



## Minutes – Board of County Commissioners

Regular Board Meeting  
Benton County Courthouse, Prosser, WA  
Tuesday, February 27, 2024, 9:00 a.m.  
*Meeting provided in-person, by Video Live-Broadcast and Telephonically via/WebEx*

**Present:** Chairman Jerome Delvin  
Commissioner Michael Alvarez  
Commissioner Will McKay  
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; Information Technologies Manager, Robert Heard; Human Resources Manager, Carlee Nave; Community Development Director, Greg Wendt; Sustainable Development Manager, Adam Fyall; Public Works Manager, Matt Mahoney; Deputy Prosecuting Attorney, Ryan Brown; Treasurer, Ken Spencer; Finance Manager, Linda Ivey; Security Program Coordinator, Steve Caughey; Deputy Prosecuting Attorney, Jeff Aultman; Public Defense Attorney, Charlie Dow; Chief Deputy Treasurer, Kirsten Yniguez; Information Systems Analyst, Tim Brown

### **Pledge of Allegiance**

The Board recited the Pledge of Allegiance.

### **Approval of Minutes**

The Minutes of February 13<sup>th</sup>, 2024, were approved.

### **Review Agenda**

None.

### **Public Comment**

Through WebEx, Rommy, from Kennewick, reiterated his concerns regarding the implementation of Clearview AI Technology in the Sheriff's Office. He shared examples of misidentification of suspects using facial recognition software.

## **Consent Agenda**

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

### **Auditor**

- a. Payroll ~ Check Posting List for 02/05/2024
- b. Accounts Payable ~ Check Posting List for 02/09/2024
- c. Accounts Payable ~ Check Posting List for 02/09/2024
- d. Accounts Payable ~ Check Posting List for 02/16/2024
- e. Renewal Letter of Assurance for the Accessible Communities Act
- f. Fees Related to Recording Large Format Maps; Rescinding Resolution No. 2021-509

### **Coroner's Office**

- g. Agreement with Douglas County Coroner's Office for Autopsy Facility Use

### **Human Resources**

- h. Agreement with Teamsters Local No. 839, Representing Benton Franklin Juvenile Detention Unit
- i. Memorandum of Agreement with Teamsters Local No. 839 Representing Sheriff's Office and Corrections Department Clerical Employees

### **Information Technology**

- j. Purchase of A Color Printer from Southern Computer Warehouse for the Prosecuting Attorney's Office
- k. Microsoft Enterprise Agreement from SHI International Corp.; Rescinding Resolution 2024-0122
- l. Purchase of One Identification Card Printer from Guardian RFID for Corrections Department

### **Juvenile**

- m. Agreement with Columbia/Walla Walla County for Access to Each Other's Juvenile Detention Facilities

### **Office of Public Defense**

- n. Termination of Superior Court Public Defense Services Agreement with Katherine Sierra-Kelly

### **Prosecuting Attorney**

- o. Transfer of Funds, Fund No. 0010, Dept. 117 for Overtime

### **Public Safety**

- p. Transfer of Funds, Fund No. 1480, Dept. 121 for Holiday Pay
- q. Transfer of Funds, Fund No. 1480, Dept. 122 for Holiday Pay

### **Public Works**

- r. Approving City of West Richland Ordinance No. 01-24 and Revision of Corporate Boundary

### **Purchasing**

- s. Contract with Rentokil North America, Inc. dba Western Exterminator for Pest Management Services
- t. Purchase Agreement with Affordable Interior Systems, Inc for Jury Room Chairs in the Clerk's Office
- u. Contract with Heritage Professional Landscaping, Inc. for Removal of Block Wall from County Right-of-Way

### **Risk Management**

- v. Engagement Letter with PricewaterhouseCoopers LLP for Actuarial Review of Self-Insured Workers' Compensation and Self-Uninsured Liability Programs

### **Sheriff**

- w. Accepting Funding from Washington Association of Sheriffs and Police Chiefs Body-Worn Camera Grant

x. 2023 Federal Equitable Sharing Agreement Certification

**Scheduled Business**

**Department of Commerce Law Enforcement Pursuit Technology Grant**  
**Chief Financial Officer, Katie Gillies, and Lt. Michael Clark**

Washington State Department of Commerce would like to contract with Benton County Sheriff's Office for the Law Enforcement Vehicle Pursuit Technology Grant.

The Department of Commerce was seeking applications from law enforcement agencies that are interested in a project to provide law enforcement with modern vehicle pursuit management technology, including, but not limited to, global positioning system tracking equipment, automated license plate reading technology, aircraft, and nonarmed and nonarmored drone technology.

The Benton County Sheriff's Office applied for funding under the Department of Commerce Law Enforcement Pursuit Technology Grant Program for FY2023 in the amount of \$100,000 including W.S.S.T and was selected to be awarded the full amount.

Commissioner Alvarez had a question regarding the replacement of equipment as it ages.

Commissioner Delvin had a question about lists of approved equipment.

**MOTION:** Commissioner Alvarez moved to approve to digitally sign a contract with the Department of Commerce for the Law Enforcement Vehicle Pursuit Technology Grant. Commissioner McKay seconded and upon vote, the motion carried as presented.

**Office of Public Defense Line-Item Transfer Request for Two Positions**  
**Public Defense Attorney, Charlie Dow**

With an increase of in-house staff attorneys has come an increased need for support staff positions. The line-item transfer will make the salary of these new positions budget neutral for the remainder of 2024, as well as for the upcoming budget cycle, 2025-2026. The 2025-2026 baseline for 5159400.54102 will be decreased by \$357,060 to remain budget neutral.

Positions are Legal Secretary III, Grade 5 Courthouse union. The positions are current classifications.

**MOTION:** Commissioner Alvarez moved to approve two new positions for the Office of Public Defense. Commissioner McKay seconded and upon vote, the motion carried as presented.

**Shoreline Planning Competitive Agreement with Washington State Department of Ecology**  
**Community Development Director, Greg Wendt**

To improve and protect the state shoreline areas, Washington State Legislature passed the Shoreline Management Act in 1971 (RCW 90.58) which was later adopted in 1972 by referendum vote. Benton County's adopted Shoreline Master Program (SMP) was updated on February 3, 2022. Benton County is required to meet the state policy objectives of RCW 90.58 to ensure the County's shoreline development regulations meet the standard of no net loss of ecological function in the shoreline, monitor the ecological functions of the SMPs, and identify a process to periodically evaluate the cumulative effects of authorized development on shoreline conditions.

The Planning Division has secured grant funding (Shoreline Planning Competitive Agreement) from the Washington State Department of Ecology in the amount of \$145,000, effective February 1, 2024 through June 30, 2025 to be appropriated in the 2023-2024 Biennium and the 2025-2026 Biennium, to assist the County in the development of a SMP user guide and framework and implementation strategy to monitor and adaptively manage the ecological functions of shorelines regulated by the County's Shoreline Master Program.

The Shoreline Planning Competitive Agreement No. SEASPC-2325-BeCOPD-00030 between the State of Washington Department of Ecology and Benton County describes the scope of work, tasks, activities, and timeline for the completion of the project.

The scope of work generally includes:

1. The development of a Shoreline Master Program (SMP) User Guide to have a summary, visually appealing and easy to understand guide, to use in communications with applicants and the public.
2. Tracking, Monitoring and Adaptative Management (TM&AM) framework. The purpose of this portion of the project is to create an action-ready Implementation Plan that will allow the county to successfully monitor permit implementation and assess the development and associated effects on shoreline conditions over time.
3. The TM&AM will use a cloud-based environment (ArcGIS Online) to track information and assimilate publicly available data that can serve as indicators of shoreline ecological function.

The County currently conducts its own project-specific compliance monitoring and has been collecting data on shoreline permits since the 2015 SMP Comprehensive Update and 2021 Periodic SMP Update. While the County has conducted some exploratory analysis, it lacks a framework with specific methods to track and monitor no-net loss (NNL). This project would develop a formal process for analyzing and reporting information relevant to the ecological functions and help the County meet the requirement of RCW 90.58.

**MOTION:** Commissioner Alvarez moved to approve Shoreline Planning Agreement. Commissioner McKay seconded and upon vote, the motion carried as presented.

**Contract with White Bluffs Consulting for Benton County Shoreline Master Program**  
**Community Development Director, Greg Wendt**

The Planning Division has secured grant funding (Shoreline Planning Competitive Agreement) from the Washington State Department of Ecology in the amount of \$145,000, effective February 1, 2024 through June 30, 2025 to be appropriated in the 2023-2024 Biennium and the 2025-2026 Biennium, to assist in the County in the development of a Shoreline Master Program (SMP) user guide and framework and implementation strategy to monitor and adaptively manage the ecological functions of shorelines regulated by the County's Shoreline Master Program.

The Planning Division has contacted Ben Floyd with White Bluffs Consulting and requested a scope of services and budget to assist the County in the development of a SMP user guide and framework and implementation strategy to monitor and adaptively manage the ecological functions of shorelines regulated by the County's Shoreline Master Program.

The scope of work generally includes:

1. The development of a Shoreline Master Program User Guide to have a summary, visually appealing and easy to understand guide, to use in communications with applicants and the public.
2. Tracking, Monitoring and Adaptive Management (TM&AM) framework. The purpose of this portion of the project is to create an action-ready Implementation Plan that will allow the county to successfully monitor permit implementation and assess the development and associated effects on shoreline conditions over time.
3. The TM&AM will use a cloud-based environment (ArcGIS Online) to track information and assimilate publicly available data that can serve as indicators of shoreline ecological function.

**MOTION:** Commissioner Alvarez moved to approve the resolution and Contract with White Bluffs Consulting for Benton County Shoreline Master Program including exhibit A. Commissioner McKay seconded and upon vote, the motion carried as presented.

### **Other Business**

Commissioner Alvarez read statements from Franklin County Sheriff's page regarding their 7.5-million-dollar deficit and their potential options moving forward as a county. He continued by encouraging departments within Benton County to be proactive and apply for grants.

Commissioner Delvin shared a couple of observations he noticed on his recent trips to Cuba and Tucson.

Commissioner McKay shared his thoughts relating to an article he read and encouraged elected officials to stay focused on the budget.

The Treasurer, Ken Spencer, shared information regarding tax collection.

### **Executive Session Review Qualifications of An Applicant for Public Employment Operations Manager, Matt Mahoney**

The Board went into executive session at 9:25 a.m. for up to 5 minutes with Matt Mahoney. Also present were Jerrod MacPherson, Matt Rasmussen, and Amanda Pearson.

The Board came out at 9:30 a.m. No decisions were made in executive session.

**MOTION:** Commissioner Alvarez moved to approve Salary Request and Resolution crediting Michael Mace with five years of service for the purpose of vacation accrual. Commissioner McKay seconded and upon vote, the motion carried as presented.

### **Tort Claim**

CC 2024-03 Leticia Carter received on 2/20/2024

**Payroll**

Check Date: 02/05/2024

Payroll Checks

Total all funds: \$3,154,815.17

Warrant #: 244349-244371

Direct Deposit #: 186701-187348

Payroll Draw Deductions/Transfers

Total all funds: \$2,719,972.25

EFT #: 796-802

ACH #: 1560-1570 and 1572

Payroll Deduction Warrants

Total all funds: \$111,864.17

Warrant #: 253526-253536

**Accounts Payable**

Check Date: 02/09/2024

Warrants #: 253692-253847

Total all funds: \$578,974.93

EFT #: 803

Transfers #: 1548-1551, 1555-1559, 1579

Total all funds: \$30,452.31

Check Date: 02/09/2024

P-Cards #: 1582

Total all funds: \$410,880.37

Check Date: 02/16/2024

Warrants #: 253874-254001

Total all funds: \$2,258,569.30

EFT# 804-807

Transfers # 1583-1585, 1591-1592

Total of all Funds: \$98,101.46

**Resolutions**

- 2024-0147 Renewal Letter of Assurance for the Accessible Communities Act
- 2024-0148 Fees Related to Recording Large Format Maps; Rescinding Resolution No. 2021-509
- 2024-0149 Agreement with Douglas County Coroner’s Office for Autopsy Facility Use
- 2024-0150 Agreement with Teamsters Local No. 839, Representing Benton Franklin Juvenile Detention Unit

- 2024-0151 Memorandum of Agreement with Teamsters Local No. 839 Representing Sheriff's Office and Corrections Department Clerical Employees
- 2024-0152 Purchase of A Color Printer from Southern Computer Warehouse for the Prosecuting Attorney's Office
- 2024-0153 Microsoft Enterprise Agreement from SHI International Corp.; Rescinding Resolution 2024-0122
- 2024-0154 Purchase of One Identification Card Printer from Guardian RFID for Corrections Department
- 2024-0155 Agreement with Columbia/Walla Walla County for Access to Each Other's Juvenile Detention Facilities
- 2024-0156 Termination of Superior Court Public Defense Services Agreement with Katherine Sierra-Kelly
- 2024-0157 Transfer of Funds, Fund No. 0010, Dept. 117 for Overtime
- 2024-0158 Transfer of Funds, Fund No. 1480, Dept. 121 for Holiday Pay
- 2024-0159 Transfer of Funds, Fund No. 1480, Dept. 122 for Holiday Pay
- 2024-0160 Approving City of West Richland Ordinance No. 01-24 and Revision of Corporate Boundary
- 2024-0161 Contract with Rentokil North America, Inc. dba Western Exterminator for Pest Management Services
- 2024-0162 Purchase Agreement with Affordable Interior Systems, Inc for Jury Room Chairs in the Clerk's Office
- 2024-0163 Contract with Heritage Professional Landscaping, Inc. for Removal of Block Wall from County Right-of-Way
- 2024-0164 Engagement Letter with PricewaterhouseCoopers LLP for Actuarial Review of Self-Insured Workers' Compensation and Self-Uninsured Liability Programs
- 2024-0165 Accepting Funding from Washington Association of Sheriffs and Police Chiefs Body-Worn Camera Grant
- 2024-0166 2023 Federal Equitable Sharing Agreement Certification
- 2024-0167 Department of Commerce Law Enforcement Pursuit Technology Grant
- 2024-0168 Office of Public Defense Office Request for Two Positions
- 2024-0169 Shoreline Planning Competitive Agreement with Washington State Department of Ecology
- 2024-0170 Contract with White Bluffs Consulting for Benton County Shoreline Master Program
- 2024-0171 Crediting Michael Mace with Five (5) Years of Benton County Service for the Purposes of Vacation Accrual

There being no further business before the Board, the meeting adjourned at approximately 9:30 a.m.

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Clerk of the Board

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Chairman