

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
August 24, 2009, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Max E. Benitz, Jr. Chairman
Commissioner Leo Bowman
Commissioner James Beaver
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Adam Fyall, Community Development Coordinator; Finance Manager Linda Ivey; Personnel Manager Melina Wenner; Facilities Manager Roy Rogers; Central Services Manager Randy Reid; Deputy Auditor Brenda Chilton; Auditor Bobbie Gagner; Coroner Rick Corson; Steve Becken, Public Works; DPA Ryan Brown; Planning Manager Mike Shuttleworth; Erhiza Rivera, Deputy Treasurer; Lisa Small, Commissioners' Office.

Approval of Minutes

The Minutes of August 17, 2009 were approved as amended.

Review Agenda

Item "o" (Interlocal Agreement with City of Kennewick) was added to the consent agenda.

Consent Agenda

MOTION: Commissioner Bowman moved to approve the consent agenda items "a" through "o". Commissioner Beaver seconded and upon vote, the Board approved the following:

Auditor

- a. Election Management Systems Work Order w/ DFM Associates

Board of Equalization

- b. Notice of Approval to Hear Property Tax Appeals

Central Services

- c. Copier Lease Agreement w/IKON Office Solutions

Facilities

- d. Fourth Agreement Amendment w/Cascade Fire Protection, Inc.

Human Services

- e. Personal Service Agreement w/National Alliance for the Mentally Ill

f. Personal Service Agreement w/Richland Housing Authority
Juvenile

g. Agreement w/ Prosser School District for Truancy Program
Office of Public Defense

h. Contract Amendment w/Stacey McKinley
Public Works

i. Agreement w/David Evans and Associates, Inc. for Engineering & Design Services

j. Interlocal Agreement w/Port of Benton for Feasibility Study for Organic Waste

k. Agreement w/Parametrix, Inc. for Consultant Services on Feasibility Study for Organic Waste

Sheriff

l. Line Item Transfer, Fund No. 0000101, Dept 121

Treasurer

m. Professional Service Agreement w/Bid4Assets

n. Purchase of Office Equipment for the Treasurer's Office

Commissioners

o. Approving the Interlocal Cooperation Agreement with the City of Kennewick; Rescinding 09-532

The Board briefly recessed, reconvening at 9:05 a.m.

Fairgrounds Procedures - Revisions

Loretta Smith Kelty and Linda Ivey presented a cost analysis on Boat/RV leases and Horse Stall leases. Ms. Ivey said the County was required to collect a 12.83% leasehold excise tax and proposed the following changes to the lease rates:

- Boat/RV
 - Keep the current rate and add the language “ plus tax “. The Board agreed.
- Horse stalls
 - Option 1 – Remain open on an annual basis and increase the rates as follows:
 - Old Stall – from \$75 to \$115 plus tax
 - New Stall – from \$170 to \$229 plus tax
 - Option 2 – Remain open four months of the year (February – May) and increase rates as follows:
 - Old Stall – from \$75 to \$100 plus tax
 - New Stall – from \$170 to \$195 plus tax

It was recommended to accept Option 2 based on the historic loss in the Equine area being open on an annual basis and the estimated gain if the Equine area were open only four months of the year. Ms. Ivey said the trainers primarily used the facility in February through May and only a few trainers used the facility the remainder of the year. Option 2 would allow the rate to remain lower for the majority and would eliminate the trainers subsidizing the minority.

The Board discussed whether the users had been made aware of the proposed changes and the possibility of the facility remaining open for six months.

Ms. Ivey said the month of January presented issues with a wet or frozen track and in June the users generally moved onto other tracks.

The Board said it generally concurred with the recommendation and requested an expanded option for other users to negotiate at a higher rate if they wanted to remain on the grounds. Additionally, the Board directed that the users be made aware of the pending changes.

Coroner Department Update

Rick Corson said in 2008 they had added a sound system for the viewing room and bought a new gurney. He indicated the 2010 focus would be on an updated file management and information transfer system. He said they currently used a hard file system and would like to computerize the system and transfer electronic records, thereby reducing paper, the need for storage, and increasing the security for the chain of evidence. He said they were also looking at becoming accredited and a one-time purchase cost of \$20,000 for the software system. He said the system could possibly be maintained through Central Services with no additional maintenance fees.

The Board briefly recessed, reconvening at 9:40 a.m.

Executive Session – Pending Litigation

The Board went into executive session with DPA Ryan Brown at 9:40 a.m. for approximately 15 minutes to discuss pending litigation. Also present were David Sparks, Cami McKenzie, Melina Wenner, and Loretta Smith Kelty. The Board came out at 9:54 a.m. Mr. Brown announced that no decisions were made.

Historic County Courthouse Rehabilitation Grant

Loretta Smith Kelty and Roy Rogers discussed the Historic County Courthouse Rehabilitation Grant. They proposed applying for the grant with Phase I (Exterior Courthouse Remodel) to include the following:

- Replace windows and lighting
- Refurbish entry steps and handrail; front and side doors with security cards
- Cosmetic brickwork
- Removal spiral metal stairs leading to Penthouse

Ms. Smith Kelty said the grant would require matching funds and the estimated cost of Phase I was \$900,000. Mr. Sparks added that Benton County would be competing with one other county.

Commissioner Beaver said he was in favor of moving forward. Commissioner Bowman said he couldn't see paying \$450,000 to rehabilitate with no apparent pay back on energy savings for the windows. He said he was in favor of the safety issues, but opposed to the rest.

Chairman Benitz said he would support moving forward with the grant for Phase I.

City of Richland – Local Revitalization Financing

Gary Ballew and Mayor John Fox, City of Richland, presented a proposal for an agreement with Benton County for local revitalization financing. Mr. Ballew said their proposal was for the Revitalization Area for Industry, Science, and Education. He said the state would match any local contributions and the City of Richland would be holding its public hearing the next day to approve the application.

Ms. Smith Kelty presented the interlocal agreement, modeled after the City of Kennewick agreement with a few changes.

Commissioner Bowman said he was in favor of the proposal, however, wanted to be able to make changes if needed. Additionally, he said if the Port of Benton didn't come forward as a partner, then there would be a problem.

Commissioner Beaver said he agreed with the statement about the Port, and also agreed if an amendment was needed that it could be done.

Chairman Benitz said he believed the project was important, but wanted to wait for the Port of Benton to become a partner. Ms. Smith Kelty said the agreement allowed the County to terminate if the Port did not become a partner by December 31.

Mr. Ballew stated they were not going to be able resolve the Port issue prior to application and would like very much to have one partner when submitting the application.

Chairman Benitz requested a brief recess. The Board briefly recessed, reconvening at 10:47 a.m.

MOTION: Commissioner Bowman moved to approve the resolution authorizing the interlocal agreement with the City of Richland for local revitalization financing. Commissioner Beaver seconded.

Discussion

Commissioner Beaver said he was in favor but wanted to know if the County could postpone its decision.

Mr. Ballew said the County was currently in an "opt out" position. Once the City passed its ordinance, it might be confusing if the application did not match the ordinance and they would prefer moving forward with a partner.

Mr. Sparks said if the Board approved it today and the Port only wanted to participate at 75%, the agreement could be amended. Chairman Benitz said he believed it was important to partner, but said it was a timing issue with the Port of Benton and did not want to require the Port to put in 100%.

Commissioner Bowman said the agreement did not obligate anyone else and if the formula needed to be redone, then it could be.

Upon vote, the motion carried with Chairman Benitz opposing.

Other Business

Red Mt. Interchange – Brochure

Commissioner Bowman said that DOT had offered to partner with Benton County and others on a brochure outlining all three phases of the Red Mountain Interchange project. He said the brochure would assist with marketing and legislation of the project and requested the Board authorize up to \$2,000 to participate.

Commissioner Bowman said he agreed it could be used as a sales tool to lobby for money. Chairman Benitz said he was not opposed, but he had no idea what they were trying to sell or buy.

MOTION: Commissioner Bowman moved to approve up to \$2,000 for the Red Mountain Interchange brochure. Commissioner Beaver seconded and upon vote, the motion carried with Chairman Benitz opposing.

Vouchers

Check Date: 08/21/2009
Warrant #: 930887-931126
Taxes #: 01160809
Total all funds: \$690,433.61

Total amounts approved by fund can be reviewed in the Benton County Auditor's Office.

Resolutions

- 9.534 Election Management Systems Work Order w/ DFM Associates
- 9.535 Notice of Approval to Hear Property Tax Appeals
- 9.536 Copier Lease Agreement w/IKON Office Solutions
- 9.537 Fourth Agreement Amendment w/Cascade Fire Protection, Inc.
- 9.538 Personal Service Agreement w/National Alliance for the Mentally Ill
- 9.539 Personal Service Agreement w/Richland Housing Authority
- 9.540 Agreement w/ Prosser School District for Truancy Program
- 9.541 Contract Amendment w/Stacey McKinley
- 9.542 Agreement w/David Evans and Associates, Inc. for Engineering & Design Services
- 9.543 Interlocal Agreement w/Port of Benton for Feasibility Study for Organic Waste
- 9.544 Agreement w/Parametrix, Inc. for Consultant Services on Feasibility Study for Organic Waste

- 9.545 Line Item Transfer, Fund No. 0000101, Dept 121
- 9.546 Professional Service Agreement w/Bid-4-Assets
- 9.547 Purchase of Office Equipment for the Treasurer's Office
- 9.548 Approving the Interlocal Cooperation Agreement with the City of Kennewick;
Rescinding 09-532
- 9.549 Approving the Interlocal Cooperation Agreement with the City of Richland

There being no further business before the Board, the meeting adjourned at approximately 11:01 a.m.

Clerk of the Board

Chairman