

## MINUTES

### BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting  
Tuesday, July 30, 2019, 9:00 a.m.  
Commissioners' Conference Room  
Benton County Courthouse, Prosser, WA

**Present:** Chairman Shon Small  
Commissioner James Beaver  
Commissioner Jerome Delvin  
Deputy County Administrator Loretta Smith Kelty  
Clerk of the Board Cami McKenzie

**Absent:** County Administrator David Sparks (excused)

**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; HR Manager Lexi Wingfield; Finance Manager Linda Ivey; Assistant Finance Manager, Jennifer Bowe; Robert Heard, IT; Deputy Assessor Adam Morasch; Greg Wendt, Planning; Deputy Treasurer Andrew Hicks; Sheriff Jerry Hatcher; Shan MacPherson; IT; DPA Stephen Hallstrom; Treasurer Ken Spencer; Human Services Manager Kyle Sullivan; Assessor Bill Spencer.

#### Approval of Minutes

The Minutes of July 23, 2019 were approved.

#### Consent Agenda

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

#### Facilities

- a. Line Item Transfer, Fund No. 0000-101, Dept. 110
- b. Accepting Work Performed by Interstate Restoration WA LLC for Jail Kitchen Mold Abatement Project

#### Fairgrounds

- c. Line Item Transfer, Fund No. 0124-101, Dept. 000
- d. 1<sup>st</sup> Contract Amendment w/Heritage Professional Landscaping, Inc. for Additional Landscape Maintenance Services

#### Human Resources

- e. Line Item Transfer, Fund No. 0115-101, Dept. 171

### **Juvenile**

- f. Terminating Attorney Representation Contract w/Darin Campbell for Becca Cases
- g. Terminating Attorney Representation Contract w/Jennifer Azure for Becca Cases
- h. Agreement w/State of Washington, Department of Social & Health Services, Juvenile Rehabilitation Administration – 1963 59028
- i. Agreement w/State of Washington, Department of Social & Health Services, Juvenile Rehabilitation Administration – 1963 59032

### **Public Works**

- j. Purchase of Hazardous Waste Disposal Services From Clean Harbors Environmental Services
- k. Expenditure Coding Corrections Between County Road Fund and Equipment Rental & Revolving Fund
- l. Granting Franchise to City of Kennewick to Locate, Construct, Maintain, Operate Use Repair and Replace Water, Sewer, Stormwater & Light Utilities

### **Sheriff**

- m. Department of Ecology Grant Agreement for Solid Waste Management Community Litter Cleanup Program

### **Public Hearing - 2020-2025 Six-Year Road Program**

Matt Rasmussen presented the Six-Year Road Program for 2020-2025. He said every year they prepared an updated list of projects for the Board's approval at public hearing. Once approved, it was given to the Benton-Franklin Council of Governments and the State to be eligible for funding.

As there was no one present to testify, the public hearing was closed.

**MOTION**: Commissioner Delvin moved to approve the 2020-2025 Six Year Road Program as presented. Commissioner Beaver seconded and upon vote, the motion carried.

### **Preliminary Plat – Cottonwood Creek #3 – SUB 2019-002**

Jerrold MacPherson and Greg Wendt presented the preliminary plat application known as Cottonwood Creek #3 to subdivide approximately 49.23 acres into 41 residential lots. The Planning Commission conducted an open record hearing and voted to forward a positive recommendation to the Board of Commissioners subject to nine findings of fact and seven conditions of approval.

The Planning Department recommended the Board approve the preliminary plat as submitted.

**MOTION**: Commissioner Delvin moved to adopt the Planning Commission's Recommendations, Findings of Fact and Conditions as the Board's own and approve the preliminary plat of Cottonwood Creek #3 – SUB 2019-002 and the vacation of the 20' drainage easement running diagonally through the parcel from Cottonwood Drive to Cottonwood Creek Blvd. as recommended by the Planning Commission.

Commissioner Beaver seconded and upon vote, the motion carried.

## **Mental Health Field Response Team Grant Program**

Sheriff Hatcher requested the Board approve a resolution authorizing the joint grant application with Lourdes for a one-year grant in the amount of \$500,000.00 to provide the necessary training, equipment and personnel to develop the program.

**MOTION:** Commissioner Beaver moved to approve the Sheriff's office to submit the application as presented. Commissioner Delvin seconded and upon vote, the motion carried.

## **Other Business**

### **Juvenile Building**

Commissioner Delvin said he and Ms. Smith Kelty met with Franklin County to discuss this issue. He said they talked about trading ownership of the Juvenile Building and the Detox Building in Franklin County. Ms. Smith Kelty said they were working out the details of the triangle of land first, and then would work on the building itself.

Commissioner Delvin further discussed the following:

- Work with Franklin County on putting together an RFP for an architectural firm using the money secured from the State
- If Franklin County is not interested in owning the Juvenile Building, trade the Detox building for the Juvenile building and work out a lease arrangement for Juvenile Court (similar to the Health District Building owned by Benton County)
- After new Admin Building is complete, house Juvenile employees at the annex while Juvenile is being remodeled

Commissioners Small and Beaver agreed with those ideas and moving forward.

### **Lobbyist**

Commissioner Delvin said he participated in a conference with Adam Fyall, Shyanne Faulconer and the lobbyist about next year's priorities.

### **Benton Clean Air**

Commissioner Beaver reported on his attendance at the Benton Clean Air meeting.

### **Mental Health Wing/Triage**

Commissioner Small said he was interested in looking at this option again. Commissioner Delvin said he met with Michelle Gerber, B-F Recovery Coalition and she discussed putting together a committee regarding a mental health/secure detox facility that would consist of providers, law enforcement, fire depts., etc. to see what it would take to get a facility in this area.

Sheriff Hatcher said he was part of the coalition and they were looking at a grant (with a long-term commitment – 15 years) and working with groups looking at partnering on this project. He said they had been meeting for over six months and were looking at establishing a secure detox facility; that this was the only major metropolitan area on the east side of the state without a detox center.

#### ATV's – City Limits

Chairman Small said he wanted to look again at allowing ATV's in the city limits of Prosser and Finley to see if there were any roads posted at 35 mph and he was asking Mr. Rasmussen to review that.

The Board briefly recessed, reconvening at 9:34 a.m.

#### **Executive Session – Review Performance of Public Employee**

The Board went into executive session with Assessor Bill Spencer at 9:34 a.m. for up to 10 minutes to review the performance of a public employee. Also present were Adam Morasch, Loretta Smith Kelty and Cami McKenzie. The Board came out at 9:47 a.m. No decisions were made in executive session.

#### **Executive Session - Litigation Update**

The Board went into executive session at 9:48 a.m. with DPA Stephen Hallstrom for approximately two minutes for a litigation update. Also present were Jerry Hatcher, Ryan Brown, Lexi Wingfield, Loretta Smith Kelty and Cami McKenzie. The Board came out at 9:49 a.m. with no decisions made.

#### **Executive Session - Union Negotiation Strategy**

The Board went into executive session at 9:50 a.m. with DPA Stephen Hallstrom to discuss union negotiations for up to 10 minutes. Also present were Lexi Wingfield, Ryan Brown, Linda Ivey, Jennifer Bowe, Loretta Smith Kelty, and Cami McKenzie. The Board came out at 10:01 a.m. No decisions were made in executive session.

#### **Account Payables**

Check Date: 07/05/2019

EFT's #: 796-799

Transfers #: 07051901-07051903

Total all funds: \$597,152.24

Warrant #: 193634-193702

Total all funds: \$253,860.48

Check Date: 07/26/2019

EFT's #: 818-841  
Transfers #: 07261901-072619010  
Total all funds: \$537,133.10

Warrant #: 194547-194661  
Total all funds: \$988,342.05

**Payroll**

Check Date: 07/26/2019

Payroll Deductions/Transfers  
Taxes #: 101190713  
Total all funds: \$77,926.49

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

**Resolutions**

- 2019-548: Line Item Transfer, Fund No. 0000-101, Dept. 110
- 2019-549: Accepting Work Performed by Interstate Restoration WA LLC for Jail Kitchen Mold Abatement Project
- 2019-550: Line Item Transfer, Fund No. 0124-101, Dept. 000
- 2019-551: 1<sup>st</sup> Contract Amendment w/Heritage Professional Landscaping, Inc. for Additional Landscape Maintenance Services
- 2019-552: Line Item Transfer, Fund No. 0115-101, Dept. 171
- 2019-553: Terminating Attorney Representation Contract w/Darin Campbell for Becca Cases
- 2019-554: Terminating Attorney Representation Contract w/Jennifer Azure for Becca Cases
- 2019-555: Agreement w/State of Washington, Department of Social & Health Services, Juvenile Rehabilitation Administration – 1963 59028
- 2019-556: Agreement w/State of Washington, Department of Social & Health Services, Juvenile Rehabilitation Administration – 1963 59032
- 2019-557: Purchase of Hazardous Waste Disposal Services From Clean Harbors Environmental Services
- 2019-558: Expenditure Coding Corrections Between County Road Fund and Equipment Rental & Revolving Fund
- 2019-559: Granting Franchise to City of Kennewick to Locate, Construct, Maintain, Operate Use Repair and Replace Water, Sewer, Stormwater & Light Utilities
- 2019-560: Department of Ecology Grant Agreement for Solid Waste Management Community Litter Cleanup Program
- 2019-561: Approval of the 2020-2025 Six Year Road Program
- 2019-562: Adoption of the Preliminary Plat Application – SUB 2019-002 – Cottonwood Creek #3

2019-563: Authorizing Sheriff's Office to Submit an Application for the Mental Health Field Response Team Grant Program

There being no further business before the Board, the meeting adjourned at approximately 10:01 a.m.

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Clerk of the Board

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Chairman