



Minutes – Board of County Commissioners

Regular Board Meeting
Benton County Courthouse, Prosser, WA
Tuesday, March 26, 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
Deputy County Administrator Matt Rasmussen
Clerk of the Board Amanda Pearson

Absent: County Administrator Jerrod MacPherson (excused)

Benton County Employees Present During All or a Portion of the Meeting: Information Technologies Manager, Robert Heard; Human Resources Manager, Carlee Nave; Community Development Director, Greg Wendt; Sustainable Development Manager, Adam Fyall; Deputy Prosecuting Attorney, Ryan Brown; Deputy Prosecuting Attorney, Jeff Aultman; Planning Manager, Michelle Mercer; Security Program Coordinator, Steve Caughey; Finance Manager, Linda Ivey; Lt. Clark; Canine Control Supervisory, Josh Castilleja; Treasurer, Ken Spencer; Commander, Lee Cantu; Sheriff, Tom Croskrey; District Court Administrator, Amanda Watts

Pledge of Allegiance

The Board recited the Pledge of Allegiance.

Approval of Minutes

The Minutes of March 19, 2024, were approved.

Review Agenda

Matt Rasmussen added the following:

- Benton County Sheriff's Office Cellubrite Contract
- Letter of Support for Three Rivers Recovery Housing Congressional directed Spending Funds
- Executive Session with the Sheriff's Office to discuss a grievance

Commissioner Alvarez requested time to speak.

Public Comment

Danielle Prescott, from Kennewick spoke about the Benton County Sheriff's Office's shooting of two dogs. She had questions on the Benton County Code and policy regarding dangerous dogs and expressed her concerns about the dumping of the bodies and the decisions that were made.

Zak O'Brien, from Kennewick voiced his concerns relating to the shooting of the dogs. He had questions relating to mental health screening of officers, resources, training, and funding within the Sheriff's Office and Canine Shelter.

Michelle Swanson, from Kennewick expressed her anger that deadly force was used on her dogs. She spoke about the Canine Shelter being underfunded and understaffed.

Online, via WebEx, Chris Roemeling shared concerns relating to the shooting of the dogs. She spoke about training and awareness, and the type of weapon used.

Online, via WebEx, Heather Watson spoke about the shooting of the two dogs. She commented on the officer's previous encounters with other dogs and laughing after the shooting.

Online, via WebEx, Nicole Hammond spoke about the shooting of the two dogs. She also commented on the behaviors of the dogs and lack of availability of Animal control.

Commissioner Alvarez and Delvin added discussion regarding the dog shootings to Other Business.

Consent Agenda

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

Auditor

- a. Accounts Payable ~ Check Posting List for 03/15/2024

Commissioners

- b. Transfer of Funds, Fund No. 1420, Dept. 000 for the Jail Door Upgrade Project
- c. Support Letter for Mid-Columbia Children's Museum

Corrections

- d. Third Amendment with Agreement with Everhealth, LLC for Health Care Services at the Jail
- e. First Amendment with Comprehensive Healthcare for Mental Health Services at the Jail

District Court

- f. Second Amended Agreement w/Washington Collectors Tri-Cities, Inc. for Collections Services

Facilities

- g. First Amended Contract with Alliance Laundry Systems Distribution, LLC for Laundry Equipment Maintenance in the Jail

Public Safety

- h. Transfer of Funds, Fund No. 1480, Dept. No. 109 to 115 for Benton County Emergency Services Microwave Communications System Replacement Project
- i. Transfer of Funds, Fund No. 1480, Dept. 115 for Benton County Emergency Services Microwave Communications System Replacement Project

Public Works

- j. Local Agency Federal Aid Project Prospectus and Local Agency Agreement for Intersection Safety and Pedestrian Crossing

- k. Local Agency Federal Aid Project Prospectus and Local Agency Agreement for Tier 1 Intersection Audio and Visual Upgrades

Purchasing

- l. First Contract Amendment with Sierra Electric, Inc. for Electrical Maintenance and Repair Services
- m. Purchase of 2024 Ford Escape from Clary Longview, LLC for the Juvenile Detention Department
- n. Purchase of Passenger Van from Lithia Chrysler Dodge Jeep for the Juvenile Detention Department
- o. Purchase of A Three Axle Tilt Trailer from Western States CAT for Public Works Department
- p. Purchase of Matrice 350RTK Drone from Frontier Precision for Public Works Department

Scheduled Business

Department of Ecology's Central Region Director Visit

Sustainable Development Director, Adam Fyall; Department of Ecology, David Bowen

Adam Fyall briefly introduced Mr. David Bowen to the Commissioners. Mr. Bowen was a Kittitas County Commissioner in the early 2000s. He has worked in a variety of natural resources fields with an emphasis on water. He was previously a water quality manager with the Department of Ecology before becoming the Nuclear Waste Program Manager for Ecology in 2020. The visit is intended for the Board and public to get to know the new regional director a little better.

Commissioner Delvin shared his experiences with the Department of Ecology.

Commissioner Alvarez shared his appreciation for Mr. Bowen coming in to meet them.

Commissioner McKay asked about Mr. Bowen's role relating to the Snake River Dam.

Energy Facility Site Evaluation Council – Horse Heaven Wind and Solar Farm Update

Community Development Director, Greg Wendt; Michelle Mercer, Planning Manager

The Energy Facility Site Evaluation Council (EFSEC) began processing a Site Certification (ASC) application for the Horse Heaven Wind and Solar Farm on February 8, 2021.

On January 24, 2024, the application was provided its fourth (4) permit processing time extension by EFSEC. The application review process is required to be fully complete by April 30, 2024.

It is expected that EFSEC may make its official recommendation to the Governor at its regular monthly council meeting on March 20, 2024.

Planning Division staff will provide a status of the application's progress to the Board of County Commissioners at the Tuesday, March 26, 2024, regular board meeting.

Commissioner Delvin asked questions relating to a determination and EIS requests on this project.

Commissioner McKay asked questions about AgNorthwest's land and the potential to farm.

Commissioner Alvarez had comments about the cost of decommissioning and where is that money going to come from.

Other Business

Cellebrite Contract Renewal

Robert Heard, Information Technology

Miscommunication; will be put on the consent agenda for the April 2nd meeting.

Letter in Support of Funding Request for Three Rivers Recovery Housing Project

Deputy County Administrator, Matt Rasmussen

Seasons Housing has been working with Benton County to add recovery housing to the Columbia Valley Center for Recovery project that is already underway. Having a clean and sober living environment is the next logical step in the recovery journey for patients at the Center for Recovery. Benton County intends to lease the necessary space to Seasons Housing so they can construct, and operate, the Three Rivers Recovery Housing project. Adding housing to the Center for Recovery furthers the County's vision of a "one stop shop" for regional behavioral health needs. Located in Kennewick, this project, and the Center for Recovery, will serve the broader Tri-Cities community and the surrounding counties as well, including Klickitat, Walla Walla, Yakima, Grant, Kittitas, and Adams Counties.

Commissioner Delvin shared his thoughts on the next phase in relation to housing after the recovery center is finished.

MOTION: Commissioner Alvarez moved to approve a letter in support of Three Rivers Recovery Housing in Kennewick. Commissioner McKay seconded and upon vote, the motion carried as presented.

Commissioner Alvarez asked a clarifying question regarding the Mid-Columbia Children's Museum. Secondly, he made statements regarding Clearview AI, bringing up the potential for misidentification, litigation liability, and other concerns. Shared what he would like to see happen before approving the software.

Commissioner McKay shared that he likes the idea but would be it would be beneficial to see other counties use it without issue and then Benton County could move forward.

Commissioner Delvin shared that the information presented at the Special Meeting put his angst at ease, but if the Commissioners aren't in agreement, then he wouldn't want to move forward.

Commissioner Alvarez confirmed that Clearview AI would not be moving forward at this moment.

Deputy Prosecuting Attorney, Ryan Brown, stated he would look into any potential action the board would need to take because of their decision not to move forward with any contracts with Clearview AI.

Sherriff's Office Animal Control Discussion

Commissioner Delvin shared some ideas for potential ordinance updates, more robust animal control, and increased size of the shelter.

Sherrif Tom Croskrey addressed the room and asked the public who made comments on this issue if they would be willing schedule a meeting with him to discuss these concerns. He made further comments about funding and responsibilities relating to running the Canine Shelter.

Josh Castilleja, Canine Control Supervisor, and Sustainable Development Director, Greg Wendt were available to answer questions from the board.

Further discussion and questions were asked relating to training and hours of operation of the Canine Shelter, and access options.

Commissioner requested a Special Meeting workshop to be scheduled in two weeks to discuss the potential to fund a 24-hour Canine Shelter.

Executive Session Contract Labor with Sheriff’s Office - Potential Litigation

The Board went into executive session at 10:13 a.m. for up to 10 minutes with Commander Cantu, Sheriff Croskrey, Human Resources Manager, Carlee Nave, and Deputy Prosecuting Attorney, Jeff Aultman. Also present were Jerrod MacPherson, Matt Rasmussen, and Amanda Pearson.

The Board came out at 10:23 a.m. No decisions were made in executive session.

Accounts Payable

Check Date: 3/15/2024

Warrants #: 254814-254997
Total of all Funds: \$1,564,512.10

EFT’s #: 842
Transfers #: 1649-1653
Total of all Funds: \$107,232.41

Resolutions

- 2024-0231 Transfer of Funds, Fund No. 1420, Dept. 000 for the Jail Door Upgrade Project
- 2024-0232 Third Amendment with Agreement with Everhealth, LLC for Health Care Services at the Jail
- 2024-0233 First Amendment with Comprehensive Healthcare for Mental Health Services at the Jail
- 2024-0234 Second Amended Agreement w/Washington Collectors Tri-Cities, Inc. for Collections Services
- 2024-0235 First Amended Contract with Alliance Laundry Systems Distribution, LLC for Laundry Equipment Maintenance in the Jail
- 2024-0236 Transfer of Funds, Fund No. 1480, Dept. No. 109 to 115 for Benton County Emergency Services Microwave Communications System Replacement Project
- 2024-0237 Transfer of Funds, Fund No. 1480, Dept. 115 for Benton County Emergency Services Microwave Communications System Replacement Project
- 2024-0238 Local Agency Federal Aid Project Prospectus and Local Agency Agreement for Intersection Safety and Pedestrian Crossing
- 2024-0239 Local Agency Federal Aid Project Prospectus and Local Agency Agreement for Tier 1 Intersection Audio and Visual Upgrades

- 2024-0240 First Contract Amendment with Sierra Electric, Inc. for Electrical Maintenance and Repair Services
- 2024-0241 Purchase of 2024 Ford Escape from Clary Longview, LLC for the Juvenile Detention Department
- 2024-0242 Purchase of Passenger Van from Lithia Chrysler Dodge Jeep for the Juvenile Detention Department
- 2024-0243 Purchase of A Three Axle Tilt Trailer from Western States CAT for Public Works Department
- 2024-0244 Purchase of Matrice 350RTK Drone from Frontier Precision for Public Works Department

There being no further business before the Board, the meeting adjourned at approximately 10:23 a.m.

Clerk of the Board

Chairman