

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting

Benton County Courthouse, Prosser, WA

Tuesday, February 14, 2023, 9:00 a.m.

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

**Present:** Chairman Will McKay  
Commissioner Jerome Delvin via WebEx  
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:** Deputy County Administrator Matt Rasmussen; Carlee Nave, HR Manager; Greg Wendt, Community Development Director; Clerk Josie Delvin; DPA Ryan Brown; DPA Steve Hallstrom; DPA Eric Andrews; Robert Heard, IT Manager; Fairgrounds Events Manager Tom French; Lisa Small; Casey Kist; Treasurer Ken Spencer

#### Pledge of Allegiance

The Board recited the Pledge of Allegiance.

#### Approval of Minutes

The Minutes of February 7, 2023 were approved.

#### Agenda Review

The following items were added to the agenda:

- Other Business: Letter of Support for Friends of Downtown Prosser
- Other Business: Response Letter to the Tri-City Horse Racing Asso.
- Other Business: Direction from the Board for the Law & Justice Council
- Executive Session – Potential Litigation
- Executive Session - Pending Litigation

#### Public Comment

Tina Gregory, from the Kennewick Administration Building, spoke about in-person voting with ID. She further suggested having copies of the commissioners' agenda at the entrance door at the Administration

Building. She also spoke about incarcerated individuals receiving a speedy trial and closed with citing a bible verse.

**Consent Agenda**

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

Cares Act/ARPA

- a. Line Item Transfer, Fund No. 0010, Dept. No. 139 for Wages & Benefits

Commissioners

- b. Appointment of Jessie Wagon to the Mid-Columbia Libraries Board of Trustees

Coroner

- c. Interlocal Agreement w/Snohomish County Medical Examiner’s Office for Forensic Pathology Services; Amending Resolution 2021-006

Facilities

- d. Payment to Young’s Servicemaster, Inc. for Emergency Work Performed @ the Sheriff’s Office

Information Technology

- e. Purchase of Laptop, Dock and Two Monitors From Dell, Inc. for the Moderate Risk Waste Facility
- f. Purchase of Laptop, Dock and Two Monitors From Dell, Inc. for Public Works

Office of Public Defense

- g. District Court Public Defense Services Agreement w/Janell Felsted
- h. Superior Court Public Defense Services Agreement w/Dennis Hanson
- i. Superior Court Public Defense Services Agreement w/Shane Harrington

Public Safety

- j. Purchase of 21 Mobile Police Radio Replacement Equipment From Motorola Solutions for the Sheriff’s Office
- k. Purchase of Eight TruckVault Boxes From TruckVault for Sheriff’s Office

Public Works

- l. Ratifying Change Order No. 1 w/Construction Ahead, Inc Contract for Pavement Markings Project
- m. Digital Submittal Certification of the 2023 Road Levy Certification & Estimated Revenue
- n. Accepting Work Performed by C & E Trenching, LLC for Dallas/Rd/Arena Rd Traffic Safety Improvements Project

Purchasing

- o. Awarding Contract to J R T Mechanical, Inc. for Coroner’s Autopsy Ventilation Upgrade Project

Sheriff

- p. Contract Modification w/U.S. Department of Energy for Law Enforcement Services

Superior Court

- q. Line Item Transfer, Fund No. 0010, Dept. 123 for Wages & Overtime

**Memorandum of Understanding w/US Marshals for Violent Offender Task Force for Funding Reimbursement**

Benton County Sheriff CFO, Katie Gillies and Lieutenant Clark, from the Administration Building in Kennewick, presented on the US Marshal’s Funding Reimbursement for Violent Offender Task Force. Lt. Clark indicated that Benton County qualifies for funding reimbursement in an amount of up to \$19,840 and was before the Board for approval.

**MOTION:** Commissioner Delvin moved to approve the Memorandum of Understanding for the Joint Law Enforcement Operations Task Force between Benton County Sheriff’s Office and US Marshal Eastern District of Washington for a reimbursement to Benton County for an amount up to \$19,840 for the period of October 1, 2022 to September 30, 2023. Commissioner Alvarez seconded and upon vote, motion carried.

**Grant and Contract w/WA State Health Care Authority**

Lieutenant Kist from the Benton County Corrections Department indicated that they have a contract with WA State Health Care Authority (HCA) for the purpose of Medication for Opioid Use Disorder services provided to inmates within the jail. Lt. Kist indicated that HCA provided notice of grant funding approval in the amount of \$535,090. He indicated that in January 2023 there were 480 bookings with a large number of these bookings testing positive for opioids and indicated that this continues to be a huge issue within the community. Accepting this funding would help control the issue within the jail.

Commissioner Delvin asked what reason was given for getting a reduced amount than the previous year. Lt. Kist said he does not know directly why but indicated that Corrections has received another notice for an additional \$60,000 and will have that before the Board in the near future which should bridge the gap.

**MOTION:** Commissioner Delvin moved to accept the grant award from Washington State Health Care Authority for a maximum amount of \$535,090 for the performance of work as further outlined in the attached Client Services Contract No. K6454 between Benton County and Washington State Health Care Authority. Commissioner Alvarez seconded and upon vote, motion carried.

**Reorganization of Information Technology Department**

Information Technology Manager, Robert Heard, and Carlee Nave, HR, presented on the GIS Department reorganization. Mr. Heard indicated that he has worked with Administration, Finance and HR to create a strategy to maximize the efficiencies as they have had a few employees leave GIS within the last seven months. Consensus was to create two GIS Analysts and to remove the GIS Supervisor and two GIS Tech II positions.

Commissioner Alvarez asked about the structure of the department which Ms. Nave said that this flattens the structure of the department and aligns the GIS division of the IT Department for the long term and overall adds productivity.

**MOTION:** Commissioner Alvarez moved to approve Amendment I to the 2023-2025 Courthouse Collective Bargaining Agreement as presented. Commissioner Delvin seconded and upon vote, motion carried.

**MOTION:** Commissioner Alvarez moved to approve the resolution creating the GIS Analyst position and eliminating the GIS Supervisor and GIS Technician II position. Commissioner Delvin seconded and upon vote, motion carried.

**MOTION:** Commissioner Alvarez moved to approve the line item transfer within Central Services fund number 5020 as presented. Commissioner Delvin seconded and upon vote, motion carried.

**MOTION:** Commissioner Alvarez moved to approve the line item transfer within General Fund No. 0010, Dept. No. 131 as presented. Commissioner Delvin seconded and upon vote, motion carried.

### **Other Business**

#### **Letter of Support for Friends of Downtown Prosser**

Administrator MacPherson said he had a letter of support for Friends of Downtown Prosser who had come before the Board last month requesting a letter of support. He indicated that the draft letter is before the Board for approval. Commissioner Alvarez recapped that he had previously gone to meet the candidates for Chief of Police in the City of Prosser. He indicated that he supports the Citizens' request and has reached out to City of Prosser staff. He reported that the City addressed a few issues that they had and is respectful of the City Council's opinion. He is open to dialogue with citizens and city council. Commissioner McKay asked about the extra building next to the Courthouse and its use. Mr. MacPherson said the building is available.

**MOTION:** Commissioner Alvarez moved to approve the support letter for the Friends of Downtown Prosser for continued conversations between Benton County and the City of Prosser for city hall services to be held at the Courthouse campus. Commissioner Delvin seconded and upon vote, motion carried.

#### **Response Letter to Tri City Horse Racing Association**

Administrator MacPherson said that the contract with Tri-City Horse Racing Association terminated on February 7<sup>th</sup> due to the insurance expiring. Since then, the Tri City Horse Racing Asso. has reached out to the Commissioners wanting the contract rescinded. Before the Board is a response letter for board discussion and possible approval. Commissioner McKay said that the letter was accurate with the insurance non-compliance being critical but was also willing to renegotiate a new contract.

**MOTION:** Commissioner Alvarez moved to approve the response letter to the Tri-City Horse Racing Association as presented. Commissioner Delvin seconded and upon vote, motion carried.

#### **Law & Justice Council:**

Deputy County Administrator Matt Rasmussen said the Law & Justice Council was seeking direction from the Board in regard to what type of information the Council should be providing back to the board regarding the Public Safety Sales Tax. Mr. Rasmussen indicated that he had sent an email to the Commissioners with suggestions that were discussed at the Law & Justice Council meeting but ultimately wanted some direct recommendations for the Council. He was asking the Board's direction on what to

research, what would the Board liked discussed and brought back as time was of the essence. Mr. Rasmussen said a few items included:

- what each agency is spending their funds on
- what rate to put on the ballot
- when the measure should be placed on the ballot
- whether or not there should be a sunset clause
- expanding allowable expenditures; specifically, around SECOMM and 911 Communications

Mr. Rasmussen is looking for guidance from Commissioners to take back to the Council. Commissioner Alvarez said he was good with all the items presented but asked about having a citizens' advisory group and wanted the information out to the public before the election. Commissioner McKay indicated he preferred having the measure on the November election for better voter turnout. Commissioner Delvin said he agreed with the November election and prefers not to have a sunset clause and .03 amongst the cities and having accounting of expenditures. Mr. Delvin would like to see how SECOMM is going to be incorporated into the equation. Commissioner McKay would like discussed the sunset clause and alternatives on keeping it in, taking it out or reducing it and what happens if the rate is reduced to .02 and what reserves would look like. Mr. Rasmussen would relay Commissioners' feedback.

Administrator MacPherson informed the Board that there will be no regular meeting next Tuesday, February 21, 2023. He further indicated that there will be a special bi county meeting next Thursday, February 23, 2023 at the Administration Building in Kennewick.

Administrator MacPherson recognized the following employees and presented the Board with Certificates for signatures as follows:

- 15 Years:
  - Jeff Jones
  - Brent Wyland
  - Patrick Luce
  - Wanchai Hill
  - Boris Draskovic
- 20 Years:
  - Lorraine Miller
  - Tim Markham
  - Kaylie Coates-Traver
  - Kristi Markham
  - Larry Coulson
  - Dan Korten
  - Cory Lee
  - Maria Perez
  - Sean Hofstad
- 25 Years:
  - Joseph Baker
- 30 Years:
  - Joseph King, Patrick Rollosson

### **Executive Session - Potential Litigation**

The Board went into an executive session for potential litigation at 9:29 am for up to 10 minutes with DPA Steve Hallstrom. Also present were Commissioner Delvin via telephone, Jerrod MacPherson, Matt Rasmussen, Marilu Flores and Carlee Nave.

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

### **Executive Session – Pending Litigation**

The Board went into an executive session for pending litigation at 9:40 am for up to 5 minutes with DPA Eric Andrews. Also present were Commissioner Delvin via telephone, Jerrod MacPherson, Matt Rasmussen, Marilu Flores and DPA Ryan Brown.

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

### **Payroll**

Check Date: 02/03/23

Payroll Checks

Total All Funds \$2,902,893.57

Warrant # 243999-244037

Direct Deposit #177424-178036

Payroll Deduction Transfers

Total All Funds \$2,527,081.08

EFT #285 – 291

ACH #487 – 498

Payroll Deduction Warrants

Total All Funds \$111,198.25

Warrant #242539-242548

### **Accounts Payable**

Check Date: 02/09/23

PCards #508

Total of all Funds: \$592,826.27

### **Resolutions**

- 2023-145: Line Item Transfer, Fund No. 0010, Dept. No. 139 for Wages & Benefits
- 2023-146: Appointment of Jessie Wagnon to the Mid-Columbia Libraries Board of Trustees
- 2023-147: Interlocal Agreement w/Snohomish County Medical Examiner’s Office for Forensic Pathology Services; Amending Resolution 2021-006
- 2023-148: Payment to Young’s Servicemaster, Inc. for Emergency Work Performed @ the Sheriff’s Office

- 2023-149: Purchase of Laptop, Dock and Two Monitors From Dell, Inc. for the Moderate Risk Waste Facility
- 2023-150: Purchase of Laptop, Dock and Two Monitors From Dell, Inc. for Public Works
- 2023-151: District Court Public Defense Services Agreement w/Janell Felsted
- 2023-152: Superior Court Public Defense Services Agreement w/Dennis Hanson
- 2023-153: Superior Court Public Defense Services Agreement w/Shane Harrington
- 2023-154: Purchase of 21 Mobile Police Radio Replacement Equipment From Motorola Solutions for the Sheriff's Office
- 2023-155: Purchase of Eight TruckVault Boxes From TruckVault for Sheriff's Office
- 2023-156: Ratifying Change Order No. 1 w/Construction Ahead, Inc Contract for Pavement Markings Project
- 2023-157: Digital Submittal Certification of the 2023 Road Levy Certification & Estimated Revenue
- 2023-158: Accepting Work Performed by C & E Trenching, LLC for Dallas/Rd/Arena Rd Traffic Safety Improvements Project
- 2023-159: Awarding Contract to J R T Mechanical, Inc. for Coroner's Autopsy Ventilation Upgrade Project
- 2023-160: Contract Modification w/U.S. Department of Energy for Law Enforcement Services
- 2023-161: Line Item Transfer, Fund No. 0010, Dept. 123 for Wages & Overtime
- 2023-162: Memorandum of Understanding w/US Marshalls for Violent Offender Task Force for Funding Reimbursement
- 2023-163: Contract w/WA State Health Care Authority
- 2023-164: Amendment 1 w/Council 2, Local 874HC, Representing Courthouse Employees
- 2023-165: Reorganizing GIS Positions Creating the GIS Analyst Position & Elimination the GIS Supervisor and GIS Technician II Position
- 2023-166: Line Item Transfer, Fund No. 5020, Dept. No. 000 for Wages & Benefits
- 2023-167: Line Item Transfer, Fund No. 0010, Dept. No. 131 for Wages

There being no further business before the Board, the meeting adjourned at approximately 9:45 a.m.

---

Clerk of the Board

---

Chairman