

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
January 12, 2009, 9:00 am.
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; Public Works Director Ross Dunfee; Ed Thornbrugh, Human Services; DPA Ryan Brown; Planning Manager Mike Shuttleworth; Human Services Manager Carrie Huie-Pascua; Robin Callow, Human Services; and Auditor Bobbie Gagner.

Approval of Minutes

The Minutes of January 5, 2009 were approved.

Review Agenda

Consent agenda item "i" (Community Litter Cleanup Program Application) was added to the consent agenda.

Consent Agenda

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

Assessor

- a. Expert Witness Agreement w/R Scott for Expert Advice

Commissioners

- b. Business Travel and Expense Policy; Rescinding Resolution No. 08-635

Planning

- c. Short Plat Vacation – SPV 07-06

Sheriff

- d. Service Contract w/Consolidated Food Management, Inc. for Food Services at Jail
- e. Service Contract w/Jack's Superior Auto Body, LLC for Auto Body Repair Services

- f. Service Contract w/Mel's Inter City Collision, Inc. for Auto Body Repair Services
- g. Service Contract w/Mathews Auto Body for Auto Body Repair Services
- h. Authorization to Purchase Vehicles

Public Works

- i. Community Litter Cleanup Program Application

Executive Session – 4th Quarter Litigation Update

The Board went into executive session with DPA Ryan Brown at 9:02 a.m. for approximately 10 minutes to discuss 4th Quarter Litigation. Also present were David Sparks, Cami McKenzie, Loretta Smith Kelty, and Melina Wenner. The Board came out of executive session at 9:13 a.m. Mr. Brown stated that no decisions were made in executive session.

Other Business

Meeting Cancellation

The Board cancelled the meeting of January 20, 2009.

Yakima Basin Fish and Wildlife Recovery Board (YBFWRB)

Alex Conley, President of YBFWRB, gave an overview and discussed the following purposes of the Board: Lead Entity (solicit projects and present to the Salmon Recovery Funding Board for approval); Recovery Plan (endangered species, salmon, steelhead, bull trout recovery); and outreach work. Additionally, he provided a brochure and a copy of the Yakima Basin Habitat Restoration Projects and Steelhead Recovery Plan.

Benton Conservation District – Semi-Annual Report

Mark Nelson and Marcy Apple gave a presentation on the Benton Conservation District and discussed the following:

Their work on conducting a comprehensive inventory of the Lower Yakima River through funding from the Salmon Recovery Board and a temperature study of the Lower Yakima River in locating cool pockets to benefit salmon migration.

The Board briefly recessed, reconvening at 10:00 a.m.

Benton County Affordable Housing

Carrie Huie-Pascua and Robin Callow provided an update on the Benton County Affordable Housing (2060 Funds) work to date, relevant data, and the current status of the Interlocal Agreement between Benton County and the cities. It was stated that Benton City, Richland, Prosser, and West Richland had all ratified both the Interlocal Agreement and subsequent Amendment for clarification and were ready to begin participation. However, the City of Kennewick retained its position that it wanted to have three votes in order to participate in the Interlocal Agreement.

Ms. Huie-Pascua recommended the Board approve and ratify the agreement so the money could be used. Additionally, she said the City of Kennewick was invited to join at any time or at the time of the Agreement's renewal process in five years and was eligible to apply for funding under the same criteria as any other participant, however, would not have a vote on the steering committee.

The Board agreed to have the interlocal agreement finalized with approval by the PA's office and submitted on the next available consent agenda.

Update on Historical Grant Process

Duane Davidson said there was a resolution appointing himself as chairman to the Historical Document Preservation Committee to develop a process and grant program for the historical preservation funds. He introduced Mike Huntington, President of East Benton County Museum and prior chairman of the Board. Mr. Huntington said that five organizations had worked to put together guidelines and develop application forms for a grant process. Mr. Davidson stated they anticipated several applications and would bring recommendations to the Board of Commissioners for final approval and would be requesting the Board of Commissioners to formally adopt the policies and procedures of the Committee.

Request for Supplemental Appropriation – PA's Office

Linda Ivey presented a request for supplemental appropriation by the Prosecuting Attorney's office in the amount of \$74,054.

Andy Miller (via videoconference) said the City of W. Richland had requested the County prosecute misdemeanors and gross misdemeanors in District Court on a contract basis. Mr. Miller said that part would be reimbursed by the City and part funded by the County to help with staffing problems in the PA's office.

MOTION: Commissioner Bowman moved to approve the supplemental appropriation to go to a public hearing. Commissioner Beaver seconded and upon vote, the motion carried.

Yakima River Basin Water Storage Feasibility Study

Adam Fyall presented a letter to the Dept. of Ecology regarding the County's response to the Yakima Supplemental Draft EIS. The Board approved the letter to be signed by the Chairman.

MOTION: Commissioner Bowman moved to approve the letter to the Department of Ecology as presented to be signed by the Chairman. Commissioner Beaver seconded and upon vote, the motion carried.

Line Item Transfer Request – Sheriff's Office

Sheriff Taylor (via/videoconference) requested the Board approve a line item transfer in the amount of \$12,400.00 to fund a deputy position until the retirement of a current senior deputy.

He said the provisional position was needed due to a deputy returning from active military duty earlier than expected.

MOTION: Commissioner Bowman moved to approve the line item transfer as presented. Commissioner Beaver seconded and upon vote, the motion carried.

Other Business

2009 Priorities

David Sparks said they had identified certain Board priorities for 2009, including Budget Policies and Procedures; District Court Judges v. Commissioners; Appointment Process for new District Court Judge; and 800 mhz program for SECOMM. Mr. Sparks requested the Board begin a series of workshops, beginning on Wednesday the 14th. The Board agreed.

Committee Assignments

Commissioner Bowman said the Board approved the Committee Assignments but that he no longer participated on the Transportation Improvement Board nor the Pipeline Safety Committee and that staff would send a letter to those entities stating the appointment was in error.

Flood Recap

Commissioner Bowman briefed the Board on the recent flood emergency declaration at Emergency Service and the estimated \$43,000 in property damage. He said they would be meeting today to identify a process for assessment of damages and repairs. Additionally, he provided copies of reports to the Board.

The Board briefly recessed, reconvening at 11:00 a.m.

C.R.I.D. Financing Options

Duane Davidson discussed the following issues regarding financing options for the C.R.I.D. #20 (Cottonwood Drive). First, the County would not be able to issue registered warrants for the amount needed because it exceeded the \$2 million cap. Second, the interest rate normally charged would need to be adjusted because the Finance Committee could not recommend the current rate. Third, the issue of long-term financing and selling bonds.

Mr. Sparks stated that bond advisor Jack McLaughlin has stated the County would not be able to get financing any time in the near future on this project if it wanted to sell bonds on the open market.

Commissioner Bowman said it appeared the Finance Committee should meet to recommend how to amend the current policy. Additionally, the Board had determined this C.R.I.D. was a viable project to move forward, however, he was not sure of the best path to accomplish that.

Commissioner Beaver said he did not think it was appropriate to use liquid money to fund a short-term project and had a problem with taking Benton County's cash and paying for the project. He wanted to know what the other financing options were.

Chairman Benitz said the issue should come to a workshop so the Board could determine if it wanted to change its current policy for utilizing registered warrants to finance county road improvement districts.

Mr. Sparks stated there was nothing wrong with the policy but the issue was whether the project was going forward and whether or not the County was paying for it.

MOTION: Commissioner Beaver moved to stop any further work on C.R.I.D. #20, until the Board could clarify where it was with financing. Commissioner Bowman seconded with the caveat that it stop only to look at other ways to finance the project. Commissioner Beaver concurred. Upon vote, the motion carried.

Gravel Road Issues

Commissioner Beaver said he had researched the issue regarding the private road used during construction of the Intertie. He said his preference would be to have the Contractor fix the road. However, he did not believe the County should pay for it nor build them a new road but that something needed to be done.

The Board agreed to have Commissioner Beaver work with Ross Dunfee and contact the Contractor about participating in fixing the road.

Vouchers

Check Date: 01/05/2009
Warrant #: 221638-221799
Direct Deposit #: 42013-42573
Total all funds: \$2,079,512.11

Check Date: 01/05/2009
Taxes #: 10109011-10109013
Warrant #: 914683-914720
Total all funds: \$1,987,836.46

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

Resolutions

09-028	Expert Witness Agreement w/R Scott for Expert Advice
09-029	Business Travel and Expense Policy; Rescinding Resolution No. 08-635
09-030	Short Plat Vacation – SPV 07-06
09-031	Service Contract w/Consolidated Food Management, Inc. for Food Services at Jail

09-032 Service Contract w/Jack's Superior Auto Body, LLC for Auto Body Repair Services
09-033 Service Contract w/Mel's Inter City Collision, Inc. for Auto Body Repair Services
09-034 Service Contract w/Mathews Auto Body for Auto Body Repair Services
09-035 Authorization to Purchase Vehicles
09-036 Community Litter Cleanup Program Application
09-037 Line Item Transfer – Dept. 121

There being no further business before the Board, the meeting adjourned at approximately 11:30 a.m.

Clerk of the Board

Chairman