

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting

Benton County Courthouse, Prosser, WA

Tuesday, June 6, 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; Public Works Manager Matt Mahoney; Clerk Josie Delvin; Treasurer Ken Spencer; Robert Blain, Operations/Capital; Human Services Manager Kyle Sullivan; Finance Manager Linda Ivey; Chief Deputy Auditor Lorene Roe; Juvenile Administrator David Wheeler.

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of May 23, 2023 were approved.

Review Agenda

No changes.

Public Comment

None.

Consent Agenda

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

Commissioners

- a. Contract Amendment 1 w/Washington State Military Department for E911 Services

Coroner

- b. Contract w/Titus Funeral Services, Inc. for Rotation Funeral Home Services

Corrections

- c. Invitation to Bid for Inmate Supplies CB 23-12
- d. Subscription Agreement w/International Business Information Technologies, Inc. for Tracking High Liability Areas & Events

Human Services

- e. Agreement w/WA State Department of Social & Health Services on General Terms & Conditions
- f. Contract w/Arc of Tri-Cities for Special Olympics Services

Juvenile

- g. Line Item Transfer, Fund No. 1150, Dept. 171 for Overtime

Office of Public Defense

- h. Superior Court Public Defense Services Agreement w/Catherine Harkins
- i. Amended Superior Court Public Defense Services Agreement w/Christine Bennett

Public Safety

- j. Line Item Transfer, Fund No. 1480; Dept. 121 for Overtime

Public Works

- k. Contracts for Road Surfacing Materials
- l. Interlocal Agreement w/Benton County Weed District #1 for General Equipment & Services
- m. Contract w/Interstate Concrete & Asphalt Co. for Bituminous Surface Treatment Services

Purchasing

- n. Declaration of Surplus Property

Scheduled Business

Contract w/Chervenell Construction Co for the Juvenile Justice Progressive Design Project

Robert Blain presented the contract with Chervenell Construction for the initial validation phase in the amount of \$103,275.00, with future contract amendments for Phase I (design and early procurement), and Phase II (construction with a guaranteed maximum price). He said the kickoff meeting was scheduled for June 21 and then they would begin to move on the project. Anticipated completion was Summer, 2026.

MOTION: Commissioner Delvin moved to approve the contract with Chervenell Construction Company for the design and construction of the Juvenile Justice Center Project and authorize the Chairman to sign the contract on the County's behalf. Commissioner Alvarez seconded and upon vote, the motion carried.

Memorandum of Understanding w/Greater Columbia Region Municipalities to Establish an Opioid Abatement Council

Matt Rasmussen and Kyle Sullivan presented the Memorandum of Understanding with Greater Columbia Region Municipalities to establish an opioid abatement council. Benton County joined in the State of Washington opioid settlement and funds were scheduled to be distributed with

Benton County receiving \$121,901.00 per year. Local governments who receive funds are required to participate in an Opioid Abatement Council to oversee spending of those funds and develop a plan, with 10% of the funds reserved for administrative costs. GCBH drafted the MOU which mirrored the Washington agreement. Legal had concerns and was not willing to sign off because it did not specify what would happen if the county did not comply. He said if there was a conflict, they would have to go back and amend the agreement. He added that 19 agencies have signed an agreement and there was very little likelihood of a conflict.

Commissioner Delvin asked if GCBH would be receiving any money and Mr. Rasmussen stated they were required to withhold 10%, and they believed it would be much less, but would provide the actual costs. Any money left over would go back to the fund for distribution.

MOTION: Commissioner Delvin moved to approve the Memorandum of Understanding for the formation of an Opioid Abatement Council and that the administering agency will be Greater Columbia Behavioral Health LLC. Commissioner Alvarez seconded and upon vote, the motion carried.

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

Jerrod explained the new Bylaws would amend the “Regular Commission Meetings” to allow regular meetings outside the county seat, once per calendar month, per RCW 36.32.080(3) and House Bill 1645, effective July 23, 2023.

Regular meetings outside the county seat would be held on the second Tuesday of each month, at Benton County Administration Building in Kennewick, beginning August 8, 2023.

MOTION: Commissioner Delvin move to approve the attached Resolution Amending the Bylaws and Rules of Procedure for the Board of Benton County Commissioners; Repealing and Superseding Resolution 2023-039 as presented. Commissioner Alvarez seconded and upon vote, the motion carried.

Award of Official County Newspaper Discussion

Matt Rasmussen said the award of the official county newspaper was pulled last week for further review and he provided a more detailed analysis to the Board. He said there were two ways Benton County was required to advertise: 1) utilizing the official county newspaper for legal ads; and 2) utilize a newspaper of greater circulation.

Based on the analysis, if just advertising for legal ads, the Prosser Record Bulletin provided the better value. If using the Tri-City Herald per the other requirements, it resulted in the Tri-City Herald providing the better value. The contract needed to be executed prior to July 1, 2023.

Commissioner Alvarez said the amount was pretty nominal either way but was in favor of keeping with the local county paper as they were a small paper and counted on the revenue. However, it appeared both were going to receive revenue, regardless of who was awarded the contract.

MOTION: Commissioner Alvarez moved to approve the award of official county newspaper to The Prosser Record Bulletin. Commissioner Delvin seconded and upon vote, the motion carried.

Reorganization of Auditor's Office – 2nd Phase

Brenda Chilton presented the 2nd phase of reorganization to move the existing position of Accounting Operations Supervisor to a Chief Accountant position, Grade 21. She said this would be a budget neutral reorganization.

MOTION: Commissioner Delvin moved to approve Line Item Transfer, Fund No. 0010, Dept. 102 in the amount of \$156,496.00. Commissioner Alvarez seconded and upon vote, the motion carried.

Chairman McKay asked about the Auditor's ballot check system. Ms. Chilton said the system was set up so that each voter's ballot was secret. They had processes in place, and once the ballot was delivered to their office, you could no longer identify each individual ballot and who voted that ballot. She said they had a pre-election audit and two post-election audits and had also developed an observer program.

Authorizing Sheriff's Office to Apply for Grant Funding – Patrick Leahy Bulletproof Vest Partnership Program

Lt. Michael Clark via/WebEx presented the Resolution authorizing the Sheriff's office to apply for the Patrick Leahy Bulletproof Vest grant and briefly discussed the following:

- Reimbursable funding – up to 50%
- Anticipates purchasing 16 body armor vests at approximate cost of \$1600 each
- Grant reimbursement was not budgeted – would reimburse back to General Fund
- Vests were included in Sheriff's Replacement Fund 1010

MOTION: Commissioner Delvin moved to authorize the Benton County Sheriff's Office to apply for FY23 grant funding under the Patrick Leahy Bulletproof Vest Partnership Program. Commissioner Alvarez seconded and upon vote, the motion carried.

Finance Presentation: General Fund & Public Safety Tax

Finance Manager Linda Ivey and Deputy Administrator Matt Rasmussen gave a Powerpoint presentation and briefly discussed the following:

- General Fund/Current Expense
 - January 1, 2023 – April 30, 2023 – time elapsed – 16.67%
 - Revenues without ARPA funds (they give in advance, and then the County spent the money 2026), so this was a more accurate look at the General und
 - Total Revenue received – 16.74%
 - Total Expenditures – 14.30%

- Public Safety Tax
 - January 1, 2023 – April 30, 2023 – time elapsed – 16.67%
 - Revenue – 7.53%
 - Expenditures – 15.25%

Other Business

Public Safety Tax Ballot Proposition

Commissioner Alvarez asked about whether the ballot would be running with or without a sunset clause and if Admin had discussed this with the cities. Mr. Rasmussen said it was the recommendation by the Law & Justice Council to run without, and that was the assumption they had been working under. He said they were currently working on the explanatory statement and once that was complete, they would look at the ballot proposition. The goal was to have the resolution and ballot ready for the first meeting in July.

Mr. Rasmussen added they had discussed the issue informally with the city managers and the police chiefs, and they were leaning towards having a “no sunset” clause, but he did not think the councils had taken a formal position. The needs of agencies were being provided in a summary document and what they proposing to spend the money on.

Commissioner McKay commented that he knew, informally, that Kennewick did not want a sunset clause.

Public Comment - Continued

Jim Adkins, Kennewick, requested the Board review its Bylaws and other forms and consider conducting an internal audit on its own policies and procedures.

Other Business – Continued

Tour of Residential Substance Abuse Treatment Facilities

Commissioner Delvin said that he toured the Pioneer Center East treatment facility with Matt Rasmussen, Riley Ollero, and Robert Blain and they liked the concept there and were encouraged since it was an old warehouse building. They also planned to tour the Comprehensive Treatment Center in Spokane to see how well it was designed.

Mr. Rasmussen said they would be meeting at the end of the month to start negotiations on the provider contract, and the RFP was currently out for design of the building.

Fairgrounds

Chairman McKay said he spoke to a gentleman about promoting additional competitions at the Benton County Fairgrounds arena. Additionally, he asked about food trucks and the required insurance policy.

Tom French, Event Center Manager, via/WebEx, said they had one standard insurance policy and were currently reviewing this with the PA's office and whether this needed to be standard across the board, or if it could be reduced for certain agreements.

Additionally, he said they made a conscious effort during the High School Rodeos final to limit the amount of food trucks to help the ones out that were at the event.

He also said they were actively reaching out to local promoters to bring in more events, and some were currently in long-term contracts.

Accounts Payable

Check Date: 05/26/2023

Warrants #: 245998-246154
Total all funds: \$785,349.07

EFT's #: 429-451
Transfers #: 833, 838-844
Total all funds: \$226,035.23

Check Date: 05/30/2023

Warrants #: 246155
Total all funds: \$7,763.44

EFT's #: 452
Transfers #: 851
Total all funds: \$13,690.80

Check Date: 06/02/2023

Warrants #: 246273
Total all funds: \$4,166.00

Check Date: 06/02/2023

Warrants #: 246159-246272
Total all funds: \$691,736.47

EFT's #: 453-458
Transfers #: 853
Total all funds: \$15,794.22

Resolutions

- 2023-416: Contract Amendment 1 w/Washington State Military Department for E911 Services
- 2023-417: Contract w/Titus Funeral Services, Inc. for Rotation Funeral Home Services
- 2023-418: Invitation to Bid for Inmate Supplies CB 23-12
- 2023-419: Subscription Agreement w/International Business Information Technologies, Inc. for Tracking High Liability Areas & Events
- 2023-420: Agreement w/WA State Department of Social & Health Services on General Terms & Conditions
- 2023-421: Contract w/Arc of Tri-Cities for Special Olympics Services
- 2023-422: Line Item Transfer, Fund No. 1150, Dept. 171 for Overtime
- 2023-423: Superior Court Public Defense Services Agreement w/Catherine Harkins
- 2023-424: Amended Superior Court Public Defense Services Agreement w/Christine Bennett
- 2023-425: Line Item Transfer, Fund No. 1480; Dept. 121 for Overtime
- 2023-426: Contracts for Road Surfacing Materials
- 2023-427: Interlocal Agreement w/Benton County Weed District #1 for General Equipment & Services
- 2023-428: Contract w/Interstate Concrete & Asphalt Co. for Bituminous Surface Treatment Services
- 2023-429: Declaration of Surplus Property
- 2023-430: Contract w/Chervenell Construction Co for the Juvenile Justice Progressive Design Project
- 2023-431: Memorandum of Understanding w/Greater Columbia Region Municipalities to Establish an Opioid Abatement Council
- 2023-432: Amending Bylaws & Rules of Procedure for the Board of Benton County Commissioners
- 2023-433: Award of Official County Newspaper to Prosser Record Bulletin
- 2023-434: Line Item Transfer, Fund No. 0010, Dept. 102 for Chief Accountant \$156,496
- 2023-435: Authorizing Sheriff's Office to Apply for Grant Funding – Patrick Leahy Bulletproof Vest Partnership Program

There being no further business before the Board, the meeting adjourned at approximately 10:01 a.m.

Clerk of the Board

Chairman