

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Benton County Courthouse, Prosser, WA
Tuesday, July 25, 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
Deputy County Administrator Matt Rasmussen
Clerk of the Board Cami McKenzie

Absent: County Administrator Jerrod MacPherson (Vacation – Excused)

Benton County Employees Present During All or a Portion of the Meeting: Robert Heard, IT Manager; Carlee Nave, HR Manager; Greg Wendt, Community Development Director; Public Works Manager Matt Mahoney; Clerk Josie Delvin; DPA Ryan Brown; Treasurer Ken Spencer; Finance Manager Linda Ivey; Deputy Treasurer Kirsten Yniguez; Juvenile Administrator Dave Wheeler; Eric Wyant, HR Assistant Manager; Chief Robert Guerrero; District Court Administrator Amanda Watts; Auditor Brenda Chilton; Greg Wendt, Community Development Director; Andrea Watts, Planning.

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of July 18, 2023 were approved.

Review Agenda

Matt Rasmussen added the following to the agenda:

- Executive Session – Consider Qualifications of Applicant for Public Employment
- Executive Session - Review Performance of Public Employee

Public Comment

Tina Gregory, via/WebEx, said she wanted in-person voting, transparent elections, expressed her concerns regarding government costs, and asked the Board to stand up against evil.

Jim Atkins, via/WebEx, asked about the item on the agenda where an employee was requesting to use annual leave and whether it was accrued time or not.

Consent Agenda

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

Commissioners

- a. Surplus & Disposition of Personal Property

Corrections

- b. Agreement w/City of Othello for Othello Police Department Jail Space @ the Benton County Jail
- c. Notice of Award to Bob Barker Company, Inc. for the Purchase of Inmate Supplies

Juvenile

- d. Contract Termination w/Washington Collectors Tri-Cities, Inc. for Collections Services

Office of Public Defense

- e. Line Item Transfer, Fund No. 0010, Dept. 136 for Public Defense Attorney I Position

Public Works

- f. Agreement w/Delta Endurance LLC for Temporary Use of County Right-of-Way
- g. Agreement w/Triple S Farms, Inc., for Maintenance of County Road Section of Weller Road
- h. Accepting Work Performed by American Rock Products for Plymouth Road Overlay Project

Purchasing

- i. Contract Award to Hummel Construction & Development, LLC for the Rattlesnake Mountain Shooting Range Training Center Project

Sheriff

- j. Purchase of One TruNarc Narcotics Analyzer From Fisher Scientific Co., LLC

Treasurer

- k. Approval of Columbus Day Training

Public Hearing - Short Plat Vacation – SPV 2023-002

Greg Wendt and Andrea Watts presented the Short Plat Vacation application by Maureen Gore to vacate a portion of the hammerhead shaped emergency vehicle turn-around easement located on Lot 2 of Short Plat 3720 to allow for additional buildable area on the northeast side of Lot 2. The applicant proposed to record a new 20 x 50-foot emergency vehicle turn-around easement.

No objections were received to date, and the Planning Division recommended approval based upon the information received.

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

MOTION: Commissioner Delvin moved to approve the vacation of the emergency vehicle turnaround easement located on Lot 2 of Short Plat 3720, with the condition that the applicant record a new emergency access and turnaround easement on Lot 2 of Short Plat 3720 with the Benton County Auditor. The document must be recorded within 1 year of the date of approval by the Benton County Board of Commissioners or this approval will be null and void. Commissioner Alvarez seconded and upon vote, the motion carried.

Public Hearing - Budget Adjustments

Linda Ivey presented the following budget adjustments that were posted and advertised as required.

She added the Board did not do any budget adjustments last year, as they were concerned about the economy, so this adjustment to the General Fund was based on two years.

- General Fund, Fund No. 0010, Dept. 115 in the Amount of \$10,000,000 for Cash Carry Forward to Bring Fund 0010 in Excess of 13% of the Operating Budget
- Human Services Fund, Fund 1070 in the Amount of \$2,000,000 for the Purchase of a Building on Bruneau Avenue for Behavioral Health Services

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

MOTION: Commissioner Delvin moved to approve the request for a budget adjustment to the General Fund, Fund number 0010, Non-Departmental, Department 115, in the amount of \$10,000,000 and to approve the request for a budget adjustment to the Human Services Fund, Fund number 1070, in the amount of \$2,000,000. Commissioner Alvarez seconded and upon vote, the motion carried.

Request to Use Annual Leave with Pay for Employee in the Prosecuting Attorney's Office

DPA Ryan Brown presented a Resolution requesting employee Jeffrey Aultman to use accrued annual leave before completion of his six months of service. He already used the time and so would need to take leave without pay.

Commissioner Alvarez said this subject was discussed with Admin and he was in favor of changing the policy and allowing the department managers to make the decision on whether an employee could use accrued leave.

Mr. Rasmussen said the HR Manager brought this to Administration and asked if the County should consider changing the policy by removing the six-month restriction and he felt it was a good change and in line with the current market and requests from new hires. It did not address the bargaining units and that would have to be bargained. However, this would leave it up to the approver's discretion.

MOTION: Commissioner Delvin moved to approve the request to use annual leave with pay for Jeff Aultman in the PA's office as presented. Commissioner Alvarez seconded and upon vote, the motion carried.

MOTION: Commissioner Delvin moved to approve the Resolution allowing employees to take vacation/annual leave prior to six months of service, Amending Resolution 2014-306. Commissioner Alvarez seconded and upon vote, the motion carried.

Request to Credit Juvenile Employee with Time Served as Acting Detention Manager

Dave Wheeler and Eric Wyant presented a resolution to credit a juvenile employee for time served as Acting Detention Manager now that he was selected to fill that position. He said it was appropriate to recognize those months he served in that position and Mr. Wyant said it was good practice to recognize employees for time served.

MOTION: Commissioner Delvin moved to approve the request to credit Juvenile employee Rudy Ruelas with time served as acting detention manager as presented. Commissioner Alvarez seconded and upon vote, the motion carried.

Appointment of Committees to Prepare Arguments for Approval & Rejection of Proposition for Renewal of Public Safety Sales Tax

Matt Rasmussen said the Board was required by RCW to appoint three members to two separate committees to prepare arguments in favor and against the proposition for renewal of the public safety sales tax. He said they had been working with the Law & Justice Committee and had three names for the committee preparing the statement against and five names for the committee in favor. The Board would need to narrow down the list to three members for the pro committee and they were required to turn in the appointments by August 1, 2023.

The Board reviewed the nominations and Commissioner Alvarez recommended Pat Holton, Bill Dress, and Brian Ace.

Mr. Rasmussen said all names had been vetted by the Law & Justice Council and any of the individuals would be acceptable to them.

MOTION: Commissioner Delvin moved to approve a Resolution appointing Jerome Martin, Earl Morgan, and Ken Reithmayr to the committee to prepare arguments to reject the proposition to renew the public safety sales tax. Commissioner Alvarez seconded and upon vote, the motion carried.

MOTION: Commissioner Delvin moved to approve a Resolution appointing Pat Holton, Bill Dress, and Brian Ace to the committee to prepare arguments to approve the proposition to renew the public safety sales tax. Commissioner Alvarez seconded and upon vote, the motion carried.

Other Business

None.

Executive Session – Review Qualifications of Applicant for Public Employment/Review Performance of Public Employee

The Board went into executive session at 9:24 a.m. for 10 minutes to discuss two items (review qualifications of applicant for public employment and review performance of a public employee). Also present were Matt Rasmussen, Cami McKenzie, Matt Mahoney, and Eric Wyant. Mr. Mahoney and Mr. Wyant left the executive session at 9:27 a.m. The Board came out at 9:35 a.m. No decisions were made in executive session.

MOTION: Commissioner Delvin moved to approve the Salary Request Form for Amy Nickolaus, as presented. Commissioner Alvarez seconded and upon vote, the motion carried.

The Board briefly recessed, reconvening at 9:41 a.m.

Executive Session – 2nd Quarter Litigation Update

The Board went into executive session at 9:41 a.m. for 30 minutes with DPA Ryan Brown to review the 2nd quarter litigation update. Also present were Matt Rasmussen, Cami McKenzie, and Brenda Chilton.

The Board came out at 10:08 a.m. No decisions were made in executive session.

Resolutions

- 2023-522: Surplus & Disposition of Personal Property
- 2023-523: Agreement w/City of Othello - Othello Police Department Jail Space @ the Benton County Jail
- 2023-524: Notice of Award to Bob Barker Company, Inc. for the Purchase of Inmate Supplies
- 2023-525: Contract Termination w/Washington Collectors Tri-Cities, Inc. for Collections Services
- 2023-526: Line Item Transfer, Fund No. 0010, Dept. 136 for Public Defense Attorney I Position
- 2023-527: Agreement w/Delta Endurance LLC for Temporary Use of County Right-of-Way
- 2023-528: Agreement w/Triple S Farms, Inc., for Maintenance of County Road Section of Weller Road
- 2023-529: Accepting Work Performed by American Rock Products for Plymouth Road Overlay Project
- 2023-530: Contract Award to Hummel Construction & Development, LLC for the Rattlesnake Mountain Shooting Range Training Center Project
- 2023-531: Purchase of One TruNarc Narcotics Analyzer From Fisher Scientific Co., LLC
- 2023-532: Approval of Columbus Day Training
- 2023-533: Budget Adjustment – 2023-2024 General Fund 0010, Dept. 115 - \$1,000,000.00

- 2023-534: Budget Adjustment – 2023-2024 Human Service Fund 1070 in the amount of \$2,000,000.00
- 2023-535: Use of Annual Leave with Pay for Jeffrey Aultman – Benton County PA’s Office
- 2023-536: Allowing Employees to Use Annual Leave Prior to Six Months of Service – Amending Resolution 2014-306
- 2023-537: Crediting Rudy Ruelas with Time Served in the Acting Detention Manager Position
- 2023-538: Appointing Members to the Committee Preparing the Statement Against the Proposition to Renew the Public Safety Sales Tax
- 2023-539: Appointing Members to the Committee Preparing the Statement in Favor of the Proposition to Renew the Public Safety Sales Tax

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

Clerk of the Board

Chairman