

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting

Benton County Courthouse, Prosser, WA

Tuesday, November 1, 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; Carlee Nave HR Manager; Greg Wendt, Community Development Director; Finance Manager Linda Ivey; Assistant HR Manager Eric Wyant; Planning Manager Michelle Cooke; Juvenile Administrator Dave Wheeler; Clerk Josie Delvin; Chief Robert Guerrero; Auditor Brenda Chilton.

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of October 25, 2022 were approved.

Agenda Review

The following discussion was added to the Other Business:

- Operation Greenlight

Consent Agenda

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

Clerk

- a. Agreement w/Michelle Dolven for Family Law Courthouse Facilitator Services

Commissioners

- b. Declaration of Surplus Property

Information Technology

- c. Extended Warranty Maintenance & Support Agreement w/Justice AV Solutions, In. for the Courts

Juvenile

- d. Contract w/Karyn Oldfield for Attorney Representation of Persons in All Becca Dockets
- e. Contract Amendment No. 1 w/JRT Mechanical Inc. for Cooling Water Tower
- f. Contract Amendment No. 1 w/Calvert Technical Services for Security System Maintenance & Repair
- g. Termination of Lease Agreement w/Pacific Office Automation
- h. Contract w/Brandon Landon for Attorney Representation of Persons In All Becca Dockets

Public Safety Sales Tax

- i. Contract w/Benton-Franklin Health District for Nurse Family Partnership Program

Public Works

- j. Interlocal Agreement w/City of Prosser for Roadway Maintenance

Purchasing

- k. Purchase Agreement w/Crown Paper & Janitorial Supply for Paper & Glove Supplies
- l. Purchase Agreement w/Crown Paper & Janitorial Supply for Jail Chemicals & Supplies
- m. Purchase Agreement w/911 Supply Inc for Employee Uniforms & Other Items for Corrections
- n. Purchase Agreement w/Deere & Co. for John Deere Mower for Facilities Dept.

Risk Management

- o. Approval to Sign Self-Insurer's Pension Bond Re: L&I Claim

Public Comment

Jim Adkins, Kennewick, expressed his concern about the cost of the gun range and recently approved vehicles. Additionally, asked the Board to review its bylaws and order of business for the Board of County Commissioners.

Tina Gregory, via/WebEx, Kennewick, said it was time to rein in elected officials and up brought up 10 areas of concerns.

Public Hearing - Short Plat Vacation 2022-002

Michelle Cooke presented the request for short plat vacation by Knutsen Engineering for Summit Storage requesting the vacation of the ten-foot utility easement. The applicants were proposing to replace the vacated easement with a new utility easement to serve the future power needs of Lot 3. Owners of property within 300 feet of the subject parcel and all concerned agencies were notified of the proposed vacation and no objections or concerns were received to date.

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

MOTION: Commissioner Delvin moved to approve the vacation of the 10-foot utility easement on the east boundary of Lot 2 of Short Plat 2932, as described in the Planning Division's recommendation with the condition that a new utility easement for Lot 2 will be recorded with the Benton County Auditor. Commissioner McKay seconded and upon vote, the motion carried.

Public Hearing - Short Plat Vacation 2022-003

Michelle Cooke presented the request for a short plat vacation by Adam and Amy Evans requesting the vacation and reconfiguration of the turnaround for the 30-foot access easement to enable an accessory dwelling to be built on the parcel. The applicants were proposing to record a new turnaround for the access and utility easement to replace the turnaround being vacated. Owners of property within 300 feet of the subject parcel and all concerned agencies were notified of the proposed vacation and no objections or concerns were received to date.

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

MOTION: Commissioner Delvin moved to approve vacation of the turnaround for the 30-foot access and utility easement located on Lot 2 of Short Plat 3608, as described in the Planning Division's recommendation with the condition that the applicant shall record a new turnaround for the access and utility easement with the Benton County Auditor. Commissioner McKay seconded and upon vote, the motion carried.

Line Item Transfer – Change Probation Manager to Probation Assistant Manager

Dave Wheeler and Carlee Nave presented the line item transfer to change a Probation Manager to a Probation Assistant Manager. Mr. Wheeler said he wanted to try this out as part of a reorganization, and if it was not working, then wanted the opportunity to change it back.

Commissioner McKay said he appreciated the effort to reorganize and be efficient and hoped others would do the same.

MOTION: Commissioner McKay moved to approve the bi-county resolution changing position 51603 from a Probation Manager, bi-county non-bargaining grade 14, to a Probation Assistant Manager bi-county non-bargaining grade 11. Commissioner Delvin seconded and upon vote, the motion carried.

2023-2024 Budget Discussion

Mr. MacPherson, Ms. Ivey, and Mr. Rasmussen updated the Board as follows:

- Current Expense - \$6.7 million shortfall
 - Included original baseline (\$2.7 million), plus the addition of CBA changes to Deputies, Courthouse, and Juvenile (\$4 million)
- \$5.5 million in new requests
- Combined total of \$12.2 million shortfall
- Recommendations do not reduce staff, but approve new staff with matching new revenue sources or that are budget neutral
- Recommendation to increase 1% increase in property tax levy rate
- Revenue – Increase of \$3.2 million included from higher property tax values and new construction and sales tax
- Current Expense - Discussed notable recommended new positions and changes:

- Planning – 1 Rural Water Supply Coordinator (revenue source)
- Corrections – 4 Custody Officers (revenue source)
- Corrections – Change 1 Commander to a Lieutenant (budget neutral)
- Human Resources – add 1 Generalist (reorganization)
- OPD – 1 Public Defense Attorney (budget neutral)
- Nominal changes – current staff – increase part-time hours and overtime
- Current Expense - Notable Non-Staff requests
 - Facilities - \$231,000 – new Admin Building operating costs
 - Corrections - \$2.2 million increase in medical contract for food costs
 - IT - \$189,000 – new IT hardware, software, and maintenance
- Expenditures – reduction of \$3.4 million
 - Transfers out to Juvenile, Election Reserve, and Event Center/Fairgrounds (funded by alternative funding source)
- Summary
 - Revenues - \$173,017,665
 - Expenditures - \$173,050,756
 - Decrease to fund balance of \$-33,091 (balanced)
- Public Safety Tax
 - Revenue - \$20.7 million
 - Expenditures - \$34.8 million
 - Decrease to fund balance of \$14 million
 - Estimated ending fund balance of \$5.4 million
 - Leaves an estimated 6-month fund balance reserve to wind down programs if sales tax does not pass
 - Preliminary approvals
 - 10 New staff – Coroner, Therapeutic Courts, Planning, Prosecuting Attorney, Sheriff/Corrections, Superior Court and OPD
 - Shooting range, mobile radio replacement, bomb squad x-ray system, crime scene evidence vehicle
- Special Funds Positions
 - 5 - Corrections/Inmate Benevolence; 1 – PA/Crime Victim; 3 – Solid Waste; 1 Protective Inspection; 1 – IT
- Behavioral Health Fund – revenue began in 2022 and will develop programs related to operation of the Behavioral Health Recovery Center in 2023-2024 – funds are not eligible for construction or renovation, only programs and services
- Recommend going to public hearing on November 29, 2022 for adoption of the budgets

Other Business

Operation Greenlight

Mr. Rasmussen said there was a program entitled “Operation Greenlight” that NACO was promoting to recognize veterans. He said it involved putting green lighting on buildings between November 7 and November 13. He talked to the Facilities Department and the costs should be minor to turn on lighting on the Admin Building and the Prosser Courthouse. The Board agreed with moving forward.

Letters to Tribes – Three Rivers Behavioral Health Recovery Center

Mr. Rasmussen presented letters to the Tribes to consult on the Three Rivers Behavioral Health Recovery Center, as required regarding the potential to have cultural resource impacts.

MOTION: Commissioner Delvin moved to approve the Chairman to sign the letters to the Tribes, as presented. Commissioner McKay seconded and upon vote, the motion carried.

The Board briefly, reconvening at 9:42 a.m.

Executive Session – Review Performance of Public Employee

The Board went into executive session at 9:42 a.m. for up to five minutes with Chief Guerrero and Eric Wyant to review the performance of a public employee. Also present were Jerrod MacPherson, Matt Rasmussen, Cami McKenzie, and Carlee Nave.

The Board came out at 9:46 a.m. No decisions were made in executive session.

MOTION: Commissioner Delvin moved to approve salary request form for Albert Montelongo as presented. Commissioner McKay seconded and upon vote, the motion carried.

Executive Session – Review Performance of Public Employee

The Board went into executive session at 9:47 a.m. for up to 30 minutes to review the performance of a public employee. Also present were Jerrod MacPherson, Matt Rasmussen, Cami McKenzie, and Carlee Nave. The Board came out at 10:12 a.m. No decisions were made in executive session.

Tort Claims

CC 2022-37: Received from Lorelee Marie Butler on October 28, 2022

CC 2022-38: Received from Michael H. Bostic on November 3, 2022

Payroll

Check Date: 10/17/2022

Payroll Draw Checks

Total all funds: \$115,945.92

Warrant #: 243840

Direct Deposit #: 175011-175153

Payroll Draw Deductions/Transfers
Total all funds: \$87,550.47
ACH #: 212-216

Check Date: 10/18/2022

Payroll Draw Checks
Total all funds: \$1,178.66
Warrant #: 243841

Payroll Draw Deduction Transfers
Total all funds: \$199.26
ACH #: 221

Accounts Payable

Check Date: 10/24/2022

Wire Transfers #: 229
Total all funds: \$4,377.22

Check Date: 10/28/2022

Warrants #: 239129-239195
Total all funds: \$619,553.76

Wire Transfers #: 227, 238-246
EFT's #: 126-149
Total all funds: \$\$247,141.94

Resolutions

- 2022-783: Agreement w/Michelle Dolven for Family Law Courthouse Facilitator Services
- 2022-784: Declaration of Surplus Property
- 2022-785: Extended Warranty Maintenance & Support Agreement w/Justice AV Solutions, In. for the Courts
- 2022-786: Contract w/Karyn Oldfield for Attorney Representation of Persons in All Becca Dockets
- 2022-787: Contract Amendment No. 1 w/JRT Mechanical Inc. for Cooling Water Tower
- 2022-788: Contract Amendment No. 1 w/Calvert Technical Services for Security System Maintenance & Repair
- 2022-789: Termination of Lease Agreement w/Pacific Office Automation
- 2022-790: Contract w/Brandon Landon for Attorney Representation of Persons In All Becca Dockets
- 2022-791: Contract w/Benton-Franklin Health District for Nurse Family Partnership Program
- 2022-792: Interlocal Agreement w/City of Prosser for Roadway Maintenance

- 2022-793: Purchase Agreement w/Crown Paper & Janitorial Supply for Paper & Glove Supplies
- 2022-794: Purchase Agreement w/Crown Paper & Janitorial Supply for Jail Chemicals & Supplies
- 2022-795: Purchase Agreement w/911 Supply Inc for Employee Uniforms & Other Items for Corrections
- 2022-796: Purchase Agreement w/Deere & Co. for John Deere Mower for Facilities Dept.
- 2022-797: Approval to Sign Self-Insurer's Pension Bond Re: L&I Claim
- 2022-798: Line Item Transfer - Changing A Vacant Probation Manager Position To A Probation Assistant Manager Within Benton Franklin Counties Juvenile Court

There being no further business before the Board, the meeting adjourned at approximately 10:12 a.m.

Clerk of the Board

Chairman