

**MINUTES**

**BOARD OF BENTON COUNTY COMMISSIONERS**

Regular Board Meeting  
Tuesday, August 13, 2019, 9:00 a.m.  
Planning Hearing Room  
Benton County Planning Annex, Prosser, WA  
(special location due to water damage in the Courthouse)

**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; Jerrod MacPherson, Planning Manager; Shan MacPherson, IT; Andrew Hicks, Deputy Treasurer; Treasurer Ken Spencer; OPD Manager Eric Hsu; Greg Wendt, Planning; Paul Schut, Risk Management; Shyanne Palmus, Communications; DPA Ryan Lukson.

**Approval of Minutes**

The Minutes of August 6, 2019 were approved.

**Consent Agenda**

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

**Auditor**

- a. Appointments to the Benton County Accessible Community Advisory Committee

**Commissioners**

- b. Line Item Transfer, Fund No. 0305-101, Dept. 000

**Human Resources**

- c. Establishing A Human Resources Manager Classification Description to Replace the Current Personnel Manager Classification Description
- d. Establishing A Human Resources Secretary/Civil Service Chief Examiner Classification Description to Replace the Current Personnel Secretary/Civil Service Chief Examiner Classification Description
- e. Line Item Transfer, Fund No. 0000-101, Dept. 105 & 127

### **Juvenile**

- f. Juvenile Detention Alternatives Initiative Grant Application w/Dept. of Children, Youth and Families, Office of Juvenile Justice
- g. Contract w/Comprehensive Healthcare for Outpatient Treatment Services
- h. Truancy Contract w/Richland School District

### **Public Safety**

- j. Line Item Transfer, Fund No. 0148-101, Dept. 115

### **Public Works**

- k. Payment Authorization for Card Lock Services for Gasoline and Diesel Fuel w/Coleman Oil Company
- l. Permission for Advertisement and Bid Process for Card Lock Services for Gasoline and Diesel Fuel ~ County Bid No. 19-19
- m. Purchase of 2 Truck Mounted Snow Plows From Northend Truck Equipment
- n. Amending Resolution 2019-414 to Correct the Single Lump Payment Amount to Sutoga LLC
- o. Rescinding Resolution 2019-557 and Approving Purchase of Hazardous Waste Disposal Services From Clean Harbors Environmental Services

### **Risk Management**

- p. MOU w/Benton-Franklin Health District for Immunization Services

### **Workforce Development Council**

- r. Agreement Between Counties of Benton And Franklin and Workforce Development Council to Establish Respective Authorities and Responsibilities
- s. Agreement w/Workforce Development Council for the Implementation of the Provisions of the Workforce Innovation and Opportunity Act

### **PEDA Update**

Deb Heintz reviewed PEDA current happenings and highlighted the following:

- Workforce Training Committee
- Career Fair – April 30
- Fiber 101
- Food Truck Locations
- Prosser Leadership
- Agriculture Jobs
- Prosser Gateway Sign Project – Rural Capital County Funding
- At a Glance – PEDA through the years

### **Rural County Capital Fund – Richland City Hall Demolition**

Adam Fyall presented the project application from the City of Richland for funding of the project known as the “City Hall Demolition” to prepare to renovate the property for private sector purposes.

**MOTION:** Commissioner Delvin moved to approve the resolution authorizing the disbursement agreement for the City of Richland’s “City Hall Demolition”. Commissioner Beaver seconded and upon vote, the motion carried.

**Solid Waste Financial Assistance Grant – Dept. of Ecology**

Matt Rasmussen said the County was awarded a grant from the Washington State Department of Ecology to continue to put on collection programs in Benton County. He submitted the agreement with the Department of Ecology for the Board’s approval.

Commissioner Delvin asked about the site renovation. Mr. Rasmussen said the consultant agreement had expired but was now renewed and they expected plans and specs to be bid ready by October.

**MOTION:** Commissioner Delvin moved to approve the resolution accepting a Local Solid Waste Financial Assistance grant from the Washington State Department of Ecology in the Amount of \$248,402.00 and authorize the Chairman to execute the grant agreement on behalf of Benton County. Commissioner Beaver seconded and upon vote, the motion carried.

**Amendment No. 2 – CRAB Rural Arterial Program Project - Hanks Road Phase 1**

Mr. Rasmussen presented an amendment to the Hanks Road Phase 1 project agreement with CRAB. He said they asked CRAB to reduce the speed of the roadway and thereby minimize the impact of costs. Additionally, the PA’s office declined to approve as to form because the amended contract referred back to the original contract and would not submit a new form. However, they assured him it still referred to Amendment No. 1. He said the agreement needed to be signed so they could continue on with this project.

**MOTION:** Commissioner Delvin moved to approve the resolution approving Amendment No. 2 to County Road Administration Board Rural Arterial Project Agreement for CRP Hanks Road Phase 1 as presented. Commissioner Beaver seconded and upon vote, the motion carried.

**Washington State Historical County Courthouse Rehabilitation Grant**

Matt Rasmussen said the County applied for a grant in July of 2018 and were notified in July of 2019 that it was awarded a grant in the amount of \$30,994.00 to assist with funding restoration of the historical main entry at the Courthouse. He said it was all tied into the upgrades project and was part of the funding.

**MOTION:** Commissioner Beaver moved to approve the resolution accepting a grant from the Washington State Department of Archeology and Historic Preservation in the amount of \$30,994.00. Commissioner Delvin seconded and upon vote, the motion carried.

## **Contract Amendment No. 1 w/DLR Group for Sheriff's Office Space Needs Assessment**

Mr. Rasmussen presented an amendment to the contract with DLR Group as part of the space needs assessment of the Sheriff's Office and Clerk's office at the Benton County Justice Center.

During the evaluation, the Sheriff's Office suggested the idea of relocating their operation to the building currently occupied by the Benton-Franklin Health District, but which is owned by Benton County. It was determined that this option was worthy of further consideration which would include the consultant verifying how the available space meets the program needs of the Sheriff's Office as well as providing a cost estimate to make the necessary retrofits.

The Board needed to decide if it wanted to spend \$26,000.00 to see the feasibility of one of the pieces (this is just one other option to consider). Also, it would not address what to do with the current tenants.

Ms. Smith Kelty said the current lease agreement with the Health District and Human Services did not provide any "out clauses". The contracts went until 2031 (HD) and 2026 (HS) to pay for the bonds. If the Board wanted to go in this direction, it would have to be agreed to by the Health Board.

Chairman Small said he was aware of the space issue in the Sheriff's office but did not know if moving them to the Health District was the answer. If the Board decided to go down this road, he wanted to know what the options were. He suggested the item be tabled for a week or so to look into whether use of the Health District would even be an option.

Ms. Smith Kelty talked about the domino effect of moving different offices with the construction of the new Admin Building and said they could bring a potential schedule.

Commissioner Beaver said he was concerned about getting to the number and that it was ridiculous to him that they were talking about moving the Health District out. He said they built a building for the Health District to move in to and he did not like the option and felt it was a waste of time and money.

Chairman Small said he liked the idea of reviewing the timeline of events and schedule to see how everyone's issue was going to be taken care of.

Commissioner Delvin said he was in favor of looking at the space needs study for the Sheriff and the Clerk. Additionally, once the Admin Building was complete, moving out of the Justice Center and Annex and the remodel of the Juvenile Building, would free up space at the Justice Center.

Mr. Sparks commented that the Board just put together a CIP before the budget process and they talked to most of the elected officials and \$2 million was included for the Sheriff's remodel for the evidence room. He said it made sense to figure out how to remodel but important to stay within the CIP. If the Board decided to make changes, it could be done during the next CIP process.

Mr. Rasmussen said if the Board did not approve the amendment, the space needs study should be complete in about 45 days.

The Board agreed it did not want to proceed with the amendment.

### **Office of Public Defense Update**

Eric Hsu updated the Board on the following highlights:

- 2018 Annual Report Highlights
  - Major Trends
  - Significantly more competitive contracts
  - Extremely Difficult Recruitment
  - Very High and Unpredictable Caseloads
- 2019 Strategic Plan
  - Focus on Retaining Staff – Professional Development & Opportunities
  - Fine-tuning office wide systems
  - Strategic and constant recruitment
- 2019 Major Development
  - Transition Superior Court LFO defense from contract to in-house
  - Savings - \$150,000 per budget
  - Easier access to resources; impact to support staff; from 4-5 in house attorneys; standards and monitoring; case support; LFO; 2.5 FTE - support staff

The Board briefly recessed, reconvening at 10:05 a.m.

### **Executive Session – Potential Litigation**

The Board went into executive session at 10:05 with DPA Ryan Lukson to discuss potential litigation for 10 minutes. Also present were Ryan Brown, Loretta Smith Kelty, David Sparks, Paul Schut and Cami McKenzie. The Board came out at 10:17 a.m. No decisions were made in executive session.

### **Tort Claim**

CC 2019-16: Received on August 6, 2019 from Larry Northam

### **Account Payables**

Check Date: 08/02/2019

Warrants #: 194667-194744

Total all funds: \$2,790.02

EFT's #: 842-844

Transfers #: 08021901-08021907

Total all funds: \$112,512.42

Warrant #: 194745-194833  
Total all funds: \$398,058.86

Check Date: 08/07/2019

Warrant #: 194888  
Total all funds: \$50,000.00

Check Date: 08/12/2019

P-Card #: 0819  
Total all funds: \$259,438.40

**Payroll**

Check Date: 08/05/2019

Payroll Checks  
Warrant #: 242024-242092  
Direct Deposit #: 145414-146015  
Total all funds: \$2,335,826.54

Payroll Deductions/Transfers  
Taxes #: 101190801-101190811  
ACH #: 845-851  
Total all funds: \$2,299,842.32

Payroll Deductions/Warrants  
Warrant #: 194837-194844  
Total all funds: \$138,806.65

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

**Resolutions**

- 2019-588: Appointments to the Benton County Accessible Community Advisory Committee
- 2019-589: Line Item Transfer, Fund No. 0305-101, Dept. 000
- 2019-590: Establishing A Human Resources Manager Classification Description to Replace the Current Personnel Manager Classification Description
- 2019-591: Establishing A Human Resources Secretary/Civil Service Chief Examiner Classification Description to Replace the Current Personnel Secretary/Civil Service Chief Examiner Classification Description
- 2019-592: Line Item Transfer, Fund No. 0000-101, Dept. 105 & 127
- 2019-593: Juvenile Detention Alternatives Initiative Grant Application w/Dept. of Children, Youth and Families, Office of Juvenile Justice
- 2019-594: Contract w/Comprehensive Healthcare for Outpatient Treatment Services

- 2019-595: Truancy Contract w/Richland School District
- 2019-596: Line Item Transfer, Fund No. 0148-101, Dept. 115
- 2019-597: Payment Authorization for Card Lock Services for Gasoline and Diesel Fuel w/Coleman Oil Company
- 2019-598: Permission for Advertisement and Bid Process for Card Lock Services for Gasoline and Diesel Fuel ~ County Bid No. 19-19
- 2019-599: Purchase of 2 Truck Mounted Snow Plows From Northend Truck Equipment
- 2019-600: Amending Resolution 2019-414 to Correct the Single Lump Payment Amount to Sutoga LLC
- 2019-601: Rescinding Resolution 2019-557 and Approving Purchase of Hazardous Waste Disposal Services From Clean Harbors Environmental Services
- 2019-602: MOU w/Benton-Franklin Health District for Immunization Services
- 2019-603: Agreement Between Counties of Benton And Franklin and Workforce Development Council to Establish Respective Authorities and Responsibilities
- 2019-604: Agreement w/Workforce Development Council for the Implementation of the Provisions of the Workforce Innovation and Opportunity Act
- 2019-605: Rural County Capital Fund Disbursement Agreement with the City of Richland
- 2019-606: Accepting Solid Waste Financial Assistance Grant from WA St. Dept. of Ecology
- 2019-607: Amendment No. 2 with CRAB – Hanks Roads Phase 1
- 2019-608: Accepting Washington State Historical County Courthouse Rehabilitation Grant

There being no further business before the Board, the meeting adjourned at approximately 10:18 a.m.

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Clerk of the Board

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Chairman