

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting

Benton County Administration Building, Kennewick, WA

Tuesday, August 8, 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: Robert Heard, IT Manager; Carlee Nave, HR Manager; Greg Wendt, Community Development Director; Adam Fyall, Sustainable Development Manager; Public Works Manager Matt Mahoney; Clerk Josie Delvin; DPA Ryan Brown; Cristina Woods, Public Works; Lt. Kasey Kist; Danica Hope, Lisa Small, and Paul Schut, Procurement Department; Cindi Kane, Corrections; Finance Manager Linda Ivey; Michelle Cooke, Planning Manager; Kyle Sullivan, Human Services Manager; Tom French, Fairgrounds/Event Center; DPA Jeff Aultman; Cody Shelton, IT; Nicole Webb, Commissioners.

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of August 1, 2023 were approved.

Review Agenda

The following items were added to the agenda:

- Human Services - Authorizing Payment to Community Prevention Coalition Coordinator Tanya Logston
- Executive Session - Pending Litigation

Public Comment

None.

Rick Tyrrell, Kennewick VFW, said they were in dire need of a new facility and acreage to build a national cemetery in Benton County. He said that Benton County had the most veterans per capita in the state and wanted the Board to be aware of their needs.

Tiny Gregory, Kennewick, expressed her concerns about government and said that she would continue to speak out about her concerns about government.

Jim Atkins, Kennewick, discussed several items of concern that needed clarification including: OPD contract, discrimination policy, spelling out names on signature lines, pending litigation conclusions, contract with ACT, and property taxes.

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:

Auditor

- a. Payroll – Check Posting List for 07/17/23
- b. Accounts Payable – Check Posting List for 07/28/23a
- c. Accounts Payable – Check Posting List for 07/28/23b
- d. Accounts Payable – Check Posting List for 07/31/23

Commissioners

- e. Line Item Transfer, Fund No. 1300, Dept. 000 for the Event Center Improvements
- f. Line Item Transfer, Fund No. 1440, Dept. 000 for the Event Center Improvements

Corrections

- g. Agreement w/Bob Barker Co., Inc. for Inmate Supplies
- h. First Contract Amendment w/Keefe Commissary Network for Inmate Commissary Services

Human Services

- i. Agreement w/WA State Department of Commerce for Consolidated Homeless Grant

Information Technology

- j. Purchase of One Laptop, Dock and Two Monitors from Dell, Inc. for Superior Court Administration

Public Works

- k. Line Item Transfer, Fund No 1550, Dept. 000 for Drum Spill Containment for the Moderate Risk Waste Facility

Purchasing

- l. Contract w/Hummel Construction & Development for Rattlesnake Mt. Shooting Facility Training Center
- m. Contract w/MacKay & Sposito, Inc. for the Two Rivers Park Irrigation Design Project
- n. Contract w/Advanced Chemical Transport, Inc. for Hauling & Disposal of Household Hazardous Waste for the Moderate Risk Waste Facility
- o. Authorizing the County Administrator to Sign Rental Agreements for Equipment & Small Tools

Sheriff

p. Authorization to Purchase “As Needed” Uniforms and Equipment From The Bunker Workforce Development Council

q. Appointment of Sonny Virakpanyou to the Benton Franklin Workforce Development Council

Public Hearing - Final Order of Vacation for C. Smith Road

Matt Mahoney and Cristina Woods presented the final order of vacation for C. Smith Road. The County Engineer examined the county road proposed to be vacated and abandoned and filed the report with the Board of County Commissioners. Mr. Mahoney noted there was an error in the Engineer’s report that was corrected to read “June 27, 2023, via Resolution 2023-467” in lieu of April 28, 2023 and an updated report was presented to the Board and the Clerk of the Board.

The Public Works Department recommended the Commissioners approve the vacation of C. Smith Road.

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

MOTION: Commissioner Delvin moved to approve the resolution vacating C. Smith Road, as described in Exhibit A, and retaining an easement in respect to the vacated land for the construction, repair, and maintenance of public utilities and services, which at this time are authorized or are physically located on a portion of the vacated land. Commissioner Alvarez seconded and upon vote, the motion carried.

Public Hearing - Wyckoff Farms, Inc. Franchise Renewal

Cristina Woods presented the application for a franchise order and agreement by Wyckoff Farms, Inc. for an irrigation water distribution system and all facilities. Public Works recommended approval as presented.

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

MOTION: Commissioner Alvarez moved to approve the Franchise Order and Agreement with Wyckoff Farms, Inc. as presented. Commissioner Delvin seconded and upon vote, the motion carried.

Public Hearing – City of Prosser Renewal

Cristina Woods presented the Franchise Order and Agreement for domestic water and sewer transmission systems and facilities from the City of Prosser.

Public Works recommended approval as presented.

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

MOTION: Commissioner Delvin moved to approve the Franchise Order and Agreement with the City of Prosser as presented. Commissioner Alvarez seconded and upon vote, the motion carried.

Agreement w/WA State Dept. of Ecology for Community Litter Cleanup Program

Lt. Kasey Kist presented the agreement with the Washington State Dept. of Ecology for a grant awarded in the amount of \$71,806.00 from the Department of Ecology to help offset work crew costs.

MOTION: Commissioner Delvin moved to approve the attached Agreement between Washington State Department of Ecology and Benton County Corrections Department for the Solid Waste Management Community Litter Cleanup Program with a grant amount not to exceed \$71,806, and hereby authorize the Chairman Pro-Tem to sign said Agreement. Commissioner Alvarez seconded and upon vote, the motion carried.

Horse Camp Facility Dedication @ Horn Rapids Park

Adam Fyall presented a resolution dedicating the Horse Camp Facility in honor of Linda Smith, long-time volunteer, and advocate of Horn Rapids Park for well over 40 years.

MOTION: Commissioner Delvin moved to approve the Resolution to formally dedicate the horse camp facility at Horn Rapids Park to be named as the “Linda Smith Horse Camp and Event Center.” Commissioner Alvarez seconded and upon vote, the motion carried.

Benton County Electronic Records Retention Policy

Robert Heard presented the Benton County Electronic Records Retention Policy as prepared and signed off by all county elected positions and departments. The policy was created by a project team consisting of Risk Management, Human Resources, Prosecuting Attorney, and IT to improve the County’s response to public records requests and reduce risk to the County.

MOTION: Commissioner Delvin moved to approve the Benton County Electronic Records Retention Policy as presented. Commissioner Alvarez seconded and upon vote, the motion carried.

Other Business

Authorizing Payment to Community Prevention Coalition Coordinator

Kyle Sullivan presented a resolution authorizing a one-time payment to a provider. He said the final invoice was rejected because the Resolution and Contract didn’t match the budgeted funds through the State. He said there was more than enough funding through the State, but the error was made by his department and approving this resolution would authorize the final invoice to be paid.

MOTION: Commissioner Delvin moved to approve the payment amount of \$18,534.49 to Community Prevention Coalition Coordinator Tanya Logston as presented. Commissioner Alvarez seconded and upon vote, the motion carried.

Miscellaneous

Commissioner Delvin said he signed up for the County Leaders Meeting in November, but since Commissioner McKay was interested, he asked if he could take it since ECA announced it was having it's intergovernmental meeting during the same time. He said he would have the registration changed to Commissioner McKay.

Michael Alvarez noted it was the 75th anniversary of the Benton Franklin Fair & Rodeo and he wanted to kick it off by being the first to wear western gear, hat and boots included, and encouraged the other Board members to join him.

Executive Session – Pending Litigation

The Board went into executive session at 9:31 a.m. for 25 minutes with Ryan Brown to discuss pending litigation. Also present were Jerrod MacPherson, Matt Rasmussen, and Cami McKenzie.

The Board came out at 9:54 a.m. No decisions were made in executive session.

The Board briefly recessed and reconvened at 9:56 a.m.

Payroll

Check Date: 07/17/2023

Payroll Draw Checks
Total all funds: \$112,348.45
Direct Deposit #: 181866-182003

Payroll Draw Deductions/Transfers
Total all funds: \$20,730.71
ACH #: 1002

Accounts Payable

Check Date: 07/28/2023

Warrants #: 247945-248059
Total all funds: \$594,527.87

EFT's #: 526-546
Transfers #: 1022, 1025-1026, 1035-1041
Total all funds: \$249,621.60

Transfer #: 1042
Total all funds: \$1,778.19

Check Date: 07/31/2023

EFT's #: 547
Total all funds: \$6,500.00

Resolutions

- 2023-553: Line Item Transfer, Fund No. 1300, Dept. 000 for the Event Center Improvements
- 2023-554: Line Item Transfer, Fund No. 1440, Dept. 000 for the Event Center Improvements
- 2023-555: Agreement w/Bob Barker Co., Inc. for Inmate Supplies
- 2023-556: First Contract Amendment w/Keefe Commissary Network for Inmate Commissary Services
- 2023-557: Agreement w/WA State Department of Commerce for Consolidated Homeless Grant
- 2023-558: Purchase of One Laptop, Dock and Two Monitors from Dell, Inc. for Superior Court Administration
- 2023-559: Line Item Transfer, Fund No 1550, Dept. 000 for Drum Spill Containment for the Moderate Risk Waste Facility
- 2023-560: Contract w/Hummel Construction & Development for Rattlesnake Mt. Shooting Facility Training Center
- 2023-561: Contract w/MacKay & Sposito, Inc. for the Two Rivers Park Irrigation Design Project
- 2023-562: Contract w/Advanced Chemical Transport, Inc. for Hauling & Disposal of Household Hazardous Waste for the Moderate Risk Waste Facility
- 2023-563: Authorizing the County Administrator to Sign Rental Agreements for Equipment & Small Tools
- 2023-564: Authorization to Purchase "As Needed" Uniforms and Equipment From The Bunker
- 2023-565: Appointment of Sonny Virakpanyou to the Benton Franklin Workforce Development Council
- 2023-566: Final Order of Vacation of C Smith Road Right of Way
- 2023-567: Granting a Franchise to Wyckoff Farms Inc to Place an Irrigation Water Distribution System and all Facilities in County Road Rights of Way
- 2023-568: Granting Franchise to the City of Prosser to Place Domestic Water and Sewer Transmission Systems and Facilities in County Road Rights of Way
- 2023-569: Grant Award from Washington State Department of Ecology for the Purpose of the Solid Waste Management Community Litter Cleanup Program
- 2023-570: In the Matter of Horn Rapids Park Dedicating the Horse Camp Facility in Honor of Linda Smith - Linda Smith Horse Camp and Event Center
- 2023-571: Approving a Benton County Electronic Records Retention Policy

2023-572: Authorizing Payment to Community Prevention Coalition Coordinator Tanya Logston Due to an Error in the Compensation Section of her Previous Contract

There being no further business before the Board, the meeting adjourned at approximately 9:56 a.m.

Clerk of the Board

Chairman