

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
June 15, 2009, 9:00 a.m.
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: Adam Fyall, Community Development Coordinator; Finance Manager Linda Ivey; Personnel Manager Melina Wenner; Facilities Manager Roy Rogers; District Court Administrator Jacki Lahtinen; Clerk Josie Delvin; Deputy Clerk Jackie Hill; Steve Becken and Larry Moser, Public Works; Planning Manager Mike Shuttleworth; Central Services Manager Randy Reid; Van Petty, Auditor's Office; Mary Christen, Treasurer's Office; Eric Hsu, Office of Public Defense; Donna Holmes, Public Works; Pat Powell, Auditor's Office; DPA Ryan Brown; Harriet Mercer and Auditor Barb Wagner; Superior Court Judge Carrie Runge; Sharon Paradis, Juvenile Court Administrator.

Approval of Minutes

The Minutes of June 8, 2009 were approved.

Consent Agenda

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

Public Works

- a. Plan Approval for Webber Canyon Road Project
- b. Line Item Transfer, Fund No. 0101-101, Dept. 500

Sheriff

- c. Intergovernmental Agreement w/WA State Parks & Recreation for Financial Assistance

Other Business

Trip to San Francisco

Chairman Benitz reported on the trip to San Francisco and their meeting with financial institutions Standard & Poors and Moody's. He said it was a good meeting and they were waiting to receive a report on the recommendation for a bond rating and would report that to the Board once it was received.

The Board briefly recessed, reconvening at 9:05 a.m.

Public Hearings – Supplemental Appropriations

Ms. Ivey presented information for the following supplemental appropriations:

Current Expense, Office of Public Defense, \$355,000 (unanticipated professional services for two Superior Court cases)

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

MOTION: Commissioner Bowman moved to approve the supplemental appropriation to the 2009 Current Expense Fund, Office of Public Defense in the amount of \$355,000. Commissioner Beaver seconded and upon vote, the motion carried.

VIT Impact Fund, \$500,000 (construction of the roadway approach on the Wiser Parkway Railroad Crossing)

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

MOTION: Commissioner Beaver moved to approve the supplemental appropriation to the 2009 VIT Impact Fund in the amount of \$500,000. Commissioner Bowman seconded and upon vote, the motion carried.

Public Works Road Fund, \$500,000 (corresponding supplement for Wiser Parkway Railroad Crossing)

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

MOTION: Commissioner Bowman moved to approve the supplemental appropriation to the 2009 Public Works Road Fund in the amount of \$500,000. Commissioner Beaver seconded and upon vote, the motion carried.

Public Works Road Fund, \$1,200,000 (stimulus funds for construction of Webber Canyon & Kiona Roads project)

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

MOTION: Commissioner Beaver moved to approve the supplemental appropriation to the 2009 Public Works Road Fund in the amount of \$1,200,000. Commissioner Bowman seconded and upon vote, the motion carried.

Homeless Housing & Assistance Fund, \$50,305 (contract with Spokane County)

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

MOTION: Commissioner Bowman moved to approve the supplemental appropriation to the 2009 Homeless Housing and Assistance Fund in the amount of \$50,305. Commissioner Beaver seconded and upon vote, the motion carried.

Solid Waste Collection, \$50,000 (professional services for waste study analysis associated with Department of Ecology grant)

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

MOTION: Commissioner Beaver moved to approve the supplemental appropriation to the 2009 Solid Waste Collection Fund in the amount of \$50,000. Commissioner Bowman seconded and upon vote, the motion carried.

Juvenile Center Fund, \$110,856 (salaries, benefits, supplies, and services associated with MacArthur Foundation Grant)

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

MOTION: Commissioner Bowman moved to approve the supplemental appropriation to the 2009 Juvenile Center Fund in the amount of \$110,856. Commissioner Beaver seconded and upon vote, the motion carried.

Central Services Fund, \$34,460 (installation of BlackBerry infrastructure and monthly services charges)

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

MOTION: Commissioner Beaver moved to approve the supplemental appropriation to the 2009 Central Services Fund in the amount of \$34,460. Commissioner Bowman seconded and upon vote, the motion carried.

Central Services Fund, \$14,460 (new Jury Management System in District Court)

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

MOTION: Commissioner Beaver moved to approve the supplemental appropriation to the Central Services Fund in the amount of \$14,460. Commissioner Bowman seconded and upon vote, the motion carried.

Central Services Fund, \$3,200 (corresponds with approval to hire two new attorneys for the office of Public Defense)

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

MOTION: Commissioner Bowman moved to approve the supplemental appropriation to the 2009 Central Services Fund in the amount of \$3,200. Commissioner Beaver seconded and upon vote, the motion carried.

Central Services Fund, \$4,550 (corresponds with Juvenile Justice laptops and computer purchase)

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

MOTION: Commissioner Beaver moved to approve the supplemental appropriation to the 2009 Central Services Fund in the amount of \$4,550. Commissioner Bowman seconded and upon vote, the motion carried.

Central Services Fund, \$2,600 (corresponds with request from PA for two computers)

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

MOTION: Commissioner Bowman moved to approve the supplemental appropriation to the 2009 Central Services Fund in the amount of \$2,600. Commissioner Beaver seconded and upon vote, the motion carried.

Entrance Conference – Washington State Auditor

Ginny Waltman and Lisa Roundy reviewed the Benton County Washington State Auditor's Entrance Conference report dated June 15, 2009 for calendar year 2008. The report outlined the following areas: audit scope, accountability for public resources and legal compliance, financial statements, federal compliance, audit reports, reporting levels, and audit costs.

Van Petty, Auditor's Chief Financial Accountant, was named as the audit liaison for the State Auditor to communicate with throughout the audit.

Commissioner Bowman asked if the State Auditor could help the Counties save money with reductions in auditing those entities that were not high risk (possibly every other year). Ms. Waltman said that Benton County was a large entity for this service area, however, she would discuss the matter with her supervisor.

Other Business

WSAC

Commissioner Bowman briefed the Board on the recent WSAC Conference, presented the Board with a shoreline enhancement award by CTED, and provided information on the following items:

- HB 1919 – drug court
- Public safety bills
- Significant public health bills
- Transportation
- Environment and land use bills
- Effective date of bills signed into law
- Report of different types of activities through legislature
- WSAC budget highlights

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

Juvenile Drug Court Funding

Sharon Paradis, Judge Carrie Runge and Nanette Blackburn appeared before the Board to discuss supplemental funding for juvenile drug court. Ms. Paradis said the Sate would not be funding the second half of the year so there was not funding for 50% of the remainder of the year.

Mr. Paradis stated that independent research and several other studies on juvenile drug court programs found that these types of programs would reduce crime. She said combining treatment with high levels of accountability was the mix that worked. Additionally, she said that drug court graduates saw a reduction in crime and even those kids that did successfully graduate but were exposed to the program have reduced criminal activity.

Ms. Paradis stated they had 63 graduates from drug court, 143 kids involved since its inception, and at least 9 children have been born drug free. She said that estimates for the cost of dealing with drug babies 0-18 is approximately \$1 million.

She said that Circle of Hope had agreed to pick up some of the Incentive costs and that Substance Abuse may have some dollars by the end of the year to help.

Commissioner Bowman said he was totally convinced that drug courts were the best thing we have in adult and juvenile programs and one of the last things he wanted to see be reduced. He suggested at the very least he wanted to see the program funded through graduation of the

current participants and wanted to see if the Board could find the \$34,000. He said he would concur funding for the rest of the year, contingent upon Franklin County's approval.

Commissioner Beaver said he agreed with Commissioner Bowman and would concur funding, contingent upon Franklin County's approval.

Chairman Benitz said his philosophy has always been if the state program went away, then the program went away. He suggested maybe the County could use the cash carry forward if they felt the program was that important, but he had a hard time believing we couldn't convince the state legislature of its importance.

The Board agreed to go to public hearing pending Franklin County approval. Commissioner Beaver said he agreed it was important to finish the people currently enrolled in the program.

Capital Projects Discussion

Commissioner Beaver said the County was in the middle of a business cycle that was down but believed the capital issues and demand for facilities would still be there once the cycle was up. He recommended the Board move forward with the one-line drawings and get back on track, as was concluded at the series of workshops held by the Board. He said he was not sure where the money was going to come from but wanted to proceed with the goal.

Commissioner Bowman said he agreed with everything, except the timing. He said once the money was spent, the County would accrue even less interest, which would compound the current problem. He said the County was able to provide the services, no matter how the cramped the facilities were and he just believed it was the wrong time to complete the one-line drawings. Additionally, he said the County Seat being moved was still an issue to consider.

Chairman Benitz said it was important that the Board understand the facilities and services that were provided and look at consolidation of services in Tri-Cities. He said these funds will come out of capital acquisition and will not affect the current expense fund.

MOTION: Commissioner Beaver moved to approve the resolutions for architectural services for a new Administration office building, Prosser Courthouse remodel and office addition, and jail work release dormitory addition. Chairman Benitz seconded.

Upon vote, the motion carried with Commissioner Bowman opposing.

Executive Session

The Board went into executive session with DPA Ryan Brown at 10:26 a.m. for approximately 10 minutes to discuss pending litigation. Also present were David Sparks, Cami McKenzie, and Melina Wenner.

The Board came out at 10:31 a.m. Mr. Brown announced that no decisions were made.

Commissioner Bowman recommended the Board wait until 10:36 a.m. (the time for the executive session to end) to make a decision.

The Board briefly recessed, reconvening at 10:36 a.m.

Pending Litigation Decision

MOTION: Commissioner Bowman moved that the Board not appeal the recent decision in the Staples litigation. Commissioner Beaver seconded and upon vote, the motion carried.

The Board briefly recessed, reconvening at 10:45 a.m.

Claim for Damages

CC 09-14: Claim received on June 8, 2009 from James B. Hambleton

Vouchers

Check Date: 06/05/2009
Taxes # 10109061-10109063
Warrant #: 926508-926548
Total all funds: \$1,863,446.00

Check Date: 06/05/2009
Warrant #: 223774-223946
Direct Deposit #: 44983-45548
Total all funds: \$1,993,919.94

Check Date: 06/12/2009
Warrant #: 926715-927048
Total all funds: \$1,552,605.74

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

Resolutions

- 9.374 Webber Canyon Road, Phase 2
- 9.375 Transfer of Funds, Road Fund, \$6,573.00
- 9.376 Grant Award to Provide Financial Assistance w/Local Marine Law Enforcement
- 9.377 Supplemental Appropriation, Current Expense, Office of Public Defense, \$355,000
- 9.378 Supplemental Appropriation, VIT Impact Fund, \$500,000
- 9.379 Supplemental Appropriation, Road Fund, \$500,000
- 9.380 Supplemental Appropriation, Road Fund, \$1,200,000
- 9.381 Supplemental Appropriation, Homeless Housing, \$50,305
- 9.382 Supplemental Appropriation, Solid Waste Collection, \$50,000

- 9.383 Supplemental Appropriation, Juvenile Center, \$110,856
- 9.384 Supplemental Appropriation, Central Services, \$34,460
- 9.385 Supplemental Appropriation, Central Services, \$14,460
- 9.386 Supplemental Appropriation, Central Services, \$3,200
- 9.387 Supplemental Appropriation, Central Services, \$4,550
- 9.388 Supplemental Appropriation, Central Services, \$2,600
- 9.389 Approving Architectural Services for a New Administration Office Building
- 9.390 Approving Architectural Services for the Prosser Courthouse Remodel and New Office Addition
- 9.391 Approving Architectural Services for the Jail Work Release Dormitory Addition

There being no further business before the Board, the meeting adjourned at approximately 10:45 a.m.

Clerk of the Board

Chairman