior Court to appropriate budget for the Blake Decision from a Court Commissioner line item to a Superior Court Judges line-item as presented. Commissioner Delvin seconded and upon vote, the motion carried.

MOTION: Commissioner McKay moved to approve the line item transfer in Current Expense Department 123 Superior Court to Department 138 and create a Part-time Superior Court Commissioner position as presented. Commissioner Delvin seconded and upon vote, the motion carried.

MOTION: Commissioner Delvin moved to approve the line item transfer in Current Expense Department 139 for Superior Court Commissioner positions as presented. Commissioner McKay seconded and upon vote, the motion carried.

Continued Public Safety Tax Discussion

Shyanne Palmus presented the tentative schedule and RFP documents for the new RFP process for the public safety tax. She said any proposals received in the original RFP process would automatically be included for funding consideration in this round. All approved funding would be for the 2023-2024 budget.

The proposed schedule for this RFP was as follows:

- RFP Open: August 9, 2022
- RFP Closed: August 31, 2022 by 5 PM
- Presentations: TBD (new requests only – date/time will depend on number of requests)

The Board agreed to moved forward as presented.

Other Business

EFSEC – Wautoma Project

Commissioner McKay said he attended the hearing and there was quite a bit of public comment, and it was a good presentation by the Planning Department.

Hanford Communities ECA

Commissioner Delvin said he attended the Hanford Communities ECA in Salt Lake City and they did a presentation for the Tri-Cities Clean Energy and were ready when the Department of Energy Secretary came out later this month.

Other

Commissioner Delvin expressed his displeasure with the current Biden administration and said Benton County Sheriff's office should review how it dealt with the FBI. Commissioner McKay agreed, and also expressed frustration that the County was not in charge of the County, but instead the State, so it was not really local government.

The Board briefly recessed, reconvening at 9:28 a.m.

Executive Session – County’s Position on Labor Strategy

The Board went into executive session at 9:28 a.m. for up to 30 minutes with DPA Stephen Hallstrom and Lexi Wingfield. Also present were Jerrod MacPherson, Matt Rasmussen, Linda Ivey, and Cami McKenzie.

The Board came out at 9:58 a.m. No decisions were made in executive session.

Executive Session – Review Performance of Public Employee

The Board went into executive session at 9:58 a.m. for up to 20 minutes to review the performance of a public employee. Also present were Jerrod MacPherson, Matt Rasmussen, Lexi Wingfield, and Cami McKenzie. The Board came out at 10:17 a.m. and went back in for up to 20 additional minutes. The Board came out at 10:33 a.m. No decisions were made in executive session.

Tort Claims

CC 2022-19: Received from Progressive Insurance on 08/03/2022

CC 2022-20: Received from Wendy Goodnight on 08/08/2022

CC 2022-21: Received from Kenneth Ashley on 08/08/2022

Resolutions

- 2022-534: Amendment 1 to Interagency Reimbursement Agreement w/WA State Administrative Office of the Courts Regarding the Blake Decision
- 2022-535: Appointing Members to the Benton County Law & Justice Council
- 2022-536: Surplus (to Prosser School District & Mabton Police Dept) & Disposition of Personal Property
- 2022-537: Line Item Transfer, Fund No. 0010, Dept. 115 for the Event Center Operations @ the Fairgrounds
- 2022-538: Reappointing Dorri Liikala to the Benton County Facilities District, #1
- 2022-539: Reappointing Ernie Kuhn to the Benton County Public Facilities District, #2
- 2022-540: Reappointing Howard Rickard to the Benton County Public Facilities District, #3
- 2022-541: Reappointing Valjean Meadows - Benton County Public Facilities District, #4
- 2022-542: Reappointing Douglas Akers to the Benton County Public Facilities District, #5
- 2022-543: Contract w/the ARC of Tri-Cities for Special Olympics Staffing and Supplies
- 2022-544: Amendment No. 1 w/Washington State Patrol for Criminal History Record Information
- 2022-545: Superior Court Public Defense Agreement w/Hayden Sebald for UGA Cases
- 2022-546: Termination Notice of District Court OPD Agreement w/Douglas McKinley
- 2022-547: Termination Notice of District Court OPD Agreement w/Anastasia McKinley
- 2022-548: Termination Notice of District Court OPD Agreement w/Jared Hanson
- 2022-549: Purchase of Machmini Microfilm Scanner From Crowley Company for the Clerk’s Office
- 2022-550: Amended & Restated Disbursement Agreement w/City of Richland for Center Parkway Extension Project

- 2022-551: Amended & Restated Disbursement Agreement w/City of Prosser for the “Interstate 82 Utility Crossing – Phase Two” Project
- 2022-552: First Contract Amendment Between Benton County and Aramark Correctional Services LLC For Corrections Food Services Located at the Benton County Jail
- 2022-553: Transfer of Funds Within Current Expense Fund Number 0010 - Dept. 106 Accounting Assistant Trainee - \$9,524
- 2022-554: Transfer of Funds Within Current Expense 0010 - Dept. 123
- 2022-555: Transfer of Funds Within Current Expense 0010 - Dept. 123 To Dept. 138
- 2022-556: Transfer of Funds Within Current Expense 0010, Dept. 139

There being no further business before the Board, the meeting adjourned at approximately 10:33 a.m.

Clerk of the Board

Chairman