

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting

Benton County Courthouse, Prosser, WA

Tuesday, April 11, 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 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; Adam Fyall, Sustainable Development Manager; via/WebEx; Public Works Manager Matt Mahoney; Clerk Josie Delvin; Robert Blain, Operations & Capital Assets; Finance Manager Linda Ivey; Ken Spencer, Treasurer; DPA Ryan Brown; OPD Manager Michael Vander Sys.

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of April 4, 2023 were approved.

Review Agenda

No changes.

Public Comment

Tina Gregory, via/videoconference, Kennewick, discussed in-person voting, voting rights, children's rights, big pharma, vaccinations, and concern about drag queen activities in the City of Richland.

Chairman McKay expressed concern about the drag queen shows and asked about the Board making a statement.

Commissioner Delvin said he could send a letter to the City about city licenses. Commissioner Alvarez said it would also be addressed at the City Council meeting.

Consent Agenda

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

Auditor

- a. Changing Precinct Boundaries in Conjunction with Redistricting Pursuant to RCW 29A.76 & 29A.16

Corrections

- b. Agreement w/LexisNexis for Law Library Within the Jail; Rescinding Resolution 2022-714
- c. Termination Subscriber Agreement w/Public Safety Testing, Inc. for Entry Level Corrections Testing

Human Resources

- d. Inclement Weather Closure Grievance Settlement Agreement & Release w/the Benton-Franklin Juvenile Court Guild, Representing Juvenile Court Employees

Information Technology

- e. Amending Resolution 2023-177 for the Purchase of Three Laptops & Docks for Superior Court Administration from Dell Inc.
- f. Approving One-Year EProsecutor Annual License, Maintenance & Support Fee for the Prosecuting Attorney’s Office From Journal Technologies, Inc.
- g. Purchase of One Dual Side Printer From CDW-G for the Sheriff’s Office

Juvenile

- h. Amended Interagency Agreement No. 1 w/Administrative Office of the Courts for Interpreter Funding

Public Works

- i. Memorandum of Understanding w/County Road Administration Board for ESRI Editor Term License

Purchasing

- j. Rejecting Bids for the Sidewalk Repair Project @ the Kennewick Justice Center
- k. Contract w/MMEC Architecture & Interiors, LLC for the Design of the Administration Office Remodel
- l. Contract w/Frontier Fence, Inc. for the Prosser Courthouse and Voting Center Fencing Project
- m. Authorization for Advertisement & Bid Process for Furnishing Road Surfacing Materials in the Public Works Department

Sheriff

- n. License Agreement w/Permitium, LLC for Online Weapons Permit Applications
- o. Disposition of Forfeited Firearms

Treasurer

- p. Line Item Transfer, Fund No. 1290, Dept. 000

Award of Juvenile Justice Center Progressive Design Project to Chervenell Construction Company

Robert Blain presented the award of project for the Juvenile Justice Center Progressive Design Project to Chervenell. He said they started the process in April 2022 and the project review committee presented it to the State and in May 2022 received approval to use the progressive design build process.

The RFQ package was advertised in December 2022 and the County received a total of six submittals from contractors, with three being selected to move onto the RFP phase by the committee. After a long and thorough process, the committee selected Chervenell Construction Company and their design sub-consultants Design West & TreanorHL as the top candidate.

After award of contract, they will be able to go back and develop the contract, however, it will not come back to the Board unless they have a signed MOU with Franklin County. He said that timelines were very important with ARPA funding for the project.

Commissioner Delvin asked about the MOU and Mr. MacPherson said as proposed it would give Benton County control over the building.

Chairman McKay stated that he enjoyed sitting on the committee and was excited about the progressive design build project.

MOTION: Commissioner Delvin moved to approve the resolution and award the Juvenile Justice Project to Chervenell Construction Company, with a contract being brought back at a later date. Commissioner Alvarez seconded and upon vote, the motion carried.

Designation of an Associate Development Organization for WA State Dept. of Commerce

Adam Fyall via/WebEx presented the resolution for designation of an ADO for Benton County. However, Mr. Fyall's audio was not working.

Commissioner Delvin said that state authority allowed each county to designate an Associate Development Organization (ADO) and TRIDEC had been the designated ADA for as long as he had been at the County.

Mr. Fyall said that every two years they take this action, and the ADO gets some money from the Department of Commerce, although it was steadily decreasing.

MOTION: Commissioner Delvin moved to approve the resolution designating the Tri-Cities Development Council as Benton County's official Associate Development Organization for the 2023-2025 biennium. Commissioner Alvarez seconded and upon vote, the motion carried.

TRIDEC 2023 Services Contract

Adam Fyall via/WebEx presented the contract with TRIDEC for 2023 services. He said they had been a good partner and helped Benton County with the CARES grant, federal programs, Hanford issues, legislative affairs, economic development improvement, etc.

MOTION: Commissioner Delvin moved to approve the Standard Service Agreement for Economic Development Services with the Tri-Cities Development Council for 2023 as presented. Commissioner Alvarez seconded and upon vote, the motion carried.

Executive Session – Review Qualifications of An Applicant for Public Employment

The Board went into executive session at 9:14 a.m. for up to five minutes with Matt Mahoney to review qualifications of an applicant for public employment. Also present were Jerrod MacPherson, Matt Rasmussen, Carlee Nave and Cami McKenzie.

The Board came out at 9:18 a.m. No decisions were made in executive session.

MOTION: Commissioner Delvin moved to approve the Benton County Salary Request Form for Taylor White as presented. Commissioner Alvarez seconded and upon vote, the motion carried.

Executive Session – 1st Quarter Litigation Update

The Board went into executive session at 9:18 a.m. for up to 15 minutes with DPA Ryan Brown to discuss pending litigation. Also present were Jerrod MacPherson, Matt Rasmussen, and Cami McKenzie. The Chairman came out at 9:32 a.m. and announced it needed an additional 10 minutes and went back into executive session.

The Board came out at 9:41 a.m. No decisions were made in executive session.

Executive Session - Review the Performance of a Public Employee

The Board went into executive session at 9:41 a.m. for up to 15 minutes with Jerrod MacPherson to review the performance of a public employee. Also present were Matt Rasmussen, Carlee Nave, Michael Vander Sys, and Cami McKenzie.

The Board came out at 9:57 a.m. No decisions were made in executive session.

Commissioner Delvin requested that Admin come back in a couple of weeks with a plan to address staffing issues in OPD. He said this had been an ongoing issue for some time, and they hadn't just been sitting around doing nothing.

Chairman McKay requested staff come back at the next Board meeting, if possible. Commissioner Alvarez agreed and said he had several meetings on this issue, including with the PA and it was a big issue and he looked forward to getting it addressed to retain and recruit attorneys.

The Board agreed.

Payroll

Check Date: 04/05/2023

Payroll Checks

Total all funds: \$2,927,415.19

Warrant #: 244078-244100

Direct Deposit #: 178928-179546

Payroll Deductions/Transfers

Total all funds: \$2,546,187.75

EFT #: 373-379

ACH #: 659-669

Payroll Deduction Warrants

Total all funds: \$112,036.57

Warrant #: 244382-244393

Accounts Payable

Check Date: 04/07/2023

Warrants #: 244394-244483

Total all funds: \$1,035,662.36

Transfers #: 642-643, 653-656

EFT's #: 380-381

Total all funds: \$32,451.62

P-cards#: 672

Total all funds: \$403,945.29

Resolutions

2023-291: Changing Precinct Boundaries in Conjunction with Redistricting Pursuant to RCW 29A.76 & 29A.16

2023-292: Agreement w/LexisNexis for Law Library Within the Jail; Rescinding Resolution 2022-714

2023-293: Termination Subscriber Agreement w/Public Safety Testing, Inc. for Entry Level Corrections Testing

2023-294: Inclement Weather Closure Grievance Settlement Agreement & Release w/the Benton-Franklin Juvenile Court Guild, Representing Juvenile Court Employees

2023-295: Amending Resolution 2023-177 for the Purchase of Three Laptops & Docks for Superior Court Administration from Dell Inc.

- 2023-296: Approving One-Year EProsecutor Annual License, Maintenance & Support Fee for the Prosecuting Attorney’s Office From Journal Technologies, Inc.
- 2023-297: Purchase of One Dual Side Printer From CDW-G for the Sheriff’s Office
- 2023-298: Amended Interagency Agreement No. 1 w/Administrative Office of the Courts for Interpreter Funding
- 2023-299: Memorandum of Understanding w/County Road Administration Board for ESRI Editor Term License
- 2023-300: Rejecting Bids for the Sidewalk Repair Project @ the Kennewick Justice Center
- 2023-301: Contract w/MMEC Architecture & Interiors, LLC for the Design of the Administration Office Remodel
- 2023-302: Contract w/Frontier Fence, Inc. for the Prosser Courthouse and Voting Center Fencing Project
- 2023-303: Authorization for Advertisement & Bid Process for Furnishing Road Surfacing Materials in the Public Works Department
- 2023-304: License Agreement w/Permitium, LLC for Online Weapons Permit Applications
- 2023-305: Disposition of Forfeited Firearms
- 2023-306: Line Item Transfer, Fund No. 1290, Dept. 000
- 2023-307: Awarding the Juvenile Justice and Sheriff’s Office Progressive Design Project to Chervenell Construction Company
- 2023-308: Designation of the Tri-Cities Development Council as Benton County's Associate Development Organization for the 2023-2025 Biennium
- 2023-309: Standard Service Agreement for Economic Development Services with the Tri-City Development Council – 2023 Services

There being no further business before the Board, the meeting adjourned at approximately 9:59 a.m.

Clerk of the Board

Chairman