

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting

Benton County Courthouse, Prosser, WA

Tuesday, October 4, 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; Eric Wyant, Assistant HR Manager; Riley Ollero, Construction Manager; Clerk Josie Delvin; Treasurer Ken Spencer; Cristina Woods, Public Works; Matt Mahoney, Public Works; Finance Manager Linda Ivey; Shyanne Palmus, Communications Coordinator; Superior Court Judge Joe Burrowes and Tiffany Runge, Superior Court Administrator; Superior Court Judge Jacqueline Stam; Superior Court Commissioner Darin Campbell; Robert Blain, Operations/Capital Assets.

#### Pledge of Allegiance

The Board recited the Pledge of Allegiance.

#### Approval of Minutes

The Minutes of September 27, 2022 were approved.

#### Agenda Review

- Pulled the Payment Request to Ergon Asphalt & Emulsions for Purchase of High Float Oil for a future date
- DH Consultant – PST Contract Discussion

#### 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. Line Item Transfer, Fund No. 0010, Dept. 115 to 109

- b. Declaration of Surplus Property
- c. Reappointment of Nancy Aldrich to the Benton Clean Air Agency Board
- d. Revising Sheriff's Equipment Purchase & Replacement Fund

**Office of Public Defense**

- e. Amended Superior Court Public Defense Agreement w/Brian Hultgrenn
- f. Amended Superior Court Public Defense Agreement w/Michelle Alexander
- g. Amended Superior Court Blake Case Conviction Services Agreement w/A Betancourt
- h. Juvenile Court Public Defense Services Agreement w/Jared Hanson
- i. Early Termination of Superior Court Public Defense Agreement w/Shelley Ajax
- j. Early Termination of Juvenile Public Defense Agreement w/Angel Betancourt

**Public Safety**

- k. Contract w/Kiona-Benton City School District for Crime Prevention Program
- l. Contract w/Support, Advocacy & Resource Center for Engagement Specialist

**Purchasing**

- m. Change Order No. 1 w/Banlin Construction for Justice Center Front Entrance Security Upgrade
- n. Change Order No. 1 w/Goodman and Melenbacher Ent for Shooting Range Expansion Project
- o. Contract w/Day Management Corp for Service & Support to Communication & Public Safety Systems
- p. Agreement w/LexisNexis for Law Library @ the Jail
- q. Contract w/Schindler Elevator Corporation for Maintenance & On-Call Repair for all Locations

**Treasurer**

- r. First Amended Contract w/Master's Touch for Property Tax Statements

**Public Comment**

Jim Adkins, Prosser, expressed his concern about the plans for the Fairgrounds and that he was not in agreement with all the ideas. He requested the County hold a public meeting so the public could put forth ideas and have input into the changes. He said he was concerned about the 4H arena being moved and whether the feasibility study was complete. It was stated there would be a public hearing once the feasibility study was complete for public input.

**Public Hearing - Level 3 Communications LLC Franchise Renewal**

Cristina Woods presented the franchise renewal for Level 3 Communications LLC for fiber optic cable system and facilities renewal. Public Works recommended approval based on current requirements.

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

**MOTION:** Commissioner Delvin moved to approve the Franchise Order and Agreement with Level 3 Communications LLC as presented. Commissioner McKay seconded and upon vote, the motion carried.

## **Public Safety Sales Tax Funding Recommendations Discussion – Round 2**

Matt Rasmussen, Linda Ivey & Shyanne Palmus updated the Board and provided recommendations for funding of the PST Round 2 as follows:

- Capital/Corrections/Sheriff
  - Rattlesnake Mtn Shooting Facility - Law Enforcement Range - \$700,000.00
  - Rattlesnake Mtn Shooting Facility - Training Center (Building) - \$700,000.00
- Coroner
  - Forensic Pathologist, Part-Time Support Staff, Supplies - \$834,000.00
- Office of Public Defense
  - Public Defense Services - \$840,406.00
- Planning - Code Enforcement
  - Code Enforcement Officer - \$183,032.00
- Prosecuting Attorney
  - Support Counseling - \$40,000.00
  - Supplies - \$15,000.00
  - Training - \$11,000.00
  - Legal Secretary V - \$142,350.00
  - Additional Redaction Software - \$11,844.00
  - 2 Laptops - \$799.98
- Sheriff
  - Mobile Police Radio Replacement - \$135,000.00
  - Lexis-Nexis Online Reporting Software - \$54,000.00
  - Bomb Squad X-Ray System - \$32,035.00
  - SWAT Vehicle Vault Boxes - \$ 25,000.00
  - Crime Scene Evidence Vehicle - \$325,000.00
- Superior Court
  - Adult Drug Court Electronic Home Monitoring Devices - \$17,858.00
  - Adult Drug Court Urinalysis Testing Supplies - \$ 8,572.00 \$ 8,572.00
- PA's Office – Two Positions for DPA to deal with backlogs for Courts – they have identified ARPA funding for these positions and it will be brought back next week to discuss with the Board

**MOTION:** Commissioner Delvin moved to approve the recommendations of staff for the PST funding Round 2 as presented. Commissioner McKay seconded and upon vote, the motion carried.

Ms. Ivey said the new requests would be approved in the budget process and adopted by the Board in November at the public hearing.

## **Public Works Organizational Chart Update**

Matt Rasmussen presented a change in structure at the Public Works Department to re-establish a Public Works Manager and then have a County Engineer report to the manager. Additionally, he provided a resolution establishing the position as a Grade 11 on the Manager Scale and establishing the classification.

**MOTION:** Commissioner Delvin moved to approve the Resolution updating the Public Works Organizational Chart as presented. Commissioner McKay seconded and upon vote, the motion carried

**MOTION:** Commissioner Delvin moved to approve the Resolution establishing the Public Works Manager as a Grade 11 on the Manager Scale and establishing the Public Works Manager Classification. Commissioner McKay seconded and upon vote, the motion carried.

**Payment Request to Strata for Material Testing on Plymouth Rd Pavement Overlay Project**

Matt Mahoney requested the Board approve payment to Strata for material testing for increased costs due to problems at the asphalt plant. He said it was not the contractor's fault and was pretty common to have breakdowns at the plant.

Commissioner McKay expressed concern about going to the plant to try and recover some of the costs. Mr. Mahoney said he would review that issue with the PA's office to potentially include in the contract next time.

**MOTION:** Commissioner Delvin moved to approve the Resolution Authorizing Payment to Strata for Material Testing Performed on CE 2101 Plymouth Road Pavement Overlay Project as presented. Commissioner McKay seconded and upon vote, the motion carried.

**Benton County Juvenile Justice Center Feasibility/Space Needs Report**

Robert Blain and Eric Loynd with DLR Group presented the Juvenile Justice Center Feasibility and Space Needs Study and discussed the following:

- Intended originally to move the Juvenile Justice Center to the Justice Center Campus. However, it was determined that staying there would provide the best longevity for the facility. He said they did a full assessment of that building and had multiple engineers on site and determined after meeting with each department that it would not fit at the Justice Center but determined how to use the Juvenile facility for its best use.
- Goals/Vision
- Existing Conditions
  - Housing/Medical/Intake
  - Courtroom/Chambers
  - Gym & Programs
  - Administration
  - Space Needs Summary
  - Building Summary
  - Courts
  - Food Service & Laundry
  - Education
  - Work Crew
  - Annex

- Intervention
- Out of Custody School
- Community Supervision
- Proposed Plans
- Cost Estimate – Entire Project - \$43,111,806
- Cost Estimate – Renovation - \$25,677,154
- Cost Estimate – Reduced Scope Renovation - \$21,092,025

Commissioner McKay said that building needed a massive adjustment and hopefully they could address all the issues, even if it was phased.

- Ms. Loynd said with the progressive design build, the estimate was conservative right now due to the market, but once the contractor was on board, it would be key to make the best use of the money.

Commissioner Delvin asked where Franklin County was at on the issue and Mr. Blain stated that they were still reviewing the contract to have it finalized and sent to the PA for review. After that, it would go to Franklin County for its review.

Superior Court Judge Stam thanked the Board and said they were all very excited about the changes and committed to working with design build team.

Ms. Ivey said they had identified approximately \$21 million in available funding and depending on the economy, were uncertain about the funding for the next phase.

### **Other Business**

#### **Desautel Hege, Inc. dba DH Contract**

Shyanne Palmus and Matt Rasmussen discussed the contract with DH for their assistance in getting out public information around Public Safety Tax education. The original contract was approved, and they were advised to remove the informational video and replace it with a hard copy mailer which would increase the cost by approximately \$20,000. They proposed decreasing the contract with DH by \$10,000 and go out separately for mailing with Minuteman Press with a cost of printing 83,000 mailers, not including the cost of postage, so it would be two separate projects.

The Board discussed getting the list of registered voters versus sending to all addresses in Benton County. The PA reviewed what they were allowed to do, and since they did not traditionally send out videos, but a mailer was specifically allowed, they had to keep within the normal scope.

**MOTION:** Commissioner Delvin moved to approve to spend up to \$60,000.00 for the informational campaign, with the understanding they would look at using the voter only list to cut back on costs. Commissioner McKay seconded and upon vote, the motion carried.

## RFP – Behavioral Expert

Matt Rasmussen said he was working on the RFP for the behavioral expert and the last step was to send to the PA for final review. He asked the Board if it was comfortable having him get the RFP advertised once the PA gave its final approval so he could get it done prior to leaving on vacation. The Board agreed.

## Tort Claims

2022-30 – Received from James Cooke on September 28, 2022

2022-31 – Michael Bostic – received September 29, 2022

2022-32 – Received from Jeremy Smith on October 3, 2022

2022-33 – Received from Cody Hopkins on October 3, 2022

## Accounts Payable

Check Date: 09/30/2022

Warrants #: 237868-237972

Total all funds: \$619,893.67

Wire Transfers #: 134, 142-150, 151, 153, 155

EFT: 74-99

Total all funds: \$178,003.23

## Resolutions

2022-699: Line Item Transfer, Fund No. 0010, Dept. 115 to 109

2022-700: Declaration of Surplus Property

2022-701: Reappointment of Nancy Aldrich to the Benton Clean Air Agency Board

2022-702: Revising Sheriff's Equipment Purchase & Replacement Fund

2022-703: Amended Superior Court Public Defense Agreement w/Brian Hultgrenn

2022-704: Amended Superior Court Public Defense Agreement w/Michelle Alexander

2022-705: Amended Superior Court Blake Case Conviction Services Agreement w/A Betancourt

2022-706: Juvenile Court Public Defense Services Agreement w/Jared Hanson

2022-707: Early Termination of Superior Court Public Defense Agreement w/Shelley Ajax

2022-708: Early Termination of Juvenile Public Defense Agreement w/Angel Betancourt

2022-709: Contract w/Kiona-Benton City School District for Crime Prevention Program

2022-710: Contract w/Support, Advocacy & Resource Center for Engagement Specialist

2022-711: Change Order No. 1 w/Banlin Construction for Justice Center Front Entrance Security Upgrade

2022-712: Change Order No. 1 w/Goodman and Melenbacher Ent for Shooting Range Expansion Project

2022-713: Contract w/Day Management Corp for Service & Support to Communication & Public Safety Systems

- 2022-714: Agreement w/LexisNexis for Law Library @ the Jail
- 2022-715: Contract w/Schindler Elevator Corporation for Maintenance & On-Call Repair for all Locations
- 2022-716: First Amended Contract w/Master's Touch for Property Tax Statements
- 2022-717: Granting a Franchise to Level 3 Communications LLC to Place a Fiber Optic Cable System and Facilities in County Road Rights of Way
- 2022-718: Approving the Updated Benton County Public Works Department Organizational Chart
- 2022-719: Establishing the Salary Grade for the Public Works Manager
- 2022-720: Establishing a Public Works Manager Classification Description
- 2022-721: Authorizing Payment to Strata for Material Testing Performed on CE 2101 Plymouth Road Pavement Overlay Project

There being no further business before the Board, the meeting adjourned at approximately 10:04 a.m.

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Clerk of the Board

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Chairman