

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
September 21, 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: Deputy Administrator Loretta Smith Kelty; Adam Fyall, Community Development Coordinator; Finance Manager Linda Ivey; Personnel Manager Melina Wenner; Facilities Manager Roy Rogers; Mike Shuttleworth, Planning Manager; Steve Becken, Public Works; DPA Ryan Brown; Nick Kooiker, Treasurer's Office.

Approval of Minutes

The Minutes of September 14, 2009 and September 15, 2009 were approved.

Consent Agenda

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

Commissioners

- a. Second Amendment to the Interlocal Agreement w/Greater Columbia Behavioral Health
- b. Canvassing Board Appointment
- c. Establishing Salary Grade for Public Defense Attorney II & III

Human Services

- d. Amendment, #07/09-SA-ESD-01, w/Educational Service District 123
- e. Agreement, #09/10-PREV-ESD-00 w/Educational Service District 123
- f. Agreement, #09/10-DD-GW-00, w/Goodwill Industries of the Columbia, Inc.
- g. Agreement, #09/10-DD-CDC-00, w/Children's Development Center
- h. Agreement, #09/10-DD-PTC-00, w/Peopleworks Tri-Cities, LLC
- i. Agreement, #09-10-DD-ARC-00, w/The Arc of the Tri-Cities
- j. Agreement, #09/10-PREV-BFSAC-00, w/BF Substance Abuse Coalition
- k. Professional Services Agreement, #PSA-2009/10, w/S. Adolphsen
- l. Lease Addendum w/McCausland (Now Bassett)/Sonju J/V

Juvenile

- m. Line Item Transfer, Fund No. 0115-101, Dept. 171 & 174

Prosecuting Attorney

- n. Non-Bargaining Personnel Policies and Procedures; Rescinding Resolution 07-320

Office of Public Defense

- o. Classifications and Salary Grades for Deputy Defense Attorneys

Public Works

- p. Local Agency Agreement Supplement for Webber Canyon Road Railroad Undercrossing
- q. Authorization to Proceed w/Improvement of Webber Canyon Road BNSF Underpass Roadway & Kiona Streets
- r. Lease Agreement for Crushing and Stockpile Site – Finley Pit R-133

Sheriff

- s. Intergovernmental Agreement w/United States Marshals
- t. Line Item Transfer, fund No. 0000-101, Dept. 120

Sustainable Development

- u. Interlocal Amendment w/Port of Benton for Capital Improvements at Crow Butte Park
- v. Economic Impacts Analysis of the Proposed “Red Mountain Interchange”

Workforce Development Council

- w. Service Provider Contract, #CFDA #17.260, w/Employment Security Department
- x. Service Provider Contract, #CFDA #17.258, w/Columbia Industries
- y. Service Provider Contract, #CFDA #17.259, w/Career Path Services Employment & Training

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

Ordinance Amendment – BCC 3.26 – Flood Damage Prevention

Mike Shuttleworth presented an ordinance amendment to comply with FEMA requirements.

MOTION: Commissioner Bowman moved to adopt the Planning Commission’s Findings of Fact as their own and adopt the ordinance amendments to BCC 3.26. Commissioner Beaver seconded and upon vote, the motion carried.

The Board briefly recessed, reconvening at 9:15 a.m.

Public Hearing – Subdivision Vacation (Badger View Estates) - SV 09-01

Mike Shuttleworth said that Benton County received an application requesting the vacation of a 20-foot drainage easement through Lot 19 of Badger View Estates. He said that elimination of the easement could cause runoff problems, especially if property to the north was developed. He indicated the Public Works Department suggested the drainage be re-aligned if the easement were approved. He said the Planning Department’s recommendation was to deny as presented.

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

Mr. Shuttleworth submitted the following items into the record:

1. Letter from Public Works to Ken Holle dated September 16, 2009 - Staff Exhibit 2
2. Email dated September 20, 2009 from Diane Bonin to Susan Walker – Staff Exhibit 3

MOTION: Commissioner Bowman moved to deny the vacation of the 20-foot drainage easement of Badger View Estates. Commissioner Beaver seconded and upon vote, the motion carried.

The Board briefly recessed, reconvening at 9:25 a.m.

Public Hearing – Short Plat Vacation - SPV 09-03

Mr. Shuttleworth presented an application requesting the vacation of a portion of note #2 limiting the access onto River Road for lot 3. He said the Planning Department recommended approval of the application.

Proponents

John and Belynda Baker, applicants, said they wanted to build their retirement home on the property and spoke in favor of the application.

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

MOTION: Commissioner Bowman moved to approve the vacation of that portion of note #2 limiting access for lot 3. Commissioner Beaver seconded and upon vote, the motion carried.

The Board briefly recessed, reconvening at 9:35 a.m.

Public Hearing – Short Plat Vacation - SPV 09-04

Mike Shuttleworth presented an application requesting the vacation of lot lines contained in Short Plat 1632 while leaving the easements created when Short Plat #1632 was recorded. He said the Planning Department recommended approval of the application.

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

MOTION: Commissioner Beaver moved to approve the resolution for the Short Plat Vacation application. Commissioner Bowman seconded and upon vote, the motion carried.

The Board briefly recessed, reconvening at 9:45 a.m.

Vouchers

Check Date: 09/15/2009
Payroll Draw Deductions
Taxes # 10109094-10109095
Total all funds: \$36,910.90

Check Date: 09/15/2009
Warrant #: 225211-225451
Total all funds: \$114,592.99

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

Resolutions

- 09-606 Second Amendment to the Interlocal Agreement w/Greater Columbia Behavioral Health
- 9.607 Establishing Salary Grade for Public Defense Attorney II & III
- 9.608 Amendment, #07/09-SA-ESD-01, w/Educational Service District 123
- 9.609 Agreement, #09/10-PREV-ESD-00 w/Educational Service District 123
- 9.610 Agreement, #09/10-DD-GW-00, w/Goodwill Industries of the Columbia, Inc.
- 9.611 Agreement, #09/10-DD-CDC-00, w/Children's Development Center
- 9.612 Agreement, #09/10-DD-PTC-00, w/Peopleworks Tri-Cities, LLC
- 9.613 Agreement, #09-10-DD-ARC-00, w/The Arc of the Tri-Cities
- 9.614 Agreement, #09/10-PREV-BFSAC-00, w/BF Substance Abuse Coalition
- 9.615 Professional Services Agreement, #PSA-2009/10, w/S. Adolphsen
- 9.616 Lease Addendum w/McCausland (Now Bassett)/Sonju J/V
- 9.617 Line Item Transfer, Fund No. 0115-101, Dept. 171 & 174
- 9.618 Non-Bargaining Personnel Policies and Procedures; Rescinding Resolution 07-320
- 9.619 Classifications and Salary Grades for Deputy Defense Attorneys
- 9.620 Local Agency Agreement Supplement for Webber Canyon Road Railroad Undercrossing
- 9.621 Authorization to Proceed w/Improvement of Webber Canyon Road BNSF Underpass Roadway & Kiona Streets
- 9.622 Lease Agreement for Crushing and Stockpile Site – Finley Pit R-133a
- 9.623 Intergovernmental Agreement w/United States Marshals
- 9.624 Line Item Transfer, fund No. 0000-101, Dept. 120
- 9.625 Interlocal Amendment w/Port of Benton for Capital Improvements at Crow Butte Park
- 9.626 Economic Impacts Analysis of the Proposed "Red Mountain Interchange"
- 9.627 Service Provider Contract, #CFDA #17.260, w/Employment Security Department
- 9.628 Service Provider Contract, #CFDA #17.258, w/Columbia Industries

- 9.629 Service Provider Contract, #CFDA #17.259, w/Career Path Services Employment & Training
- 9.630 Denial of SV 09-01 – Proposed Vacation of Drainage Easement
- 9.631 Approval of SPV 09-03 – Vacation Regarding Access
- 9.632 Approval of SPV 09-04 – Vacation of Lot Lines
- 9.633 Adoption of Ordinance No. 471 Relating to Flood Damage Prevention

There being no further business before the Board, the meeting adjourned at approximately 9:45 a.m.

Clerk of the Board

Chairman