

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting

Benton County Courthouse, Prosser, WA

Tuesday, January 10, 2023, 9:00 a.m.

Meeting provided in-person, by Video Live-Broadcast and Telephonically via/WebEx

Present: Chairman Will McKay
Commissioner Jerome Delvin
Commissioner Michael Alvarez
County Administrator Jerrod MacPherson
Clerk of the Board Marilu Flores

Benton County Employees Present During All or a Portion of the Meeting: Alex Garcia Heard, IT Manager; Cody Shelton, IT; Carlee Nave, HR Manager; Eric Wyant, HR Assistant Manager; Greg Wendt, Community Development Director; Michelle Cooke, Planning Manager; Assessor Bill Spencer; Finance Manager Linda Ivey; Auditor Brenda Chilton; Prosecuting Attorney Eric Eisinger; DPA Ryan Brown; Treasurer Ken Spencer; Deputy Treasurer Kirsten Yniguez; Sheriff Croskrey, Undersheriff Law, Clerk Josie Delvin; Corrections Chief Guerrero

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of December 20, 2022 were approved.

Agenda Review

The following items were added to Other Business:

- WA Association of Sheriffs & Police Chiefs Training Funding ~ Commander Clarke
- Application to the WA State Dept of Commerce for the Three Rivers Recovery Housing Project ~ M Rasmussen

The following item was added to Executive Session:

- Executive Session: Review Qualifications of Applicant for Public Employment ~ Chief Guerrero

Consent Agenda

DRAFT

MOTION: Commissioner Delvin moved to approve the consent agenda items “a” through “ff” pulling item “m”. Commissioner Alvarez seconded and upon vote, the Board approved the following:

Animal Control

- a. Line Item Transfer, Fund No. 0010, Dept. No. 137 for Hourly Wage Increase to Control Officer I

Auditor

- b. Line Item Transfer, Fund No. 1110 for Temporary Help & Overtime

Clerk

- c. Amended Statement of Work w/i3-ImageSoft LLC for Document Management System
- d. Line Item Transfer, Fund No. 0010, Dept. 106 for Overtime

Commissioners

- e. Organization of Benton County Commissioners for Year 2023; Rescinding Resolution 2022-024
- f. Line Item Transfer, Fund No. 0010, Dept. No. 115 to 120 for Medical Services @ the Jail
- g. Line Item Transfer, Fund No. 3050, Dept. No. 000 for Purchase of Fire Station 3 Property
- h. Line Item Transfer, Fund No. 0010, Dept. No. 115 to 126 for Light Poles Repairs @ Horse Heaven Rest

Human Resources

- i. Amendment I to Appraisers Collective Bargaining Agreement
- j. Collective Bargaining Agreement w/Sheriff’s Command Guild
- k. Collective Bargaining Agreement w/Council 2, Local 874HC Representing Courthouse Employees
- l. Restated Compensation for Appointed Non-Bargaining Positions in the Sheriff’s Office; Rescinding Resolution 2018-488
- n. Creation of Rural Water Supply Program Coordinator I Position Classification & Salary Placement in Planning Dept.
- o. Creation of Rural Water Supply Coordinator II Position Classification & Salary Placement in Planning Dept.

Human Services

- p. Fifth Contract Amendment w/WA State Health Care Authority for Community Prevention Wellness Initiative Services

Information Technology

- q. Extending Software & Hardware Support for Dell Compellent Storage Area Network w/Thornburg Computer Services for Administration Building
- r. Renewal of QLess Queuing Software for Administration Building From SHI International Corp.
- s. Purchase of One Laptop, Dock & Three Monitors From Dell for Sheriff’s Office

Office of Public Defense

DRAFT

- t. District & Superior Court Public Defense Services w/Shelley Ajax
- u. Early Termination of District Court Public Defense Services Agreement w/Michelle Dorsett
- v. Superior Court Public Defense Agreement w/Christine Bennett

Public Safety

- w. Line Item Transfer, Fund No. 1480, Dept. 121 for Title & Grade Change for Public Records Clerk in Sheriff's Office
- x. Line Item Transfer, Fund No. 0010, Dept. 123 to Dept. No. 138 for Benefits
- y. Line Item Transfer, Fund No. 01480, Dept. 117 to 122 for Asst. Chief Deputy Salary

Public Works

- z. Contract w/Superior Tree Services for County-Wide Brush Cutting Project
- aa. Adopting Equipment Rental & Revolving Fund Vehicle Rates/Assessments

Purchasing

- bb. Purchase of Kubota Engine for 555 Broom From PacWest Machinery for Public Works Dept.

Risk

- cc. Appointment of PayneWest Insurance as Broker/Agent of Record for Insurance Policies and/or Bonds

Sheriff

- dd. Line Item Transfer, Fund No. 119 to 118 for Accreditation Coordinator Salary & Benefits

Superior Court

- ee. Agreement w/State of WA Administrative Office of the Courts for Interpreter Reimbursement

Treasurer

- ff. Line Item Transfer, Fund No. 1090, Dept. 000 for Overtime

Public Comment

None.

Public Hearing – Amendment to Ordinance 459 Relating to User Fee for Courthouse Facilitator Program

Clerk Josie Delvin presented a proposed amendment to Ordinance 459 allowing an increase in the Courthouse Facilitator user fee. The fee would be changed to \$35 for each 30-minute session with the Facilitator which has not been increased since 2008. This program is self-funded through the user fee and filing fee. Ms. Delvin indicated that notice of the public hearing was placed on the County website and advertised in the Prosser Record Bulletin.

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

MOTION: Commissioner Delvin moved to approve the amendment to Ordinance 459 be adopted as presented. Commissioner Alvarez seconded and upon vote, the motion carried.

Code Enforcement Officer I in Planning Department

Eric Wyant, HR, and Greg Wendt, Director of Community Development, came before the Board to discuss the reclassification of the Code Enforcement Officer position in the Planning Department to a Code Enforcement Supervisor. Mr. Wyant indicated that in an effort to enhance operations with an added position which was approved in the Public Safety Sales Tax budget for Code Enforcement Officer I, the Community Development Department was requesting to reclassify the current Grade 14 Code Enforcement Officer position to a Code Enforcement Supervisor, Grade 16. He further stated that HR and the Community Development Department have worked together to create a position classification description for the Code Enforcement Supervisor position and salary placement.

Greg Wendt mentioned that compression issues were evaluated as well as supervisory duties for this position. He mentioned that this would be budget neutral and that the Public Works Department had a need to use this position as well and would cover the difference in grades.

MOTION: Commissioner Delvin moved to approve the reclassification of the Code Enforcement Officer position to a Code Enforcement Supervisor and salary placement as presented. Commissioner Alvarez seconded and upon vote, motion carried.

MOTION: Commissioner Delvin moved to approve the Transfer of Funds within County Road Fund 1010, Department 500 as presented. Commissioner Alvarez seconded and upon vote, motion carried.

MOTION: Commissioner Delvin moved to approve the Transfer of Funds within Current Expense Fund 0010, Department 116 for Planning as presented. Commissioner Alvarez seconded and upon vote, motion carried.

Mr. Wyant indicated that the next was the formal adoption of the classification description and salary placement of the Code Enforcement I position.

MOTION: Commissioner Delvin moved to approve the classification of the Code Enforcement Officer I position and salary placement as presented. Commissioner Alvarez seconded and upon vote, motion carried.

Chief Appraiser Position In Assessor's Office

Eric Wyant and Assessor Bill Spencer discussed that the Assessor's Office had identified areas that can create operation efficiencies with the office and was proposing a re-organization creating a Chief Appraiser position. This position previously existed in the office as a grade 18 and he would eliminate two unfilled appraiser positions.

Administrator MacPherson indicated that this would be a budget neutral move and supported by Administration.

DRAFT

MOTION: Commissioner Delvin moved to approve the Chief Appraiser classification description and salary schedule placement as presented. Commissioner Alvarez seconded and upon vote, motion carried.

MOTION: Commissioner Delvin moved to approve the Line Item Transfer to fund the Chief Appraiser position. Commissioner Alvarez seconded and upon vote, motion carried.

Benton Franklin Health District Board Members Interview Appointments

Commissioner Delvin gave a brief update on the Benton Franklin Health District board members interview appointments. Commissioner Delvin indicated that applicants have been selected and in-person interviews were being arranged which consisted of two commissioners from each county to sit in the interviews. Commissioner Alvarez indicated that he was willing to sit in the interviews. Commissioner McKay indicated that he could sit in as well but would have to check his availability. Commissioner Delvin indicated that should Commissioner McKay be unavailable, he would be able to take his place.

Amending Bylaws & Rules of Procedure for the Board of Benton County Commissioners

Commissioner Delvin indicated that he had received input from the community regarding the agenda process. As a result, the Board has before it new Bylaws which includes the Pledge of Allegiance, moving the public comment section, as well as addressing quarterly regular meetings outside the county seat.

MOTION: Commissioner Delvin moved to approve the Resolution Amending the Bylaws and Rules of Procedure for the Board of Benton County Commissioners; Repealing and Superseding Resolution 2019-737 as presented. Commissioner Alvarez seconded and upon vote, motion carried.

Discussion: Commissioner Delvin indicated that Bylaws had not been updated since 2019.

Other Business

Executive Sessions

Commissioner Delvin discussed using the extra office in the Commissioners' Office to be used for executive sessions by the Board and staff. He indicated that during executive sessions, the Board would excuse itself to conduct these at a different location keeping members of the public as well as staff in the Boardroom. Commissioner Alvarez indicated he'd like to have an office at the Courthouse accessible to the community but was in favor of making room for this purpose.

WA Association of Sheriffs & Police Chiefs Training Funding

Commander Clarke via WebEx indicated that he was coming before the Board regarding the grant through the Washington Association of Sheriffs and Police Chiefs providing funds to local law enforcement agencies to assist with the costs of training required by legislation. Commander Clark

DRAFT

was requesting funds received in the amount of \$28,270.98 go into the Sheriff Investigative Fund to be used for training. Administrator MacPherson indicated that this would allow more flexibility.

MOTION: Commissioner Delvin moved to authorize the Benton County Sheriff's Office to accept the funding under the Washington Association of Sheriffs and Police Chiefs 2022-2023 training funding released by the State Legislation in the amount of \$28,270.98 to be placed in the Sheriff Investigative Fund. Commissioner Alvarez seconded and upon vote, motion carried.

Application to the WA State Dept of Commerce for the Three Rivers Recovery Housing Project

Deputy County Administrator Matt Rasmussen indicated that he had been working on a grant application for the Recovery Center. Mr. Rasmussen indicated that the County had identified a need for transitional recovery housing as a needed service in the region and desired to add that to services offered at the new facility. He further stated that the Washington State Department of Commerce has an open grant opportunity for funding that may be applicable to this project. This would be an ideal transitional place for individuals to be able to get back on their feet. Mr. Rasmussen indicated that the grant was due this week and he was coming before the Board asking to approve the submittal of a grant application in the amount of \$4,421,133 to the Washington State Department of Commerce for the Three Rivers Recovery Housing Project with a minimum County match of \$490,000. The grant would make 18 rooms that could be converted to housing and potentially house 36 individuals which was needed in the community.

MOTION: Commissioner Delvin moved to approve submittal of the application to the Washington State Department of Commerce Under the Washington State Multifamily Housing Unit Rapid Capital Housing Acquisition Round II Program for the Three Rivers Recovery Housing Project. Commissioner Alvarez seconded and upon vote, motion carried.

Bi County Meetings

Commissioner McKay indicated that he and Matt Rasmussen met with Franklin County Commissioner Didier and Franklin County Administrator Duane Davidson recently. Part of that discussion was the need on maintaining a relationship among the two counties and perhaps having bi county meetings quarterly would be ideal to update each other on certain bi county issues. Mr. Rasmussen indicated that Franklin County was in favor of quarterly bi-county meetings. Commissioners Delvin and Alvarez indicated their approval in an effort of receiving regular updates through quarterly meetings. Staff would work those out.

Wind Farms

Commissioner McKay and Planning staff, Greg Wendt and Michelle Cooke, briefed the Board regarding the ongoing status of the Wind Farm and how people in the area could be impacted with the Horse Heaven Wind Farm. A PowerPoint from Tri Cities Cares, a nonprofit group, showing graphs were shown illustrating the severity and seriousness this project would have within the community. Planning Manager Michelle Cooke also indicated that construction of the project would consume a large amount of water usage including the construction of roads.

New Benton County Prosecuting Attorney

Newly appointed Prosecuting Attorney Eric Eisinger was introduced. Mr. Eisinger indicated that he looked forward to working with Benton County.

Executive Session – Review Qualifications of Applicants for Public Employment

The Board went into executive session at 9:37 a.m. for up to five minutes with Chief Guerrero and Eric Wyant to review qualifications of applicant for public employment. Also present were Jerrod MacPherson, Matt Rasmussen, Carlee Nave and Marilu Flores.

The Board came out at 9:40 am. No decisions were made in executive session.

MOTION: Commissioner Delvin moved to approve the salary request forms for Jason Kaehler and Asa Smith as presented. Commissioner Alvarez seconded and upon vote, motion carried.

Executive Session – Review Qualifications of An Applicant for Public Employment

The Board went into executive session at 9:41 am for up to five minutes with Sheriff Croskrey and Undersheriff Law. Also present were Jerrod MacPherson, Matt Rasmussen, Carley Nave and Marilu Flores.

The Board came out at 9:45 am. No decisions were made in executive session.

MOTION: Commissioner Delvin moved to approve the salary request form for Charles Glasscock as presented. Commissioner Alvarez seconded and upon vote, motion carried.

Executive Session - Potential and Pending Litigation

The Board went into executive session at 9:46 am for up to 30 minutes with DPA Ryan Brown and Prosecuting Attorney Eric Eisinger. Also present were Jerrod MacPherson, Matt Rasmussen and Marilu Flores.

The Board came out at 10:14 am. No decisions were made in executive session.

MOTION: Commissioner Delvin moved to allow Jerrod MacPherson to sign an engagement letter with Kenneth Harper for legal services regarding the Horse Heaven Wind Farm application and matters relating thereto. Commissioner Alvarez seconded and upon vote, motion carried.

Tort Claims

CC 2023-01: Received from Jared Fleming on January 17, 2023

CC 2023-02: Received from Brian Quantrell on January 18, 2023

CC 2023-03: Received from Joseph Dunbar on January 18, 2023

Accounts Payable

Check Date: 12/23/2022
Warrant #241159-241341
Total all funds: \$1,697,250.74

Wires: 375, 377, 379
EFT: 220-221
Total all Funds: \$150,460.36

Check Date: 12/23/2022
Warrant #241342
Total all Funds: \$1,889.57

Check Date: 12/30/2022
Warrants #241380-241504
Total all Funds: \$662,166.81

Wire Transfers: 380, 383, 389-391
EFT: 222-244
Total all Funds: \$178,018.11

Check Date: 01/03/2023
Warrants #241505
Total all Funds: \$9,765.35

EFT: 245
Total all Funds: \$18,235.00

Check Date: 01/05/2023
Warrants: 241539-241540
Total all Funds: \$1,671.52

Resolutions

- 2023-001: Line Item Transfer, Fund No. 0010, Dept. 137
- 2023-002: Line Item Transfer, Fund No. 1110-Temp Help & Overtime
- 2023-003: Amended Statement of Work w/i3 ImageSoft LLC for Document Management System
- 2023-004: Line Item Transfer, Fund No. 0010, Dept. 106
- 2023-005: Organization of Benton County Commissioners for Year 2023; Rescinding Resolution 2022-024
- 2023-006: Line Item Transfer, Fund No. 0010, Dept. 115 to 120
- 2023-007: Line Item Transfer, Fund No. 3050, Dept. 000-Purchase Fire Station 3 Property
- 2023-008: Line Item Transfer, Fund No. 0010, Dept. 115 to 126
- 2023-009: Amendment I to Appraisers Collective Bargaining Agreement

DRAFT

- 2023-010: Collective Bargaining Agreement w/Sheriff's Command Guild
- 2023-011: Collective Bargaining Agreement w/Council 2, Local874HC Representing Courthouse Employees
- 2023-012: Restated Compensation for Appointed Non-Bargaining Positions in the Sheriff's Office; Rescinding Resolution 2018-488
- 2023-013: Creation of Rural Water Supply Program Coordinator I Position Classification & Salary Placement in Planning Dept.
- 2023-014: Creation of Rural Water Supply Coordinator II Position Classification & Salary Placement in Planning Dept.
- 2023-015: Fifth Contract Amendment w/WA State Health Care Authority for Community Prevention Wellness Initiative Services
- 2023-016: Extending Software & Hardware Support for Dell Compellent Storage Area Network w/Thornburg Computer Services for Administration Building
- 2023-017: Renewal of QLess Queuing Software for Administration Building from SHI International Corp.
- 2023-018: Purchase of One Laptop, Dock & Three Monitors from Dell for Sheriff's Office
- 2023-019: District & Superior Court Public Defense Services w/Shelley Ajax
- 2023-020: Early Termination of District Court Public Defense Services Agreement w/Michelle Dorsett
- 2023-021: Superior Court Public Defense Agreement w/Christine Bennett
- 2023-022: Line Item Transfer, Fund No. 1480, Dept. 121
- 2023-023: Line Item Transfer, Fund No. 0010, Dept. 123 to 138
- 2023-024: Line Item Transfer, Fund No. 1480, Dept. 117 to 122
- 2023-025: Contract w/Superior Tree Services for County-Wide Brush Cutting Project
- 2023-026: Adopting Equipment Rental & Revolving Fund Vehicle Rates/Assessments
- 2023-027: Purchase of Kubota Engine for 555 Broom from PacWest Machinery for Public Works Dept.
- 2023-028: Appointment of PayneWest Insurance as Broker/Agent of Record for Insurance Policies and/or Bonds
- 2023-029: Line Item Transfer, Fund No. 0010, Dept. 119 to 118
- 2023-030: Agreement w/State of WA Administrative Office of the Courts for Interpreter Reimbursement
- 2023-031: Line Item Transfer, Fund No. 1090, Dept. 000-Overtime
- 2023-032: Amendment to Ordinance No 459 Relating to User Fee for Courthouse Facilitator Program
- 2023-033: Classification Description & Salary Placement from Code Enforcement Officer to Code Enforcement Supervisor in Planning Dept.
- 2023-034: Line Item Transfer, Fund No. 1010, Dept. 500
- 2023-035: Line Item Transfer, Fund No. 0010, Dept. 116
- 2023-036: Creation of Position Classification & Salary Placement for Code Enforcement Officer I in Planning Dept.
- 2023-037: Creating Job Classification & Establishing Salary Grade for Chief Appraiser Position in Assessor's Office
- 2023-038: Line Item Transfer, Fund No. 0010, Dept. 101
- 2023-039: Amending Bylaws & Rules of Procedure for the Board of Benton County Commissioners

DRAFT

2023-040: Authorizing Benton County Sheriff's Office to Accept the Funding Under the WA Association of Sheriff's and Police Chiefs 2022-2023 Training Funding Released by the WA State Legislature for FY2023

2023-041: Approving the Submittal of an Application to the WA State Department of Commerce Under the WA State Multifamily Housing Unit Rapid Capital Housing Acquisition Round II Program for the Three Rivers Recovery Housing Project

There being no further business before the Board, the meeting adjourned at approximately 10:14 a.m.

Clerk of the Board

Chairman