



## Minutes – Board of County Commissioners

Regular Board Meeting  
Benton County Administration Building  
Commissioners' Hearing Room, Kennewick, WA  
Tuesday, November 14, 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 via WebEx  
County Administrator Jerrod MacPherson  
Clerk of the Board Amanda Pearson

**Benton County Employees Present During All or a Portion of the Meeting:** Deputy County Administrator, Matt Rasmussen; Human Resources Manager, Carlee Nave; Community Development Director, Greg Wendt; Public Works Manager, Matt Mahoney; Clerk, Josie Delvin; Deputy Prosecuting Attorney, Ryan Brown; Risk Manager, Adam Morasch; Treasurer, Ken Spencer; Auditor, Brenda Chilton; Assessor, Bill Spencer; Administrator-trainee, Amanda Watts; Sheriff's Office Chief Financial Officer, Katie Gillies; Finance Manager, Linda Ivey; Information Technology Supervisor, Cody Shelton; Information Technology Assistant Manager, Alex Garcia; Security Program Coordinator, Steve Caughey, Chief of Corrections, Robert Guerrero, Procurement/Contract Coordinator, Danica Hope; Patrol Commander, Mathew Clarke

### **Pledge of Allegiance**

The Board recited the Pledge of Allegiance.

### **Approval of Minutes**

The Minutes of November 7, 2023 were approved.

### **Review Agenda**

Jerrod MacPherson added the following:

- 2023 General Election Canvassing Board Delegation Letter
- Contract with Goodman and Mehlenbacher Enterprises, Inc. for Knox Road

### **Public Comment**

Rebecca Ulbricht-Finley Washington, shared that in her review of the budget, page 3, last paragraph says that unfunded mandates continue to be pushed down by the State of Washington onto the county. She referenced the Washington State Constitution, article 1 and article 2 as well as the 10<sup>th</sup> amendment in the United States Constitution. She stated that we are a county, and our laws and rules usurp the states.

Jim Atkins- Prosser Washington again shared that he wanted the three-minute public comment period expanded to five. Mr. Atkins stated that when taxpayers have questions, they deserve answers. He requested that after questions are asked, the following week they be answered, and they are recorded. He further explained that he felt the Commissioners do not share enough information with the taxpayers and ended his comment with the request for updates on the fairground feasibility study.

## **Consent Agenda**

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

### **Auditor**

- a. Payroll ~ Check Posting List for 11/03/2023
- b. Accounts Payable ~ Check Posting List for 11/03/2023

### **Commissioners**

- c. Surplus & Disposition of Personal Property
- d. Ratifying Contract Between the Prosecutor’s Office and Prothman for Recruitment Services

### **Information Technology**

- e. Contract with Geophex, LTD for High Resolution Color Digital Orthophotography

### **Juvenile**

- f. Contract with the Personal Touch Cleaning, Inc. for Janitorial Services

### **Public Works**

- g. Interlocal Agreement w/Cities of Benton City, Kennewick, Prosser, Richland and West Richland for Solid Waste Management

### **Purchasing**

- h. Purchase of Carbide Plow Blades from DMC Wear Parts, LLC for Public Works Department
- i. Ratifying the Rental Agreement with Western States CAT for D6 Dozer and Excavator for Repair of Knox Road by Public Works
- j. Contract with Iron Horse Vac, LLC for Emergent Work on Knox Road by Public Works
- k. Payment Authorization to NW Construction Supply for Culvert Pipe Pursuant to Declaration of Emergency for Knox Road
- l. Letter to Columbia Irrigation District Terminating Interlocal Agreement
- m. Contract with C & E Trenching, LLC for Snow Removal Services
- n. Purchase of Chairs from Affordable Interior Systems, Inc. for the Fairgrounds/Event Center
- o. Purchase of Tables from P.R.E. Sales, Inc. for the Fairgrounds/Event Center
- p. Purchase of Pipe and Drapes from Innovative Stamping Corp. for the Fairgrounds/Event Center
- q. Purchase of a Stage from The Stage Depot for the Fairgrounds/Event Center
- r. Contract with Hill International, Inc. for Project Management Services for the Fairgrounds/Event Center Arena Upgrade Project
- s. Contract with Hill International, Inc. for Project Management Services for the Justice Center HVAC Upgrade Project

### **Sheriff**

- t. Contract with Church for Cops, LLC for Onsite Front Line Leadership Training

## Public Hearings

Matt Rasmussen and Linda Ivey provided a quick overview of the affects that the levy has on the county budget. They shared the following percentages relating to revenue for the General Fund:

### General Fund Revenue breakdown:

- 31 % Property Taxes
- 21% Other Charges to Counties (for Services)
- 20% Intergovernmental
- 20% Sales and Use Taxes
- 6% Other Revenues
- 2% Fines

Matt explained that the levy is a fixed number, not a percentage of property value and that once the Commissioners decide what the fixed number will be, the Assessor then calculates the final percentage tax per individual in January. He clarified that the county fund levy is limited to 1.8% and we are about half of that.

Matt continued to explain that the county has historically not taken the 1% because of relying on the new construction income, but last 3 years they have taken it. With the proposed 1% increase, it would result in \$270,000 in new revenue to the county.

There was discussion regarding the application of the \$270,000 countywide and how individual taxing districts rates are set. As well as clarification on the total amounts per year and the banking capacity process.

Before opening the Public Hearing, Linda Ivey, reminded those present of her presentation of draft resolutions and the action previously taken by the board to advertise twice in the Prosser Bulletin.

### Certifying the County General Levy for 2024 Collection

Public Comment:

Jim Atkins had a question relating to the example used for a \$400,000 dollar home price and the total levy increase.

Teresa Anderson of Benton City voiced her concerns relating to Prop 1 and assessment valuation postcards being sent to taxpayers and the limit factor being set at 101%. She spoke about Office Assistant salaries being padded at \$82,000 and \$94,000. She added that Benton County has the highest burden of taxes in the state, next to Franklin County. She ended her comment stating that she is against raising the 1% because they did it last year and asked why the builders of new construction don't pay for new roads.

Rebecca Ulbricht Finley shared that it would be nice to provide a Cost-of-Living Increase for everyone, but based on the state of the economy she would prefer that the county banked the budget and figure out where else to put funds.

Public Comment closed.

**MOTION:** Commissioner Delvin moved to approve Certification of the County General Levy for 2024 Collection limit to be set at 1%. Commissioner Alvarez seconded. Commissioner McKay voted nay and upon vote, the motion carried 2-1 as presented.

### Certifying the County Road Levy for Collection

Linda Ivey shared that there will be no increase to the levy rate, the increase will be to the levy base, taking 1% and banking 0%. She stated the limit factor to be set at 101% for the regular property tax levy for 2024.

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

**MOTION:** Commissioner Delvin moved to approve Certification of the County Road Levy for Collection and limit increase to 1%. Commissioner Alvarez seconded and upon vote, the motion carried as presented.

### Certifying Budgeted Taxes for Collection in the Year 2024 for Benton County

Linda Ivey requested the board to consider certifying the levy amount for 2024 collection including the 1%.

Public Comment:

Jim Atkins mentioned that there was an agreement earlier in the year to advertise items in the Tri-City Herald sometimes in addition to the Prosser Bulletin and pointed out the difference in distribution.

Public comment closed.

**MOTION:** Commissioner Delvin moved to approve Certification of the Budgeted Taxes for Collection in the Year 2024 for Benton County. Commissioner Alvarez seconded and upon vote, the motion carried as presented.

### Re-adopting the Final 2023-2024 Benton County Budgets

Linda Ivey shared this final resolution is standard procedure to re-adopt the budget for 2023-2024 that was passed last year.

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

**MOTION:** Commissioner Delvin moved to approve the Re-adoption of the Final 2023-2024 Benton County Budget. Commissioner Alvarez seconded and upon vote, the motion carried as presented.

### Budget Adjustment Line-Item Transfer -Temporary Promotion

Auditor, Brenda Chilton, shared that in preparation for the anticipated FMLA absence of the non-bargaining Recording/Licensing Manager, the Auditor will be implementing a temporary promotion of the non-bargaining Office Supervisor for the period of 11/1/2023-12/31/2023. The temporary promotion is in conjunction with 7.2 of the Personnel Policies and Procedures for Non-Bargaining Employees.

This time frame will allow the Office Supervisor the needed time to shadow the Recording/Licensing Manager through their monthly tasks assuring all necessary operations will be able to be completed with little interruption. The non-bargaining Office Supervisor will return to their original position

1/1/2024. This temporary promotion will be funded by transferring funds from the temporary help line item in the amount of \$583 which is 5% of the Recording/Licensing Manager A Step.

**MOTION:** Commissioner Delvin moved to approve the Authorization of the Temporary Position of the Kennewick Office Supervisor to Licensing/Recording Manager for the Period of 11/1/2023-12/31/2023. Commissioner Alvarez seconded and upon vote, the motion carried as presented.

### **Adjusting Deputy Jennifer Couch Monthly Vacation Accrual**

Chief Financial Officer, Katie Gillies, explained that Article 15.5 of the Deputy Collective Bargaining Agreement 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 Jennifer Couch will start with Benton County 11/14/2023 and was a certified lateral applicant that has over 15 years of law enforcement experience. Deputy Jennifer Couch will be employed with the Benton County Sheriff's Office for six months on 5/14/2024 and will be eligible to accrue twelve (12) hours of vacation per month.

**MOTION:** Commissioner Delvin moved to approve the Adjustment of Vacation Accrual for Lateral Deputy Jennifer Couch to Twelve (12) Hours Per Month Effective 6/1/2024 and Her Service Date for the Purposes of Accrual Shall Be June 1, 2018. Commissioner Alvarez seconded and upon vote, the motion carried as presented.

### **Other Business**

#### **2023 General Election Canvassing Board Delegation**

Jerrold MacPherson, County Administrator, shared that pursuant to RCW 29A.60.140 the chairman of the body can delegate authority to serve on the candidacy board to another member of the Board of Commissioners. This would allow for Commissioner Delvin to serve on the board upon the Chairman McKay's absence.

**MOTION:** Commissioner Delvin moved to approve the Chairman to Sign the Letter Allowing Commissioner Delvin to Serve on the County Board for the 2023 General Election for Commissioner McKay's Absence. Commissioner Alvarez seconded and upon vote, the motion carried as presented.

#### **Contract with Goodman and Mehlenbacher Enterprises, Inc. for Knox Road**

Matt Mahoney, Public Works Manager, shared that the county requested three contractors to come to see the Knox Road site, but only 2 showed up. The third, C&E Trenching, did not return calls or come to the site. Matt explained that Goodman and Mehlenbacher's original quote was \$90,000 less than T-Tap Construction Services. Public Works' have moved forward to work with Goodman and Mehlenbacher and have also had the chance to have a more thorough investigation and surveying completed. With this new information, Goodman and Mehlenbacher have provided a new quote of \$248,463 (not to exceed \$300,000) which is about \$40,000 higher than T-Tap's original quote. Matt clarified that T-Tap would more than likely have provided a revised quote after receiving the updated information from the survey, which is why the request is with Goodman and Mehelenbacher Enterprises, Inc.

Commissioner McKay requested that staff stay ahead of invoices to keep everything accountable and to take potential easement access into consideration to maintain and inspect the area to avoid this in the future.

Commissioner Delvin asked about the culvert maintenance program.

**MOTION:** Commissioner Delvin moved to approve a Contract with Goodman and Mehlenbacher Enterprises, Inc. for Knox Road Not to Exceed \$300,000. Commissioner Alvarez seconded and upon vote, the motion carried as presented.

### **Tort Claim**

CC 2023-19: Received on 11/14/2023 from Rick & Marci Bower

### **Executive Session – Qualifications of a Candidate**

The Board went into executive session at 9:50 a.m. for up to 5 minutes with Patrol Commander Clarke, Chief Financial Officer Katie Gillies, and Human Resources Manager Carlee Nave. Also present were Jerrod MacPherson, Matt Rasmussen, and Amanda Pearson.

Due to technical difficulties, the Board came out at 9:59 a.m. No decisions were made in executive session.

**MOTION:** Commissioner Delvin moved to approve the Salary Request Form as of 11/14/2023 for Jennifer Couch. Commissioner McKay seconded and upon vote, the motion carried.

\*Note: Commissioner Alvarez was absent for this vote.

### **Payroll**

Check Date: 11/03/2023

#### Payroll Checks

Total all funds: \$3,011,886

Warrant #: 244251-244284

Direct Deposit #: 184345-184979

#### Payroll Draw Deductions/Transfers

Total all funds: \$2,598,152.34

EFT #: 681-687

ACH #: 1324-1334

#### Payroll Deduction Warrants

Total all funds: \$119,845.22

Warrant #: 250799-250810

### **Accounts Payable**

Check Date: 11/03/2023

Warrants #: 250697-250798

Total all funds: \$819,323.35

EFT's #: 673-680  
Transfers #: 1301-1303, 1305, 1313, 1322  
Total all funds: \$69,250.65

## **Resolutions**

- 2023-768 Surplus and Disposition of Personal Property
- 2023-769 Ratifying Contract Between the Prosecutor's Office and Prothman for Recruitment Services
- 2023-770 Contract with Geophex, LTD for High Resolution Color Digital Orthophotography
- 2023-771 Contract with The Personal Touch Cleaning, Inc. for Janitorial Services
- 2023-772 Interlocal Agreement with Cities of Benton City, Kennewick, Prosser, Richland and West Richland for Solid Waste Management
- 2023-773 Purchase of Carbide Plow Blades from DMC Wear Parts, LLC for Public Works Department
- 2023-774 Ratifying the Rental Agreement with Western States CAT for D6 Dozer and Excavator for Repair of Knox Road by Public Works
- 2023-775 Contract with Iron Horse Vac, LLC for Emergent Work on Knox Road by Public Works
- 2023-776 Payment Authorization to NW Construction Supply for Culvert Pipe Pursuant to Declaration of Emergency for Knox Road
- 2023-777 Letter to Columbia Irrigation District Terminating Interlocal Agreement
- 2023-778 Contract with C & E Trenching, LLC for Snow Removal Services
- 2023-779 Purchase of Chairs from Affordable Interior Systems, Inc. for the Fairgrounds/Event Center
- 2023-780 Purchase of Tables from P.R.E. Sales, Inc. for the Fairgrounds/Event Center
- 2023-781 Purchase of Pipe and Drapes from Innovative Stamping Corp. for the Fairgrounds/Event Center
- 2023-782 Purchase of a Stage from The Stage Depot for the Fairgrounds/Event Center
- 2023-783 Contract with Hill International, Inc. for Project Management Services for the Fairgrounds/Event Center Arena Upgrade Project
- 2023-784 Contract with Hill International, Inc. for Project Management Services for the Justice Center HVAC Upgrade Project
- 2023-785 Contract with Church for Cops, LLC for Onsite Front Line Leadership Training
- 2023-786 Certifying the General Fund Levy for 2024 Collection
- 2023-787 Certifying County Road Levy for 2024 Collection
- 2023-788 Certifying Budgeted Taxes for 2024 Collection
- 2023-789 Re-Adopting the Final 2023-2024 Benton County Budgets
- 2023-790 Line-item Transfer for Temporary Promotion of Office Supervisor
- 2023-791 Contract with Goodman and Mehlenbacher Enterprises, Inc. for Knox Road
- 2023-792 Adjustment of Sheriff's Deputy Monthly Vacation Accrual Per Article 15.5 of Deputies Collective Bargaining Agreement

There being no further business before the Board, the meeting adjourned at approximately 10:00 a.m.

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Clerk of the Board

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Chairman Pro-Tem