

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting

Benton County Courthouse, Prosser, WA

Tuesday, November 29, 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 (via/WebEx)
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; Treasurer Ken Spencer; Finance Manager Linda Ivey; Clerk Josie Delvin; DPA Ryan Brown; Facilities Manager Jeff Jones; Carlee Nave, HR Manager; Dave Wheeler, Juvenile Administrator; Shyanne Palmus, Communications Coordinator; Public Works Manager Matt Mahoney.

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of November 15, 2022 were approved.

Agenda Review

The following was added for discussion:

- Letter of Good Standing for Habitat for Humanity
- Proposal from Sheriff's Office for purchase of additional sim cards
- Emergency Declaration at KGH for revised security contract and Public Works contract

Consent Agenda

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

Board of Equalization

- a. Notice of Approval to Hear Property Tax Appeals

District Court

- b. Interagency Agreement w/WA Administrative Office of the Courts for Interpreter Costs Reimbursement

Human Resources

- c. Establishing Holidays & Hours for Transaction of Business for 2023

Human Services

- d. First Contract Amendment w/Jennifer Dorsett to Cover Additional Supply Costs

Information Technology

- e. Agreement w/United Training Commercial for Online Training
- f. Purchase of Software & Hardware Support Extension From Thornburg Computer Services

Juvenile

- g. Contract Amendment No. 5 w/NCIC Inmate Communications for Inmate Telecommunications Svcs
- h. Contract w/Career Path Services for Education Employment & Training Program
- i. Agreement w/State of WA, Administrative Office of the Courts for Improvements to Court Interpreter Services

Office of Public Defense

- j. Juvenile Court Public Defense Services Agreement w/Jared Hanson
- k. Juvenile Court Public Defense Services Agreement w/Hayden Sebald
- l. Juvenile Court Public Defense Services Agreement w/Karyn Oldfield
- m. Amended Juvenile Court Public Defense Services Agreement w/Branden Landon
- n. Second Amended Agreement w/WA State Office of Public Defense for Grant Funding
- o. Superior Court Public Defense Services Agreement w/Nicholas Blount
- p. Superior Court Public Defense Services Agreement w/Karla Kane
- q. Superior Court Public Defense Services Agreement w/Brian Hultgren
- r. Superior Court Public Defense Services Agreement w/Ian Sinclair
- s. Superior Court Public Defense Services Agreement w/Alan Tindell
- t. Superior Court Public Defense Services Agreement w/Catherine Harkins
- u. Superior Court Public Defense Services Agreement w/Judy Chang
- v. Superior Court Public Defense Services Agreement w/Deric Orr
- w. Amended District & Superior Court Public Defense Services Agreement w/Michelle Alexander
- x. District Court Public Defense Services Agreement w/Dawn Hickman

Planning

- y. Contract w/Susan Drummond for Hearings Examiner Services

Public Works

- z. Approving the 2023 Annual Road Program & Major Equipment Purchases

Purchasing

- aa. Contract Amendment #2 w/C.H. Johnson Consulting for Fairgrounds Feasibility Study & Master Plan
- bb. Purchase of Floor Scrubber From W.W. Grainger for Fairgrounds Event Center
- cc. Purchase of Chairs From Affordable Interior Systems for the Fairgrounds Event Center
- dd. Purchase of Tables From P.R.E. Sales for Fairgrounds Event Center
- ee. Purchase of Grader Blade Edges From DMC Wear Parts for Public Works
- ff. Purchase of Inmate & Detention Supplies, Solutions & Services From Bob Barker Co. for All Depts.

gg. Accepting Work Performed by Banlin Construction for the Administration Building Project

hh. Third Contract Amendment w/Moon Security Services for Fire & Security Monitoring Services

Public Comment

None.

Public Hearing - Approval of Final Benton County Biennium Budgets for 2023-2024

Linda Ivey, Matt Rasmussen, and Jerrod MacPherson presented the final 2023-2024 Benton County Biennium Budgets for adoption as follows:

Certifying Current Expense Levy for 2023 Collection

- No increase to levy rate, taking 1% percentage increase, and banking 0%

Certifying County Road Levy for 2023 Collection

- No increase to levy rate, taking 1% percentage increase, and banking 0%

Certifying Budgeted Taxes for Collection in 2023

- Certifies estimated levy rate

Adoption of Final 2023-2024 Benton County Budgets

Public Testimony

Jim Adkins via/WebEx said he didn't see the final version of the budget. The Board said it was on the website since November 1 and had not changed since it was published.

Jason Aylsworth via/WebEx expressed concern that the budget be a positive and balanced budget, and the County was not running up a deficit. The Board indicated it was a balanced budget and there was not a deficit.

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

Certifying Current Expense Levy for 2023 Collection

MOTION: Commissioner McKay moved to approve the Resolution certifying the Current Expense Levy for 2023 Collection. Commissioner Delvin seconded.

Discussion

Commissioner Delvin thanked Admin including Ms. Ivey, Mr. MacPherson, and Mr. Rasmussen for balancing the budget. He said they had taken a pretty solid approach on the budget and spending, and they were all pretty fiscally conservative.

The other Board members agreed.

Upon vote, the motion carried.

Certifying County Road Levy for 2023 Collection

MOTION: Commissioner McKay moved to approve the Resolution certifying the Benton County Road Levy for 2023 Collection. Commissioner Delvin seconded and upon vote, the motion carried.

Certifying Budgeted Taxes for Collection in 2023

MOTION: Commissioner McKay moved to approve the Resolution certifying budgeted taxes for collection in 2023 for Benton County. Commissioner Delvin seconded and upon vote, the motion carried.

Adoption of Final 2023-2024 Benton County Budgets

MOTION: Commissioner McKay moved to approve the Resolution adopting the Final 2023-2024 Benton County Budgets as presented. Commissioner Delvin seconded and upon vote, the motion carried, adopting the budget as follows:

Total Current Expense Revenues - \$173,017,665
Total Current Expense Expenditures - \$173,050,756
To Balance - \$33,091

Total Road Fund Revenues \$ 35,176,311
Total Road Fund Expenditures \$ 43,358,465
To Balance - \$8,182,154

Total Other Funds Revenues \$151,415,754
Total Other Funds Expenditures \$281,227,362
To Balance - \$129,811,608

Total Revenues \$359,609,730
Total Expenditures \$497,636,583
To Balance - \$138,026,853

Budget Letter to Citizens

A letter was presented for the Board's approval to the Citizens of Benton County, to be included with the final budget adoption.

MOTION: Commissioner McKay moved to approve the letter to the Citizens of Benton County as presented. Commissioner Delvin seconded and upon vote, the motion carried

Interlocal Agreements for District Court Services

Jerrod MacPherson said the current agreements will expire at the end of December and the cities had stated they were satisfied with the current terms. He said the new agreements were essentially the same, with the following additions:

- Inclusion of an admin fee for operation of the interlocal agreements, in the amount of 5%, which was similar to other agreements the County administered
- Increase in duration of agreement to five years, with the provision to get out of the agreement if needed.

MOTION: Commissioner McKay moved to approve the attached 2023 Interlocal Agreement between Benton County and the City of Kennewick for District Court Services, effective January 1, 2023 through December 31, 2027 as presented. Commissioner Delvin seconded and upon vote, the motion carried.

MOTION: Commissioner McKay moved to approve the attached 2023 Interlocal Agreement between Benton County and the City of Prosser for District Court Services, effective January 1, 2023 through December 31, 2027 as presented. Commissioner Delvin seconded and upon vote, the motion carried.

MOTION: Commissioner McKay moved to approve the attached 2023 Interlocal Agreement between Benton County and the City of Richland for District Court Services, effective January 1, 2023 through December 31, 2027 as presented. Commissioner Delvin seconded and upon vote, the motion carried.

MOTION: Commissioner McKay moved to approve the attached 2023 Interlocal Agreement between Benton County and the City of West Richland for District Court Services, effective January 1, 2023 through December 31, 2027 as presented. Commissioner Delvin seconded and upon vote, the motion carried.

2023 Historic Preservation Grant Overview & Committee Funding Recommendations

Shyanne Palmus presented the Historic Preservation Grant funding recommendations as follows:

\$50,000.00 – available for funding

\$47,707.00 – recommended funding from Historical Preservation Fund

Benton County Sheriff's Office – Historic BCSO Display - \$12,000.00

Benton County Museum – Display Room - \$7,650.00

Kiona-Benton Cemetery Assoc. – Evergreen Cemetery - \$1,500.00

Kiona-Benton City Historical Society – Augmented Reality Tour – no funding recommended

Kiona-Benton City Historical Society – Heritage Barns Short Series - \$12,950.00

Kiona-Benton City Historical Society – Historic Interpretive Signs - \$8,520.00

White Bluffs Quilt Museum – Textile Preservation - \$2,087.00

Additionally, they were requesting the County Administrator to sign the agreements to streamline the process.

MOTION: Commissioner McKay moved to approve the 2023 Historic Preservation Grant allocations as presented and authorize the County Administrator to sign the grant disbursement agreements. Commissioner Delvin seconded and upon vote, the motion carried.

Transfer of Funds - Juvenile Center Fund, Dept. 171 - Program Detention Officer Salary

Dave Wheeler and Carle Nave presented the transfer of funds to cover the salary as a result of the wage survey previously approved by the Board.

MOTION: Commissioner McKay moved to approve the Line Item Transfer as presented. Commissioner Delvin seconded and upon vote, the motion carried.

Recognizing Eric Lipp for Service to Benton-Franklin Counties Juvenile Justice Center

Mr. Wheeler presented a resolution recognizing Mr. Lipp for his years of service to the Juvenile Justice Center and designating a classroom as the “Eric Lipp Youth Programs Center”.

MOTION: Commissioner McKay moved to approve the Resolution and hereby proclaim a classroom in the Benton-Franklin Counties Juvenile Justice Center be named the “Eric Lipp Youth Programs Center.” Commissioner Delvin seconded and upon vote, the motion carried.

Other Business

Habitat for Humanity– Letter of Good Standing

Ms. Palmus received a letter from the Habitat for Humanity requesting Benton County provide a letter of good standing to the Washington State Dept. of Commerce.

MOTION: Commissioner McKay moved to approve the letter and authorize the County Administrator to sign on behalf of the Board. Commissioner Delvin seconded and upon vote, the motion carried.

Sheriff’s Office – Request to Approve Funding for SIM Cards from PST Funds

Lt. Jason Erickson, via/WebEx, and Robert Heard discussed the request for purchase of additional SIM cards for Axon in-car camera systems that were purchased two weeks ago in the additional amount of \$81,506.25.

Lt. Erickson expressed concern with the deputies losing their ability to perform their duties because they did not have access to the CAD system which allowed them to communicate, run vehicles, complete reports, etc., a critical function that would go away while they were outside their vehicle.

Commissioner McKay asked if they could go with Option 1 first (at no-cost) before deciding on the purchase of the SIM cards.

Lt. Erickson said that KPD had decided they would not go with option 1 and wanted their officers to have seamless transition and had been testing this for over a week, and it was not working and unacceptable.

Commissioner Delvin asked if it could be purchased through the regular budget and Lt. Erickson said they would not be able to absorb the cost in the current budget. Commissioner Delvin said he used his “hot spot” all the time, and even though there was a few seconds of delay, it worked well.

Mr. Heard said the issue came up two weeks prior, and they immediately started working with Kennewick IT and Benton County staff to come up with no-cost fix. What they did not do was bring BCES into the conversation. They had a solution in place, even though it was a slight inconvenience by using VPN.

Commissioner Delvin said he wanted to see what IT, BCES, and the Sheriff’s Office could come up with and get a County car outfitted to be used in Benton County areas and see how it worked in our environment.

There was a discussion about the cameras being installed but not used until the issue was worked out, reliable and verified.

The Board agreed to take some time to review the system with the cameras before spending an additional \$82,000.00 and figure out the connection process. Mr. Heard said they would make it happen immediately, no matter which way the Board decided.

The Board agreed.

Emergency Declaration

Mr. Rasmussen and Mr. Brown discussed an emergency declaration waiving competitive bidding requirements related to boarding up windows and securing doors at the Old KGH Building.

Mr. Rasmussen said since they acquired the facility on November 1, they had been experiencing numerous break-ins, along with damage requiring water damage cleanup estimated at \$14,000, and the additional cost it would take to fix some of the damage. They were requesting an emergency declaration to take care of securing the building in an expedited manner.

The Board also discussed amending the security contract with Phoenix to allow for a full-time presence at night. They wanted to authorize the County Administrator to execute these contracts and have the Board ratify at a later date.

The Board agreed to move forward with an emergency declaration.

MOTION: Commissioner McKay moved to approve the Resolution in Declaration Of Emergency In Benton County Waiving Competitive Bidding Requires Related To Boarding Up Windows And Securing Doors At The Old Kennewick General Hospital Building To Prevent Further Damage. Commissioner Delvin seconded and upon vote, the motion carried.

Prosser City Hall

Chairman Small said he had been approached by the City about leasing out the bottom floor of the Courthouse since their levy did not pass. Admin said they would reach out to the City of Prosser about that issue.

Tort Claims

CC 2022-18a: Received from Lydia Resendez on 11/28/22
CC 2022-18b: Received from Tanya Colley on 11/28/22
CC 2022-18c: Received from Dion Galvan on 11/28/22
CC 2022-18d: Received from Isaiah Colley on 11/28/22
CC 2022-18e: Received from Dakota Street on 11/28/22
CC 2022-18f: Received from David Martinez on 11/28/22

Accounts Payable

Check Date: 11/18/2022

Warrants #: 240204-240206
Total all funds: \$25,220.19

Check Date: 11/18/2022

Warrants #: 239722-240203
Total all funds: \$3,473,500.75

Wire Transfers #: 263, 281, 283, 286-289, 295
EFT's #: 166-173
Total all funds: \$61,182.65

Check Date: 11/25/2022

Warrants #: 240297-240384
Total all funds: \$710,366.91

Wire Transfers #: 298-299, 302-307
EFT's #: 174-199
Total all funds: \$168,571.10

Resolutions

- 2022-840: Notice of Approval to Hear Property Tax Appeals
- 2022-841: Interagency Agreement w/WA Administrative Office of the Courts for Interpreter Costs Reimbursement
- 2022-842: Establishing Holidays & Hours for Transaction of Business for 2023
- 2022-843: First Contract Amendment w/Jennifer Dorsett to Cover Additional Supply Costs
- 2022-844: Agreement w/United Training Commercial for Online Training
- 2022-845: Purchase of Software & Hardware Support Extension From Thornburg Computer Services
- 2022-846: Contract Amendment No. 5 w/NCIC Inmate Communications for Inmate Telecommunications Srvcs
- 2022-847: Contract w/Career Path Services for Education Employment & Training Program
- 2022-848: Agreement w/State of WA, Administrative Office of the Courts for Improvements to Court Interpreter Services
- 2022-849: Juvenile Court Public Defense Services Agreement w/Jared Hanson
- 2022-850: Juvenile Court Public Defense Services Agreement w/Hayden Sebald
- 2022-851: Juvenile Court Public Defense Services Agreement w/Karyn Oldfield
- 2022-852: Amended Juvenile Court Public Defense Services Agreement w/Branden Landon
- 2022-853: Second Amended Agreement w/WA State Office of Public Defense for Grant Funding
- 2022-854: Superior Court Public Defense Services Agreement w/Nicholas Blount
- 2022-855: Superior Court Public Defense Services Agreement w/Karla Kane
- 2022-856: Superior Court Public Defense Services Agreement w/Brian Hultgrenn
- 2022-857: Superior Court Public Defense Services Agreement w/Ian Sinclair
- 2022-858: Superior Court Public Defense Services Agreement w/Alan Tindell
- 2022-859: Superior Court Public Defense Services Agreement w/Catherine Harkins
- 2022-860: Superior Court Public Defense Services Agreement w/Judy Chang
- 2022-861: Superior Court Public Defense Services Agreement w/Deric Orr
- 2022-862: Amended District & Superior Court Public Defense Services Agreement w/Michelle Alexander
- 2022-863: District Court Public Defense Services Agreement w/Dawn Hickman
- 2022-864: Contract w/Susan Drummond for Hearings Examiner Services
- 2022-865: Approving the 2023 Annual Road Program & Major Equipment Purchases
- 2022-866: Contract Amendment #2 w/C.H. Johnson Consulting for Fairgrounds Feasibility Study & Master Plan
- 2022-867: Purchase of Floor Scrubber From W.W. Grainger for Fairgrounds Event Center
- 2022-868: Purchase of Chairs From Affordable Interior Systems for the Fairgrounds Event Center
- 2022-869: Purchase of Tables From P.R.E. Sales for Fairgrounds Event Center
- 2022-870: Purchase of Grader Blade Edges From DMC Wear Parts for Public Works
- 2022-871: Purchase of Inmate & Detention Supplies, Solutions & Services From Bob Barker Co. for All Depts.
- 2022-872: Accepting Work Performed by Banlin Construction for the Administration Building Project

- 2022-873: Third Contract Amendment w/Moon Security Services for Fire & Security Monitoring Services
- 2022-874: Certifying The Current Expense Levy For 2023 Collection
- 2022-875: Certifying The County Road Levy For 2023 Collection
- 2022-876: Certifying Budgeted Taxes For Collection In The Year 2023 For Benton County
- 2022-877: In The Matter Of Adopting The Final 2023 - 2024 Benton County Budgets
- 2022-878: Approving The 2023 Interlocal Agreement Between Benton County And The City Of Kennewick For District Court Services
- 2022-879: Approving The 2023 Interlocal Agreement Between Benton County And The City Of Prosser For District Court Services
- 2022-880: Approving The 2023 Interlocal Agreement Between Benton County And The City Of Richland For District Court Services
- 2022-881: Approving The 2023 Interlocal Agreement Between Benton County And The City Of West Richland For District Court Services
- 2022-882: Approving The 2023 Historic Preservation Grant Awards And Authorizing The County Administrator To Approve Disbursement Agreements
- 2022-883: Transfer Of Funds Within Juvenile Center Fund Number 1150 Department Number 171
- 2022-884: Recognizing Eric Lipp For His Service To The Benton-Franklin Counties Juvenile Justice Center
- 2022-885: Declaration Of Emergency In Benton County Waiving Competitive Bidding Requires Related To Boarding Up Windows And Securing Doors At The Old Kennewick General Hospital Building To Prevent Further Damage

There being no further business before the Board, the meeting adjourned at approximately 10:03 a.m.

Clerk of the Board

Chairman