

**MINUTES**

**BOARD OF BENTON COUNTY COMMISSIONERS**

Regular Board Meeting  
Tuesday, July 16, 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; Deputy Treasurer Andrew Hicks; Robert Blain, Public Works Manager; Risk Manager Paul Schut; Shan MacPherson, IT; DPA Stephen Hallstrom; Treasurer Ken Spencer; Auditor Brenda Chilton; Greg Wendt, Planning.

**Approval of Minutes**

The Minutes of July 2, 2019 and July 9, 2019 were approved.

**Review Agenda**

Item "h" was pulled from the consent agenda.

Commissioner Delvin requested an executive session with David Sparks to discuss performance of a public employee.

**Consent Agenda**

**MOTION:** Commissioner Delvin moved to approve the consent agenda items "a" through "o", pulling "h", (OPD - Amended Renewal Subscription w/Lexis for Legal Research Services). Commissioner Beaver seconded and upon vote, the Board approved the following:

**Commissioners**

- a. Line Item Transfer, Fund No. 0000-101, Dept. 115 to Dept. 116
- b. Line Item Transfer, Fund No. 0000-101, Dept. 115 to Dept. 120

**Fairgrounds**

- c. Agreement w/Focal Point Marketing for Design and Development of New Aerial Map

**Human Resources**

- d. Line Item Transfer, Fund No. 0124-101, Dept. 000

### **Human Services**

- e. Agreement w/DSHS Providing Procedure to Assess Long-Term Payable for 2019-2020
- f. Contract w/WA State Department of Commerce for Community Development Block Grant
- g. Contract w/Our Lady of Lourdes Hospital for ARNP Services

### **Public Works**

- i. Granting Franchise to Frontier Communications to Place Telecommunications Facilities in County Road Rights of Way
- j. Purchase of Hopper Sand Spreader From Northend Truck Equipment
- k. Accepting Work Performed by Premier Excavation, Inc. for Nine Canyon Road Phase 3 Project
- l. Traffic Control and Revision on Certain County Roads Re: Speed Limit

### **Sheriff**

- m. Memorandum of Understanding w/WA Traffic Safety Commission for Overtime Funding
- n. Purchase of Three Ford Police Interceptor Utility/SUV Vehicles From Columbia Ford

### **Superior Court**

- o. Line Item Transfer, Fund No. 0156-101, Dept. 000

### **Capital Projects Schedule**

Matt Rasmussen and Robert Blain briefly discussed the following capital projects that are underway:

- Plumbing & Water Intrusion Projection/Old Jail/Sup Court
- Tenant Improvements in HR/Finance Division
- Design of New Administration Building
- Wiser Parkway Administration – in construction to be completed this winter
- Space Needs Study – Sheriff and Clerk
- Upgrades for Prosser Courthouse – remodel potential for board room and old engineering building for storage; addition – blend old and new buildings to make it look like it belongs on the campus
- Flooring replacements – Superior Court and certain sections in the Justice Center – phased
- Remodels of restrooms
- Façade Improvements on Fairgrounds buildings - exterior needs some attention and consistency; upgrade to restroom for Bldg. 1
- Moderate Risk Waste Facility – plans are 95% complete – need operational plan to submit to Health District

### **Commissioners' Board Room Upgrades - Courthouse**

Mr. Rasmussen presented the following options:

- Current cost to upgrade - \$140,000 – same size with a new fancier look and no changes to existing floor plan
- Option A – removing wall and two Commissioners' offices; 813/918 SF if landing not restored – (double) with 42 seats; two windows; reduce number of offices by two – odd shape – cost \$270,000

- Option B – leave intact – take out 3 offices – 695 SF – approximately 40 seats – four windows – uniform shape (use current space to remodel into two offices) – reduce offices by one - cost \$290,000
- Second floor option – 1000 SF – 52 seats – biggest issue was adding another exit and replacing HVAC system to accommodate that many people – possible relocation of current office space - \$665,000

Commissioner Delvin said he did not need an office in Prosser but just needed a meeting room. He said that either Option A or B worked for him, although he liked the layout of Option B better.

Chairman Small said he preferred Option A due to the legacy and history of it being a Commissioner’s office; additionally, he used his office frequently and wanted to keep it.

Commissioner Beaver said he was okay with either option. The Board concurred with moving forward with Option A.

### **Columbia Rivers Shoreline Reconveyance**

Adam Fyall presented a letter to TRIDEC as part of the Columbia Rivers Shoreline Reconveyance, outlining Benton County’s desire to obtain three areas known as Verbena, Two Rivers and Wallula Gap, with the exceptions previously discussed.

Both Commissioner Delvin and Chairman Small indicated they were in favor of the letter. Commissioner Beaver said his opinion had not changed.

**MOTION:** Commissioner Delvin moved to approve the letter to TRIDEC regarding the Columbia Rivers Shoreline Reconveyance. Chairman Small seconded and upon vote, the motion carried with Commissioner Beaver opposing.

### **Executive Session – Litigation Updates**

The Board went into executive session with DPA Stephen Hallstrom at 9:27 a.m. for litigation updates for 10 minutes. Also present were Ryan Brown, Brenda Chilton, Paul Schut, Loretta Smith Kelty, David Sparks, and Cami McKenzie. The Board came out at 9:38 a.m. and went back in for five additional minutes. The Board came out at 9:42 a.m. No decisions were made in executive session.

**MOTION:** Commissioner Delvin moved to authorize the Chairman to sign the Resolution and Settlement Agreement as presented in the matter of Conrad Stough v. Benton County. Commissioner Beaver seconded and upon vote, the motion carried.

### **Executive Session - Potential Property Purchase**

The Board went into executive session at 9:45 a.m. with DPA Ryan Brown and Jerrod MacPherson for 15 minutes to discuss two potential property purchases. Also present were David Sparks,

Loretta Smith Kelty, and Cami McKenzie. The Board came out at 9:52 a.m. No decisions were made in executive session.

### **Executive Session - 2<sup>nd</sup> Quarter Litigation Update**

The Board went into executive session at 9:52 a.m. for 10 minutes with DPA Ryan Brown for a 2<sup>nd</sup> quarter litigation update. Also present were David Sparks, Loretta Smith Kelty and Cami McKenzie. The Board came out at 10:01 a.m. No decisions were made in executive session.

### **Executive Session - Performance of Public Employee**

The Board went into executive session with David Sparks at 10:01 a.m. for 15 minutes to discuss the performance of a public employee. The Board came out at 10:25 a.m. No decisions were made in executive session.

### **Tort Claim**

CC 2019-15: Received July 15, 2019 from Steven Edwin Bronowski

### **Account Payables**

Check Date: 07/11/2019

P-Card #: 71119

Total all funds: \$272,074.08

### **Payroll**

Check Date: 07/05/2019

Payroll Checks

Warrant #: 241959-242018

Direct Deposit #: 144625-145229

Total all funds: \$2,309,972.65

Payroll Deductions/Transfers

Taxes #: 101190701-101190711

ACH #: 800-806

Total all funds: \$2,257,151.44

Payroll Deductions/Warrants

Warrant #: 193703-193712

Total all funds: \$132,218.50

Check Date: 07/15/2019

Payroll Draw Checks

Warrant #: 242020

Direct Deposit #: 145230-145393

Total all funds: \$111,395.28

Payroll Draw Deductions/Transfers

Taxes #: 101190712

Total all funds: \$33,871.00

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

**Resolutions**

- 2019-510: Line Item Transfer, Fund No. 0000-101, Dept. 115 to Dept. 116
- 2019-511: Line Item Transfer, Fund No. 0000-101, Dept. 115 to Dept. 120
- 2019-512: Agreement w/Focal Point Marketing for Designk/Development of New Aerial Map
- 2019-513: Line Item Transfer, Fund No. 0124-101, Dept. 000
- 2019-514: Agreement w/DSHS Providing Procedure to Assess Long-Term Payable
- 2019-515: Contract w/WA State Dept. of Commerce - Community Development Block Grant
- 2019-516: Contract w/Our Lady of Lourdes Hospital for ARNP Services
- 2019-517: Granting Franchise to Frontier Communications to Place Telecommunications Facilities in County Road Rights of Way
- 2019-518: Purchase of Hopper Sand Spreader From Northend Truck Equipment
- 2019-519: Accepting Work Performed by Premier Excavation, Inc. for Nine Canyon Road Phase 3 Project
- 2019-520: Traffic Control and Revision on Certain County Roads Re: Speed Limit
- 2019-521: Memorandum of Understanding w/WA Traffic Safety Commission for Overtime Funding
- 2019-522: Purchase of 3 Ford Police Interceptor Utility/SUV Vehicles From Columbia Ford
- 2019-523: Line Item Transfer, Fund No. 0156-101, Dept. 000
- 2019-524: Settlement & Release Agreement – Conrad Stough v. Benton County

There being no further business before the Board, the meeting adjourned at approximately 10:25 a.m.

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Clerk of the Board

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Chairman