

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, May 7, 2019, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Shon Small
Commissioner James Beaver
Commissioner Jerome Delvin
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, Sustainable Development Manager; County Engineer Matt Rasmussen; DPA Ryan Brown; Clerk Josie Delvin; Jerrod MacPherson, Planning Manager; Superior Court Administrator Tiffany Deaton; Assistant HR Manager Karlee Ainsworth; Juvenile Administrator Darryl Banks; Sheriff Jerry Hatcher; Finance Manager Linda Ivey; Assistant Finance Manager Jennifer Bowe; Aileen Coverdell, Accounting Services Manager; Rayce Miller, Accounting Operations Supervisor; Treasurer Ken Spencer; Bob Woody, IT; Superior Court Judge Cameron Mitchell; Douglas D'Hondt, Public Works.

Approval of Minutes

The Minutes of April 30, 2019 were approved.

Consent Agenda

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

Auditor

- a. Surplus and Disposition of Personal Property

Commissioners

- b. Line Item Transfer, Fund No. 0305-101, Dept. 000
- c. Authorizing Finance Team Access to Department of Revenue Sales & Use Tax Reports, Per Resolution 2014-833
- d. Older Americans Month Proclamation
- e. Line Item Transfer, Fund No. 0305-101, Dept. 000

District Court

- f. Line Item Transfer, Fund No. 0000-101, Dept. 111

Facilities

- g. Purchase of Mower from RMT Equipment

- h. Accepting Work Performed by Booth & Sons Construction, Inc. for Public Defense/Prosecuting Attorney Tenant Improvement Remodel

Human Resources

- i. Collective Bargaining Agreement w/Fraternal Order of Police, Representing Correction Lieutenants

Office of Public Defense

- j. Line Item Transfer, Fund No. 0000-101, Dept. 136

Planning

- k. Appointment of Tammara McKeirnan to Fulfill the Unexpired Term Vacancy on the Benton County Planning Commission

Public Works

- l. Contract w/Central Washington Asphalt, Inc for the Crosby Road Overlay Project – C.E 2067 CRP
- m. Accepting Work Performed by M & M Excavating, LLC for C.E. 2072 SMP -Hanks Road Culvert Replacement
- n. Interlocal Agreement w/City of Benton City for Contract Administration of Seal Coat on Select Roads

Risk Management

- o. Personal Service Contract w/Bock Consulting, Inc for Occupational Health Consultations

Sheriff

- p. Agreement w/Franklin County for Mutual Use of Jail Facilities

Sustainable Development

- q. Designate Tri-Cities Development Council (TRIDEC) as Benton County's Associate Development Organization for the 2019-2021 Biennium

Treasurer

- r. Contract w/Frontier Title & Escrow for Tax Foreclosure and Tax Title Sales

Public Comment

Bill Berkman, Richland, Chair of Benton Republican Party, presented a resolution concerning a proposal for an amendment to Benton County Proposition 14-5 (public safety tax) unanimously approved by the Republican Party. The proposal was to add language to the ballot to amend the current Public Safety Tax, in certain conditions, in the event there was a surplus of \$2.5 million, to consider much needed funding for the fire departments.

Sheriff Hatcher said this was the first he had heard of it. He said the Public Safety Tax was very clear in its design and they had law enforcement needs that were not yet addressed including gang issues and the opiate epidemic and he wanted to make sure that all law enforcement needs were being met.

Kennewick Police Chief Hohenberg said when the Law and Justice Council recommended pursuing the public safety tax and during the campaign, one of the overarching messages was to combat criminal gang activity. He said they had great successes and good programs, but they were at a tipping point with four drive by gang shootings in Kennewick and a gang related homicide (all with suspects arrested). He expressed concern about expanding before making sure law enforcement needs were met. This included taking care of the underfunded and understaffed Metro

program. He indicated the Fire Districts had their own ballot measures, which is why they were not included.

Commissioner Delvin said maybe it was worth having a workshop with the parties to research the issue.

Commissioner Beaver said he was sensitive to the intent of this tax and wanted to make sure the public was well informed.

Chairman Small said that people continued to believe the County would have a surplus, but the money would dwindle down eventually, and it had taken a while to ramp up these programs. He said he was not interested in putting something on the ballot this year and wanted to be cautious and recommended the Law & Justice Council regroup to discuss the issue.

Both the Chief and the Sheriff agreed with bringing the coalition back together.

Washington Dept. of Fish & Wildlife – Wolves in Washington

Mike Livingston, Dept. of Fish & Wildlife, gave a Powerpoint presentation on wolves in Washington and discussed the following:

- Recovery plan in 2011 – conservation and management plan
- Wolf packs and pack territories; surveys indicated the minimum number in Washington was 126 – expanding at 28% per year
- 27 packs and 15 breeding pairs
- Federal classification – endangered and delisted
- Upcoming Public Process - Periodic Status Review – Two years to complete
- Population viability analysis
- Fish & Wildlife Commission Recommendation – late 2019/early 2020; EIS
- SEPA Process – translocation
- Post-Delisting Management Plan

MOU – Modifications w/US Marshal- Joint Law Enforcement Operations Task Force

Commander Caughey via/Skype presented the Resolution and Memorandum of Understanding to increase the agreement by \$5,345.00, not included in the budget.

MOTION: Commissioner Delvin moved to approve the MOU Modification for the Joint Law Enforcement Operations Task Force as presented. Commissioner Beaver seconded and upon vote, the motion carried.

Public Works Reorganization Discussion

Matt Rasmussen said he had several changes in his department recently, and proposed a restructure as follows:

- Public Works Manager – shift focus to overseeing capital construction projects, facilities maintenance and fleet maintenance; the position will no longer be funded by the Road Dept.
- Assistant County Engineer position will be reinstated with the current Civil Engineer III and will assist with oversight of the Engineering and Road Maintenance Divisions; the Civil Engineer position will remain vacant
- Accounting Assistant III position being replaced with Accounting Support Specialist
- Vacant Engineering Technician III will be filled to ensure no lapse in coverage for the upcoming retirement of another Engineering Technician III; after retirement, that position will remain unfilled

Karlee Ainsworth added that this was part of the ongoing effort to clean up job descriptions as Lexi Wingfield discussed at a previous meeting.

MOTION: Commissioner Delvin moved to approve the Resolution Establishing the Assistant County Engineer, the Resolution Establishing the Salary Grade for the Assistant County Engineer, and Resolution approving the new Public Works Organizational Chart. Commissioner Beaver seconded and upon vote, the motion carried.

RFQ – Electronics Security Systems for Juvenile Justice Detention

Juvenile Administrator Darryl Banks, along with Superior Court Judge Cameron Mitchell, presented the resolution authorizing Juvenile to solicit qualifications from engineering firms for design and project management for installation of electronic security systems for correctional facilities. He said during the comprehensive study of the system at Juvenile, the current system was found to be obsolete and in need of replacement.

Ms. Smith Kelty stated that Franklin County agreed to pay their portion of this project.

MOTION: Commissioner Delvin moved to approve with advertising a Request for Qualifications for engineering firms for replacement of the electronic security system. Commissioner Beaver seconded and upon vote, the motion carried.

Judge Mitchell introduced Tiffany Deaton, the new court administrator in Superior Court.

Finance Team Presentation

Linda Ivey and Jennifer Bowe gave the Board a financial update as of March 31, 2019. Highlights included:

- 12.5% Through the Biennium
 - Revenues – 7.86%
 - Sales Tax – Services – 24.7%; Retail Trade – 43.41%
 - Jail Contracts v. Local Usage
 - Fines & Forfeitures - Civil infractions - smaller monthly payments; increase but not seeing the revenue per case load

- Believe we are on target but will continue to monitor

Mr. Sparks commented that the Kennewick public defense costs had increased; maybe it was time for them to get their own public defenders

- Expenditures - 10.20%
- District Court was low but would increase as coding corrections for probation assessments were completed
- Wages/Benefits were slightly low - 11 unfilled positions

Commissioner Delvin commented that it was important for the finance team to be able to monitor the taxes collected so they could track how they were doing economically and provide that information to the economic sectors in the County as well.

Other Business

Human Services

Ms. Smith Kelty said the Board sent a letter to Franklin County putting them on notice of their intent to bifurcate Human Services. Since that time, she and David Sparks had met with Kyle Sullivan and Keith Johnson (Franklin County Administrator) to discuss the issue. They were proposing a memorandum of understanding giving sole authority to Benton County for Human Services administrative services and would continue to work with Franklin County on contracts for a year or so. They would start with separating millage funds and then the only thing going into that bi-county pot would be grant funds and they could then decide whether wanted to go down that road.

Commissioner Delvin said he didn't have an issue with the contract as long as the employees were under the authority of Benton County. Commissioner Beaver agreed.

Mr. Sparks said the employees and benefits were big issues and it made sense to separate those. He said Metro and BCES had a similar arrangement with the employees being under the direction of only one of the agencies.

Chairman Small said he didn't have an issue with that concept for 2019 but he would like to look at dissolving by 2020. He again reminded everyone that services would not be affected.

Juvenile Building

Commissioner Delvin said that Senator Brown was successful at getting \$750,000 in the final budget for the Juvenile building. He suggested that he and a commissioner from Franklin County, along with the county administrators meet and start the planning process. He said maybe they could look at doing a good remodel along with the doing the new Admin Building and he would come back when they had a plan between the counties and Juvenile.

The Board agreed.

ECA Conference

Commissioner Delvin reported on his attendance in D.C. at the ECA Nuclear Waste Conference.

Legislature

Commissioner Delvin said there was \$130 million allocated for local entities to request and maybe the County should consider requesting funds for a triage center. He said there were several models that worked and maybe the County could participate but also get the community involved in the process. He was interested in diverting mental health and drug issues out of the jail and possibly contract with a provider to run it.

Chairman Small agreed with addressing the mental health issues and looking at a detox facility.

Tort Claims

CC 2019-09: Received on May 3, 2019 from Alayna M. Brauer

CC 2019-10: Received on May 3, 2019 from Jeffrey L. Rieker

CC 2019-11: Received on May 6, 2019 from Susan E. Bechtol

Account Payables

Check Date: 04/26/2019

Warrant #: 190480-190788

Total all funds: \$6,439.29

EFT's #: 676-697

Transfers #: 04261901-04261908

Total all funds: \$773,008.24

Warrant #: 190789-190906

Total all funds: \$819,630.08

Check Date: 05/03/2019

Warrant #: 191042-191237

Total all funds: \$5,312.85

EFT's: #0698-704

Transfers #: 05031901-05031905

Total all funds: \$79,759.51

Warrant #: 190918-191041

Total all funds: \$773,146.30

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

Resolutions

- 2019-345: Surplus and Disposition of Personal Property
- 2019-346: Line Item Transfer, Fund No. 0305-101, Dept. 000
- 2019-347: Authorizing Finance Team Access to Sales & Use Tax Reports
- 2019-348: Older Americans Month Proclamation
- 2019-349: Line Item Transfer, Fund No. 0305-101, Dept. 000
- 2019-350: Line Item Transfer, Fund No. 0000-101, Dept. 111
- 2019-351: Purchase of Mower from RMT Equipment
- 2019-352: Accepting Work Performed by Booth & Sons Construction, Inc.
- 2019-353: Collective Bargaining Agreement w/Fraternal Order of Police, Representing Correction Lieutenants

- 2019-354: Line Item Transfer, Fund No. 0000-101, Dept. 136
- 2019-355: Appointment of Tammara McKeirnan to Benton County Planning Commission
- 2019-356: Contract w/Central Washington Asphalt, Inc for the Crosby Road Overlay Project
- 2019-357: Accepting Work Performed by M & M Excavating, LLC for C.E. 2072 SMP - Hanks Road Culvert Replacement
- 2019-358: Interlocal Agreement w/City of Benton City for Contract Administration of Seal Coat on Select Roads
- 2019-359: Personal Service Contract w/Bock Consulting, Inc for Occupational Health Consultations
- 2019-360: Agreement w/Franklin County for Mutual Use of Jail Facilities
- 2019-361: Designate TRIDEC as Benton County's Associate Development Organization
- 2019-362: Contract w/Frontier Title & Escrow for Tax Foreclosure and Tax Title Sales
- 2019-363: Authorizing MOU Modification with U.S. Marshal – Joint Law Enforcement Operations
- 2019-364: Establishing an Assistant County Engineer Classification Description
- 2019-365: Establishing a Salary Grade for Assistant County Engineer
- 2019-366: Approving the Updated Benton County Public Works Organizational Chart
- 2019-367: Bi-County – Approval to Advertise RFQ for Engineering Firms for the Juvenile Justice Center Project Management for Installation of Electronic Security System

There being no further business before the Board, the meeting adjourned at approximately 10:30 a.m.

Clerk of the Board

Chairman