

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting

Benton County Courthouse, Prosser, WA

Tuesday, August 16, 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; Clerk Josie Delvin; DPA Ryan Brown; Treasurer Ken Spencer; Cristina Woods, Public Works; Interim Chief Rob Guerrero; County Engineer Douglas D'Hondt; Human Services Manager Lexi Wingfield via/WebEx; Undersheriff Jon Law and Detective Tanner Woody via/WebEx; and Auditor Brenda Chilton via/WebEx.

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of August 9, 2022 were approved.

Agenda Review

The following items were added to the agenda:

- Auditor's Office – Canvassing Board Appointment
- Executive Session – Review Performance of Public Employee

Consent Agenda

MOTION: Commissioner Delvin moved to approve the consent agenda items “a” through “p”, pulling item “e” (OPD Agreement with Heather Villani). Commissioner McKay seconded and upon vote, the Board approved the following:

Auditor

- a. Agreement w/State of WA for Jail Voter Outreach Grant

Human Services

- b. Contract w/ARC of Tri-Cities for Staffing for Outreach Services for Spanish Speaking Families

IT

- c. Purchase of Two Fujitsu Scanners From Strictly Technology for the Sheriff's Office

Juvenile

- d. Contract w/Kathleen Moreno for Attorney Representation of Persons in BECCA Dockets

Office of Public Defense

- f. Superior Court Public Defense Agreement w/Dennis Hanson for UGA Cases

Public Safety

- g. Line Item Transfer, Fund No. 1480, Dept. 106

Public Works

- h. Contract w/Terra Firma Testing for On-Call Materials Testing
- i. Agreement w/Nomad Trail Runners of Eastern WA for Temporary Use of County Right-of-Way

Purchasing

- j. First Contract Amendment w/White Bluffs Consulting for Permitting of Capital Projects
- k. Purchase of Eight Rifles From Bravo Company USA for the Sheriff's Office
- l. Purchase of Easy Dump From Par-Kan Company for Facilities Department
- m. Contract w/Goodman & Melenbacher ENT for Shooting Range Expansion Project

Sheriff

- n. Line Item Transfer, Fund No. 0000-101, Dept. 121
- o. Agreement w/City of Kennewick & City of Richland for 2022 Byrne Justice Assistance Grant

Superior Court

- p. Line Item Transfer, Fund No. 0010, Dept. 123

Public Comment

Kyle LaPierre via/WebEx, asked for an update on the construction on LaPierre Road and expressed his concern about the delay and the tar still being there. He said the gravel had pulled loose and they were now just dealing with tar.

Douglas D'Hondt, County Engineer, said the contractor was pulled off due to high temperatures and they were in the process of getting it done, and planned to get it finished this year. He said the original scope was changed to re-do the road in its entirety, but the weather had not been cooperating. Additionally, he was in communication with the contractor on a regular basis.

Chairman Small said they had been working on it for 10 months and the people that lived there had been patient. He asked Mr. D'Hondt to expedite the project and get it fixed.

Commissioner Delvin agreed and asked him to make it a priority.

Mr. D'Hondt said he would call the contractor when he returned to the office.

Public Hearing - Company Seventy-Nine, Franchise Agreement Renewal

Cristina Woods presented the franchise agreement renewal for Company Seven-Nine to place water utility lines and facilities in public road right of way.

The Public Works Department recommended approval as presented.

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

MOTION: Commissioner McKay moved to approve the Franchise Order and Agreement with Company Seventy-Nine. Commissioner Delvin seconded and upon vote, the motion carried.

Subscription Agreement w/PowerDMS, Inc.

Undersheriff Jon Law and Detective Tanner Woody presented the approval for the Subscription Agreement with PowerDMS, a cloud-based software that combined document and training management, accreditation management, and electronic alerts to changes that impacted compliance. It was stated the old database was hanging on by a thread and they could potentially lose everything if the system went down.

The initial cost was \$13,000 for setup and after that it was \$10,000 annually. The setup cost would be split between Current Expense and PST and the ongoing expenses were submitted into the new budget and if not approved, would be funded within current budgeted funds.

MOTION: Commissioner McKay moved to approve the Resolution to authorize the Benton County Sheriff to sign the attached Service Order and Subscription Agreement with PowerDMS, Inc. Commissioner Delvin seconded and upon vote, the motion carried.

Request to Add Floating Holiday in Superior Court for Juneteenth

Lexi Wingfield via/WebEx indicated when Juneteenth was added as a holiday, the bi-county Superior Court Commissioners were missed, and they were not able to add it prior to the June payroll so they used their floating holiday. She requested the Board approve the resolution to include an additional floating holiday for 2022 and a resolution to update the compensation and benefits, to include current Benton County holidays for the future.

MOTION: Commissioner McKay moved to approve the joint resolution in the matter of adding an additional floating holiday to the Superior Court Commissioners for the 2022 calendar year. Commissioner Delvin seconded and upon vote, the motion carried.

MOTION: Commissioner McKay moved to approve the joint resolution updating the Superior Court Commissioners' compensation and benefit levels effective January 1, 2023. Commissioner Delvin seconded and upon vote, the motion carried.

Other Business

Primary Election – Canvassing Board

Brenda Chilton via/WebEx, said they were certifying the election today and anticipated they may be in re-count range for the Commissioner District, so needed a recount period for the canvassing board, in the event that happened.

MOTION: Commissioner McKay moved to approve the Canvassing Board Appointment designating Commissioner Small to serve for any recount that may occur for the August 2, 2022 Primary Election, for the timeframe from August 16, 2022 through certification of any said recount. Commissioner Delvin seconded and upon vote, the motion carried.

Behavioral Health Center Update

Matt Rasmussen said he was drafting the RFP for a behavioral health provider to assist with the design and services of the center. He was working with the PA and the Behavioral Health Advisory Committee and wanted to know how the Board wanted the contract to be structured. He said they were looking at a model similar to Human Services where Benton County monitored the contract and provided the service to Franklin County or a joint contract with Franklin County.

Chairman Small said he liked the model for Human Services and felt like Benton County had more invested with the purchase of the property but was happy to hear that Franklin County was wanting to work collaboratively.

Commissioner Delvin said he agreed with the model for Human Services, for ease of operating the center, and didn't know if they could find a contractor willing to work with both counties. He said he assumed the provider would consult regularly with the advisory board and did not want the perception that Benton County was running the facility. Even though Benton County owned the property and leased it, the advisory board would be deciding on the services and work with the provider.

Mr. Rasmussen confirmed there would be regular reporting from the provider to the advisory board so they would have the joint representation through the bi-county advisory committee.

Commissioner McKay agreed with moving forward with the model for Human Services.

Lifepoint Update

Mr. Rasmussen said the Purchase and Sale Agreement had a provision to license a space back to Lifepoint, who could sublicense back to Trios for training and admin services. However, they found a better alternative location and he prepared an amendment that would delete that license provision and would add it to the following agenda for the Board's consideration.

The Board discussed allowing law enforcement training to happen in the building to help alleviate break-ins that were currently happening.

Health District

Commissioner Delvin said the Health District had run out of space in their building and said he was going to discuss with them at the next health board meeting to consider having them use a portion of the Trios building for their space. In turn, Benton County could use the Health District Building for the Sheriff's office.

Commissioner McKay commented that would be much cheaper to remodel the Health District Building versus new construction for the Sheriff's office.

Benton-Franklin COG

Commissioner McKay said that Benton County did not get any funding due to Benton County's scoring and planned to make a statement to them asking why Benton County did not receive funding.

The Board recessed at 9:35 a.m., reconvening at 9:38 a.m.

Executive Session – Review Performance of a Public Employee

The Board went into executive session at 9:38 a.m. for up to 10 minutes with Jerrod MacPherson to review performance of a public employee. Also present were Matt Rasmussen, and Cami McKenzie.

The Board came out at 9:49 a.m. No decisions were made in executive session.

MOTION: Commissioner Delvin moved to approve the employment agreement with Robert Guerrero, Chief of Corrections. Commissioner McKay seconded and upon vote, the motion carried.

MOTION: Commissioner Delvin moved to approve the employment agreement with Michael Vander Sys, Public Defense Manager. Commissioner McKay seconded and upon vote, the motion carried.

MOTION: Commissioner Delvin moved to approve the employment agreement with Alexandra Wingfield, Human Resources Manager. Commissioner McKay seconded and upon vote, the motion carried.

Tort Claim

CC 2022-22: Received from Lisa Szendre on August 15, 2022.

CC 2022-23: Received from Delamora Rafael on August 17, 2022

Payroll

Check Date: 08/05/2022

Payroll Checks

Total all funds: \$2,587,544.42

Warrant #: 243724-243764

Direct Deposit #: 172914-173519

Payroll Draw Deductions/Transfers

Total all funds: \$2,297,911.46

EFT #: 1-7

ACH #: 6-19

Payroll Deduction Warrants

Total all funds: \$115,428.09

Warrant #: 235212-235222

Accounts Payable

Check Date: 08/04/2022

Warrants #: 235211

Total all funds: \$5,000.00

Check Date: 08/09/2022

Pcards #: 26

Total all funds: \$432,154.06

Check Date: 08/12/2022

Warrants #: 235332-235441

Total all funds: \$767,816.89

Wire Transfers # 20, 27

Total all funds: \$46,698.79

Resolutions

2022-557: Agreement w/State of WA for Jail Voter Outreach Grant

2022-558: Contract w/ARC of Tri-Cities for Staffing for Outreach Services for Spanish Speaking Families

2022-559: Purchase of Two Fujitsu Scanners From Strictly Technology for the Sheriff's Office

- 2022-560: Contract w/Kathleen Moreno for Attorney Representation of Persons in BECCA Dockets
- 2022-561: Skipped Due to Numbering Error
- 2022-562: Superior Court Public Defense Agreement w/Dennis Hanson for UGA Cases
- 2022-563: Line Item Transfer, Fund No. 1480, Dept. 106
- 2022-564: Contract w/Terra Firma Testing for On-Call Materials Testing
- 2022-565: Agreement w/Nomad Trail Runners of Eastern WA for Temporary Use of County Right-of-Way
- 2022-566: First Contract Amendment w/White Bluffs Consulting for Permitting of Capital Projects
- 2022-567: Purchase of Eight Rifles From Bravo Company USA for the Sheriff's Office
- 2022-568: Purchase of Easy Dump From Par-Kan Company for Facilities Department
- 2022-569: Contract w/Goodman & Melenbacher ENT for Shooting Range Expansion Project
- 2022-570: Line Item Transfer, Fund No. 0000-101, Dept. 121
- 2022-571: Agreement w/City of Kennewick & City of Richland for 2022 Byrne Justice Assistance Grant
- 2022-572: Line Item Transfer, Fund No. 0010, Dept. 123
- 2022-573: Granting a Franchise to Company Seventy-Nine to Place Water Utility Lines and Facilities in County Road Rights of Way
- 2022-574: Authorizing the Benton County Sheriff to Sign the Subscription Agreement with PowerDMS, Inc. as a Sole Source Vendor to Provide Policy Manuals, Training Management, and WASPC Accreditation Compliance for the Benton County Sheriff's Office
- 2022-575: Adding One Additional Floating Holiday in 2022 for the Superior Court Commissioners for Juneteenth
- 2022-576: Updating Compensation and Benefit Levels for all Full and Part Time Superior Court Commissioners for Benton and Franklin Counties and Rescinding Benton County Resolution 2014-351 and Franklin County Resolution 2014-204
- 2022-577: Employment Agreement with Robert Guerrero, Chief of Corrections
- 2022-578: Employment Agreement with Michael Vander Sys, Public Defense Manager
- 2022-579: Employment Agreement with Alexandra Wingfield, Human Resources Manager

There being no further business before the Board, the meeting adjourned at approximately 9:51 a.m.

Clerk of the Board

Chairman