

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting

Benton County Courthouse, Prosser, WA

Tuesday, July 18, 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 Cami McKenzie

Benton County Employees Present During All or a Portion of the Meeting: Deputy County Administrator Matt Rasmussen; Robert Heard, IT Manager; Tim Brown; Carlee Nave, HR Manager; Greg Wendt, Community Development Director; Adam Fyall, Sustainable Development Manager; Clerk Josie Delvin; Matt Mahoney, Public Works Manager; Treasurer Ken Spencer; Human Services Manager Kyle Sullivan; Chief Robert Guerrero; PA Eric Eisinger.

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of July 11, 2023 were approved.

Review Agenda

No additional items were added to the agenda.

Public Comment

Jim Atkins asked about the check posting lists that were included in the Minutes but not posted on the webpacket for review, and also brought up again his concern about signatures not being legible on contracts.

Commissioner Alvarez said he would review the issue of signatures and get him a better answer.

Tina Gregory, via/WebEx in Kennewick, said she wanted in-person voting and that she would continue to speak out about her concerns about government.

Consent Agenda

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

Consent Agenda

Information Technology

- a. Purchase of One Computer From Dell for the Prosecuting Attorney’s Office
- b. Lease Agreement w/Ricoh USA for the Prosecuting Attorney’s Office
- c. Lease Agreement w/Ricoh USA for the Office of Public Defense

Planning

- d. Appointment of Brady Quinton to the Benton County Planning Commission for District 3
- e. Contract w/WA State Conservation Commission for the Voluntary Stewardship Program

Prosecuting Attorney

- f. Contract w/Columbia Basin Veterans Center for the Columbia Basin Veterans Forum Program

Public Works

- g. Interlocal Agreement w/City of Prosser for Certification Acceptance Services for Prosser’s Alexander Court Project
- h. Approval of Construction Plans for Desert Pines Subdivision
- i. Coding Correction Between Equipment Rental and Revolving Fund and Solid Waste Fund

Purchasing

- j. Contract w/Bruce Mechanical, LLC for the Canine Control HVAC Project
- k. Contract w/Banlin Construction, LLC for the Justice Center Interior Office Remodel Project

Sheriff

- l. Contract with Chad Peterschick Law Enforcement Perspectives

Request for Vacation Leave Accrual and Use for Employee in the Prosecuting Attorney’s Office

PA Eric Eisinger presented a request for approval for a potential new hire to accrue 15 hours per month with immediate use of earned annual leave. He said the applicant has been employed as a Deputy Prosecuting Attorney with the Yakima County Prosecutor’s Office since 2011 where she currently accrues 16.75 hours of leave per month. She is a seasoned Felony Deputy Prosecutor with years of experience handling difficult sex case prosecutions and would be able to make an immediate impact in the Felony Division of the Prosecutor’s Office. During the negotiation process, she expressed conditional requests related to vacation leave. The Prosecuting Attorney would like to offer Ms. Holbrook vacation accrual at a rate equivalent to a Benton County employee with equal experience, which is 15 hours per month, and immediate use of earned annual leave with pay.

MOTION: Commissioner Alvarez moved to approve the Vacation Accrual/Usage Resolution for Holai Holbrook. Commissioner Delvin seconded and upon vote, the motion carried.

Switzler Reservoir Update

Adam Fyall introduced guests Tom Tebb, Director, WA Dept. of Ecology/ Office of Columbia River, Tim Flynn, Aspect Consulting (via/WebEx), and Michael Scrafford, Aspect Consulting.

They updated the Board and discussed the following:

- Office of Columbia River Mission – pursue water supply development
- Legislative Mandates
- Columbia River Basin Water Management Act – 2006
- Today’s challenges - water for economic growth
- 2023 Water Projects
- Switzler Reservoir Project
- Preferred storage alternative from pre-feasibility study
- Constructed elements; operational elements/evaluation – results are 41,000 acre-feet supplied – 9 out of 10 years
- Project economics evaluation – \$400 to \$500 million benefit – increased agriculture production; additional value may be generated through municipal uses or instream flows; job creation during construction and ongoing operation
- Landowner survey – 2016 – \$150 to \$250/acre for most; however, price of water continues to rise and is currently \$300 to \$500; in Yakima going at \$9,000 per acre foot
- Cultural Resources & Scoping Responsiveness Survey
 - Tribal coordination
- Next Steps – SEPA Scoping and EIS, consultation meetings with landowners

Chairman McKay asked if it would be used for recreation purposes as well, and Mr. Tebb stated the Department of Ecology was willing to be a funding partner, but it would depend on who ended up building it. He said it was his guess it would be drained regularly.

Ratifying Contracts w/WA State Dept of Commerce for Community Development Block Grant

Kyle Sullivan presented two separate contracts for the Board to ratify. He said he received both of them about a week before they expired, and he was able to get legal review but did not have time to get before the Board. However, he spoke to County Administration and received approval to sign.

- Amendment A – benefits approximately 96 low and moderate-income persons - contract was set to expire 6/30/23. Dept. of Commerce offered to extend one year and add funding of \$66,000.00 – signed by Human Service Managers with attorney approval and approval of County Administration. He said it was a normal contract, and typically they received a new one, but they extended the contract and added funding.

- Amendment B – benefits residents of non-entitlement areas for rent/utilities assistance (Covid funding) - contract was set to expire 6/30/23. Dept. of Commerce offered to extend to June 30, 2025 to accommodate the spend down of the remaining budget with no additional funding – signed by Human Service Manager with approval of County Administration. The attorney was not willing to sign as it did not identify if there was funding for both Benton and Franklin Counties. He said the State indicated it had been removed erroneously and he acknowledged in writing it was for both counties.

MOTION: Commissioner Alvarez moved to approve and ratify Amendment A to Contract #22-62210-002 Community Development Block Grant between Washington State Dept. of Commerce, as presented. Commissioner Delvin seconded and upon vote, the motion carried.

MOTION: Commissioner Alvarez moved to approve and ratify Amendment B to contract # 20-6221C-103 between Washington State Dept. of Commerce, as presented. Commissioner Delvin seconded and upon vote, the motion carried.

Other Business

None.

Executive Session – Review Qualifications of Applicant for Public Employment

The Board went into executive session at 9:46 a.m. for five minutes with Chief Robert Guerrero to review the qualifications of an applicant for public employment. Also present were Jerrod MacPherson, Matt Rasmussen, Cami McKenzie, and Carlee Nave.

The Board came out at 9:51 a.m. No decisions were made in executive session.

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

Tort Claim

CC 2023-08: Received July 17, 2023 from Melanie Ockey
CC 2023-09: Received July 21, 2023 from Kimberly Zorn
CC 2023-10: Received July 24, 2023 from Gretchen Payne

Accounts Payable

Check Date: 07/14/2023

Warrants #: 247597-247686
Total all funds: \$456,990.35

EFT's #: 513-521
Transfers #: 986-988, 991, 1001
Total all funds: \$51,385.59

Resolutions

- 2023-507: Purchase of One Computer From Dell for the Prosecuting Attorney's Office
- 2023-508: Lease Agreement w/Ricoh USA for the Prosecuting Attorney's Office
- 2023-509: Lease Agreement w/Ricoh USA for the Office of Public Defense
- 2023-510: Appointment of Brady Quinton to the Benton County Planning Commission for District 3
- 2023-511: Contract w/WA State Conservation Commission for the Voluntary Stewardship Program
- 2023-512: Contract w/Columbia Basin Veterans Center for the Columbia Basin Veterans Forum Program
- 2023-513: Interlocal Agreement w/City of Prosser for Certification Acceptance Services for Prosser's Alexander Court Project
- 2023-514: Approval of Construction Plans for Desert Pines Subdivision
- 2023-515: Coding Correction Between Equipment Rental and Revolving Fund and Solid Waste Fund
- 2023-516: Contract w/Bruce Mechanical, LLC for the Canine Control HVAC Project
- 2023-517: Contract w/Banlin Construction, LLC for the Justice Center Interior Office Remodel Project
- 2023-518: Contract with Chad Peterschick Law Enforcement Perspectives
- 2023-519: Annual Leave Accrual Rate and Use of Accrued Leave with Pay for Holai Holbrook in the Benton County Prosecuting Attorney's Office
- 2023-520: Ratifying Amendment A to Grant Number 22-62210-002 Community Development Block Grant Public Services Grant with Washington State Department of Commerce
- 2023-521: Ratifying Amendment B to Contract 20-6221C-103 Community Development Block Grant - Coronavirus (CDBG-CV1) and (CDBG-CV2) Public Services Grant with Washington State Department of Commerce

There being no further business before the Board, the meeting adjourned at approximately 9:52 a.m.

Clerk of the Board

Chairman