



## Minutes – Board of County Commissioners

Regular Board Meeting  
Benton County Administration Building  
Commissioners' Hearing Room, Kennewick, WA  
Tuesday, October 10, 2023, 9:00 a.m.

*Meeting provided in-person, by Video Live-Broadcast and Telephonically via/WebEx*

**Present:** Chairman Will McKay  
Commissioner Michael Alvarez  
County Administrator Jerrod MacPherson  
Clerk of the Board Amanda Pearson

**Absent:** Commissioner Jerome Delvin (excused)

**Benton County Employees Present During All or a Portion of the Meeting:** Deputy County Administrator, Matt Rasmussen; Treasurer, Ken Spencer; Information Technologies-Casey; Human Resources Manager, Carlee Nave; Community Development Director, Greg Wendt; Sustainable Development Manager, Adam Fyall; Public Works Manager, Matt Mahoney; Clerk, Josie Delvin; Deputy Prosecuting Attorney, Ryan Brown; Jeff Aultman, Deputy Prosecuting Attorney; Risk Manager, Adam Morasch; Lorene Roe, Chief Deputy Auditor; Treasurer, Ken Spencer; Linda Ivey, Finance Manager; Sheriff, Katie Gillies; Procurement, Danica Hope; Nicole Webb, Administrative Assistant; Glenn Vaagen, Communications Coordinator; Bill Spencer, Assessor

### **Pledge of Allegiance**

The Board recited the Pledge of Allegiance.

### **Approval of Minutes**

The Minutes of October 3, 2023 were approved.

### **Review Agenda**

Jerrod MacPherson added the following to the agenda:

- Contract with Applied Research Associates for a Pavement Condition Survey.
- Board Discussion on a Scoping Letter for Solar and Wind Projects in the State of Washington.
- Planning grant submittal for state mandated Climate change element in the Benton County's Comprehensive Plan.

## **Public Comment**

Resident of Finley shared her opposition for the use of the Consent Agenda. She spoke of her concerns that the Mid-Columbia Libraries Board of Trustees appointee from last weeks' meeting attended a leadership course that was described as a democratic society. She also shared her concern that there will be no Sunset Clause in the Public Safety Sales Tax that is going on the ballot.

## **Consent Agenda**

**MOTION:** Commissioner Alvarez moved to approve the consent agenda items "a" through "n". Commissioner McKay seconded and upon vote, the Board approved the following:

### Auditor

- a. Accounts Payable – Check Posting List for 09/29/2023
- b. Accounts Payable – Check Posting List for 09/29/2023 – Special Run
- c. Cancellation of Unclaimed Warrants

### Commissioners

- d. Line-Item Transfer, Fund No. 0010, Dept. 115 to 106 & 117 for CI File Storage Move
- e. Declaration of Surplus Property

### Information Technology

- f. Amending Resolution 2022-755 for Lease Agreement w/Ricoh for Copiers & Streamline Licenses
- g. Purchase of Pure Storage SAN & Subscriptions from CompuNet

### Juvenile

- h. Line-Item Transfer, Fund No. 1150, Dept. 173 for Overtime & Benefits
- i. Purchase of Janitorial Supplies from Crown Paper & Janitorial Supply, Inc. for Janitorial Supplies
- j. Agreement w/Administrative Office of the Courts for Court Interpreter Funding
- k. Interpreter Services Contract w/Connections Consulting MA LLC for Interpreter Services

### Purchasing

- l. Agreement w/Knutzen Engineering for Structural Analysis for Justice Center TI Project
- m. First Amended Contract w/PBS Engineering & Environmental, Inc. for On-Call Geophysical/Geotechnical Services
- n. Contract w/MG Wagner Co. Inc. for the Justice Center Roof Repair Project

## **Affordable Housing Steering Committee Funding Recommendations**

The Affordable Housing Fund (2060) is supported by document recording fees. This fund focuses on capital investments in affordable housing. It allows the County to partner with developers, Housing Authorities, cities, etc. to invest in affordable housing. Spending recommendations are compiled by a steering committee made up of one representative from each of the cities in the county and one representative from the county. The steering committee meets annually to go over the fund balance and make recommendations on the amount of funding to release by way of an RFP.

Due to COVID there hadn't been funding released in the last couple of years, which allowed the fund to grow. The steering committee recommended releasing \$1,000,000. The applicants present their project to the steering committee and the committee advises the Human Services Manager what projects to recommend to the Board of County Commissioners (BOCC) to fund.

Kyle Sullivan, the Human Services Manager, presented the following recommendations to the BOCC for approval and authorization to enter contracts with the recommended entities:

- My Friends Place HOPE Center serving homeless youth.
  - \$58,305 to expand the shelter, converting an existing shared bathroom into one male and one female to complete licensing requirements.
- Seasons Housing 4
  - \$200,000 grant to purchase a house to provide clean and sober living for 15 individuals.
- Bubble on Gun-Home Sweet Home (Kennewick Housing Authority)
  - Grant request of \$400,000 (to be used with other funding) for 58 units for to help house those at or below 30% area median income.
- Brad Bricker-Dual Duplex Renovation
  - \$341,695.00 to remodel (uninhabitable) duplexes to make them into affordable housing; one in Kennewick and the other in Richland.

**MOTION:** Commissioner Alvarez moved to approve the Resolution for Affordable Housing Steering Committee Funding Recommendations. Commissioner McKay seconded and upon vote, the motion carried.

**Amendment #1 with the State Conservation Commission for the Voluntary Stewardship Program (VSP)**

In 2011 the Washington State Legislature passed legislation known as the Voluntary Stewardship Program (VSP) - RCW 36.70A.700 - 760. The intent of the Voluntary Stewardship Program is to promote plans to protect and enhance critical areas within places where agricultural activities are conducted, while maintaining and improving the long-term viability of agriculture in Washington State and reducing the conversion of farmland to other uses.

On January 10, 2012, Benton County adopted Resolution 2012-038, formally authorizing the County's participation in the Voluntary Stewardship Program. In each biennium the State has provided adequate funding for the Program and Benton County was provided with grants from the Washington State Conservation Commission, which allowed Benton County to initiate the development of a VSP Work Plan which was completed in 2018.

To continue implementation, the 2023-2025 Biennium VSP Contract between Benton County and the Washington State Conservation Commission was approved on July 18, 2023.

The Washington State Conservation Commission is now proposing an amendment to the 2023-2025 Biennium VSP Contract increasing the budget amount allocated to Contract No. K2407 by \$47,000.00. These funds are to be used for VSP monitoring activities in compliance with VSP Monitoring Expense Guidelines. The appropriated amount for Benton County Contract K2407 with the State Conservation Commission (SCC) for VSP Monitoring activities will increase the total Grant amount from \$240,000.00 to \$287,000.00.

Please note the original Contract (K2407) was submitted to the Board without PA Approval to Form. The PA requested changes to the standardized State Contract which were not supported by the State. Similar concerns exist with this amendment.

- The amendment and existing contract with the State Conservation Commission is a pass-through Grant and does not require matching funds from the County. A budget amendment will be presented to the Board of Commissioners in October updating the additional contract amount.

**MOTION:** Commissioner Alvarez moved to approve Amendment #1 for SCC Contract No. K2407 to be used for VSP monitoring activities in compliance with VSP Monitoring Expense Guidelines. Commissioner McKay seconded and upon vote, the motion carried.

### **Adjusting Monthly Vacation Accrual of Sheriff's Office Deputy Morfin**

Article 15.5 of the Deputy CBA states, "Prior to being hired, the Sheriff or designee may, with the approval of the Board of Commissioners, allow a lateral deputy with six (6) or more years of experience to start accruing vacation equivalent to an employee who has six (6) continuous years with the County, twelve (12) hours per month, after completing six (6) months of employment with the County.

Deputy Efen Morfin started with Benton County 3/15/2023 and was a certified lateral applicant from Yakima Police Department where he was employed since 2007.

Deputy Efen Morfin has been employed with the Benton County Sheriff's Office for six months and is eligible to accrue twelve (12) hours of vacation per month.

This was missed prior to the deputy being hired because this was new language in the contract and an oversight by the Sheriff's administration. They have since partnered with the Guild and agreed that bringing the request now aligns with the spirit of the intent of the Agreement.

Sheriff Tom Croskrey, Katie Gillies, and Charles Glasscock were available to answer questions from the Commissioners.

**MOTION:** Commissioner Alvarez moved to approve the adjustment of the Monthly Vacation Accrual for Sheriff's Office Deputy Morfin effective November 1, 2023. Commissioner McKay seconded and upon vote, the motion carried.

### **Request to Purchase Mobile Police Radio Replacement Equipment from Motorola Solutions**

Benton County Sheriff's Office wishes to purchase new Motorola APX N70 handheld radios. These radios utilize new technology to switch between the traditional 800 MHz radio band and cellular LTE bands to increase the likelihood Deputies will be able to communicate with Dispatch at any time. Due to well-known and documented dead areas in the 800 MHz band in certain areas of the County, this is a Deputy Safety issue that the Sheriff feels needs to be resolved quickly. BCSO has coordinated with Matt Rasmussen to execute this purchase out of the County Capital Fund.

BCSO received a quote from Motorola Solutions for the purchase of 83 APX portable mobile radios plus all necessary equipment for a total amount of \$645,575.50 including WSST, plus freight charges to be calculated upon time of delivery, based on the NASPO Contract No. 00318.

Sheriff Tom Croskrey, Katie Gillies, and Charles Glasscock were available to answer questions from the Commissioners.

**MOTION:** Commissioner Alvarez moved to approve the Request to Purchase Agreement Mobile Police Radio Replacement Equipment from Motorola Solutions. Commissioner McKay seconded and upon vote, the motion carried.

### **Other Business**

#### **Execution of a Contract with Applied Research Associates, Inc. for Pavement Condition Survey**

The Public Works Department is required to report to the County Road Administration Board (CRAB) a pavement report on all paved County Roads. A Request for Qualifications was solicited with four (4) Consultants responding. County employees evaluated the proposals and Applied Research Associates, Inc. of Albuquerque, New Mexico was selected as the most qualified consultant.

**MOTION:** Commissioner Alvarez moved to approve a Contract with Applied Research Associates, Inc. for Pavement Condition Rating Survey. Commissioner McKay seconded and upon vote, the motion carried.

#### **Board Discussion on a Scoping Letter for Solar and Wind Projects in the State of Washington**

Community Development Department Director, Greg Wendt, drafted a letter to the Department of Ecology focusing on the need to have the impacts to Agricultural Lands of Long-Term Commercial Significance analyzed as part the Environmental Impact Statements (EIS) process for both wind and solar facilities.

**MOTION:** Commissioner Alvarez moved to approve the submittal of a letter to the Department of Ecology regarding scoping for utility-scale solar energy and onshore wind energy Programmatic Environmental Impact Statements. Commissioner McKay seconded and upon vote, the motion carried.

#### **Request to Apply for Climate Planning Grant for State Mandated Climate Change Element in Benton County's Comprehensive Plan**

The Climate Commitment Act (Senate Bill 5187 (Sec. 130 (21)) directs the Department of Commerce to administer grants and provide technical assistance to cities and counties to plan for climate change. Commerce will make approximately \$30 million (as appropriated) in statewide grants to implement House Bill 1181 (Chapter 228, Laws of 2023) supporting the development of climate change and resiliency elements. These new regulations must be first implemented by those jurisdictions with a June 30, 2025 due date. Each fully planning city and county is eligible for funding based on applicability (RCW 36.70A.040 (4)).

As a result of this mandate, Michelle Mercer from the Planning department requested the Commissioners' approval to submit a grant application to the Department of Commerce requesting \$800,000 in funds to explore a regional study approach targeting transportation issues relating to commuter travel.

**MOTION:** Commissioner Alvarez moved to approve the submittal of a Climate Planning Grant Application to the Department of Commerce. Commissioner McKay seconded and upon vote, the motion carried.

**Additional Comments:**

Commissioner Alvarez:

- Spoke to public comment concern regarding the lack of Sunset Clause in the Public Safety Sales Tax.
- Support of staff and other departments.
- Levy presentation recommendation.

Assessor, Bill Spencer:

- Tax appeals processes and valuations, high volume of calls.
- 10/10/2023— Last day to submit petitions regarding property valuations.

**Executive Session-Pending Litigation**

The Board went into executive session at 9:51 a.m. for up to 20 minutes with Prosecuting Attorney Eric Eisinger, Chief Deputy Attorney Ryan Brown, and Deputy Prosecuting Attorney Jeffery Aultman. Also present were Jerrod MacPherson, Matt Rasmussen, and Amanda Pearson.

The Board came out at 10:11 a.m. No decisions were made in executive session.

**Accounts Payable**

Check Date: 9/29/2023

Warrants #: 249731-249823  
Total all funds: \$1,102,791.95

Transfers #: 1194-1198, 1201-1204, 1208, 1214-1215  
EFT's #: 611-633  
Total all funds: \$212,585.66

Check Date: 9/29/2023

Transfers #: 1221-1222  
Total all funds: \$1,184.77

**Resolutions**

- 2023-686 Cancellation of Unclaimed Warrants
- 2023-687 Line-Item Transfer, Fund No. 0010, Dept. 115 to 106 & 117 for CI File Storage Move
- 2023-688 Declaration of Surplus Property
- 2023-689 Amending Resolution 2022-755 for Lease Agreement w/Ricoh for Copiers & Streamline Licenses
- 2023-690 Purchase of Pure Storage SAN & Subscriptions from CompuNet
- 2023-691 Line-Item Transfer, Fund No. 1150, Dept. 173 for Overtime & Benefits
- 2023-692 Purchase of Janitorial Supplies from Crown Paper & Janitorial Supply, Inc. for Janitorial Supplies
- 2023-693 Agreement w/Administrative Office of the Courts for Court Interpreter Funding

- 2023-694 Interpreter Services Contract w/Connections Consulting MA LLC for Interpreter Services
- 2023-695 Agreement w/Knutzen Engineering for Structural Analysis for Justice Center TI Project
- 2023-696 First Amended Contract w/PBS Engineering & Environmental, Inc. for On-Call Geophysical/Geotechnical Services
- 2023-697 Contract w/MG Wagner Co. Inc. for the Justice Center Roof Repair Project
- 2023-698 Voluntary Stewardship Program (VSP) First Amendment to the Grant Contract (K2407) Between WA ST Conservation Commission and Benton County to Increase the Contract Budget by \$47,000 for VSP Monitoring Activities
- 2023-699 Adjusting Deputy Efren Morfin's Monthly Vacation Accrual to Twelve (12) Hours Per Month to Honor his Six (6) or More Years of Previous Law Enforcement Service
- 2023-700 Authorizing the Purchase of (83) Hand-Held Mobile Police Radio Replacement Equipment from Motorola Solutions Utilizing the Washington State Department of Enterprise Service Naspro Contract. No. 00318 for the Benton County Sheriff's Office
- 2023-701 Executing a Personal Services Contract with Applied Research Associates, Inc. of Albuquerque, NM for Pavement Condition Survey

There being no further business before the Board, the meeting adjourned at approximately 10:12 a.m.

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Clerk of the Board

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Chairman