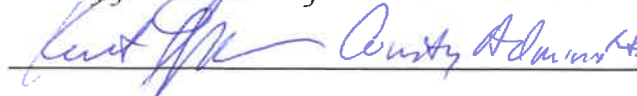


Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: July 31, 2019	PREPARED BY: Keith Johnson
Meeting Date Requested: August 6, 2019	PRESENTED BY: Keith Johnson, County Admin
ITEM: (Select One) <input checked="" type="checkbox"/> Consent Agenda <input type="checkbox"/> Brought Before the Board Time needed:	
SUBJECT: Amendment to Joint County Authority ASO Interlocal Operating Agreement for Greater Columbia Behavioral Health (GCBH)	
FISCAL IMPACT: No additional budget or fiscal impact. Administrative only in defining how fiscal agent responsibilities are to be executed.	
BACKGROUND: GCBH has undergone recent changes to become a Behavioral Health Administrative Services Organization. (ASO) Under that organization, state law allows them to be their own fiscal agent, a function historically provided by the Benton County Treasurer's office. Due to the independent nature of an ASO, it was determined to separate this function from the Benton County Treasurer's office as GCBH is capable of performing this function and will continue to operate under the existing state audit requirements of the State Auditor's office.	
RECOMMENDATION: Recommend the BOCC approve the amendment to the Interlocal Operating Agreement	
COORDINATION: Keith Johnson, County Administrator Jen Johnson, Chief Civil Deputy Prosecuting Attorney GCBH	
ATTACHMENTS: Resolution and Amendment to Joint County Authority ASO Interlocal Operating Agreement	
HANDLING / ROUTING: Originals to GCBH, Jim Bell Copies to Jen Johnson, Keith Johnson	

I certify the above information is accurate and complete.

 Name, Title

FRANKLIN COUNTY RESOLUTION _____

**BEFORE THE BOARD OF COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON**

***APPROVAL OF AMENDMENT TO JOINT COUNTY AUTHORITY ASO INTERLOCAL
OPERATING AGREEMENT***

WHEREAS, the Board of Franklin County Commissioners constitutes the legislative authority of Franklin County and deems this to be in the best interest of the County; and,

WHEREAS, Greater Columbia Behavioral Health LLC (GCBH) is a duly authorized and legal organization under the laws of the State of Washington; and

WHEREAS, Franklin County is a member county of GCBH; and

WHEREAS, the Franklin County Board of Commissioners approved the Joint County ASO Interlocal Operating Agreement dated June 22, 2018;

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Commissioners do hereby authorize and approve the Amendment to the Joint County ASO Interlocal Operating Agreement as provided in the attached Amendment.

APPROVED this 6th day of August, 2019.

**BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON**

Chair

Chair Pro Tem

Member

ATTEST:

Clerk to the Board

AMENDMENT
TO JOINT COUNTY AUTHORITY ASO INTERLOCAL OPERATING
AGREEMENT

THIS AMENDMENT, is made and entered into this ____ day of _____ 2019, by Greater Columbia Behavioral Health, LLC, an Administrative Service Organization, 101 North Edison St. Kennewick, WA 99336 (hereinafter called the "GCBH"), comprised of the following County Authorities: Asotin County, Benton County, Columbia County, Franklin County, Garfield County, Kittitas County, Walla Walla County, Whitman County and Yakima County.

WITNESSETH:

WHEREAS, GCBH has been operating successfully under the **JOINT COUNTY AUTHORITY ASO INTERLOCAL OPERATING AGREEMENT** dated June 22, 2018; and

WHEREAS, under that Agreement, the Benton County Treasurer's office has been designated and serving as the "Custodian of Funds" for GCBH as required of a Behavioral Health Organization (BHO) under RCW 71.24.100; and

WHEREAS, the requirement of having the treasurer of one participating county serve as the "Custodian of Funds" was a requirement of Behavioral Health Organizations. GCBH is no longer a Behavioral Health Organization, but is now an Administrative Service Organization (ASO) not subject to that requirement; and

WHEREAS, RCW 71.24.100 has been amended by the Washington State Legislature, and signed by the Governor, to require that an ASO only appoint a "Single Fiscal Agent" for the regional service area; **NOW THEREFORE**,

IT IS HEREBY AGREED as follows:

- I. **JOINT COUNTY AUTHORITY ASO INTERLOCAL OPERATING AGREEMENT**, dated June 22, 2018, is amended by this **Amendment to JOINT COUNTY AUTHORITY ASO INTERLOCAL OPERATING AGREEMENT**
- II. "SECTION 3 ARTICLE 1 – AUTHORITY" of said agreement, currently reads in part as follows:

“... This Agreement serves as such a joint operating agreement among the County Authorities to operate as an administrative services organization ("ASO"), as provided for in RCW 71.24.100 and 71.24.110 with:

 - (a) Each County Authority bearing a share of the cost of behavioral health services;
 - (b) The Treasurer of Benton County serving as the custodian of funds made available for the purposes of such behavioral health services and that the treasurer may make payments from such funds, and shall, using ASO

funds in its possession, pay HCA for as many debts, obligations, and liabilities owed to HCA by the ASO upon termination of any contract between the ASO and HCA, or as a result of remedial action, that ASO funds can satisfy. The ASO and County Authorities, other than Benton County, agree to hold Benton County, its officers and employees, harmless and to defend and indemnify them for claims, liabilities, demands, lawsuits and actions, including claims for reasonable attorneys' fees, incurred as a result of any alleged negligent acts by them in performing the services described above, and;

- (c) The joint supervision and operation of services and facilities by the Executive Committee.

The foregoing notwithstanding, the Executive Committee, as defined in Section 1.12 of this Agreement and described in Section 5.1 of this Agreement, may by majority vote change the Treasurer designation to another Treasurer in the same county as any one of the County Authorities."

- III. The above section of "SECTION 3 ARTICLE 1 – AUTHORITY" of said agreement is amended and replaced to read as follows:

"This Agreement serves as such a joint operating agreement among the County Authorities to operate as an administrative services organization ("ASO"), as provided under 71.24" including, under 71.24.100 that the ASO shall appoint a single fiscal agent for the regional service area."

- IV. "Section 4 of ARTICLE 9 – ACCOUNTING, BOOKS, and RECORDS" of said agreement currently reads as follows:

"9.4 Funds and Audit. Funds provided to the ASO from all sources shall be maintained as a separate fund in the Benton County Treasury or other County Treasury as designated by the ASO's Executive Committee. Such funds shall be designated as the Operating Fund of the ASO per RCW 39.34.030(4)(b) in the Benton County Treasury or other County Treasury as determined by the Executive Committee. These monies shall be subject to the same audit and fiscal controls as other funds held by the designated County Treasury. Interest from the investment of ASO funds, as directed by the ASO, shall accrue to the benefit of the ASO, however, the Benton County Treasury shall retain investment income from all funds, including ASO's, invested as surplus funds as part of Benton County's residuary treasury cash balance pursuant to RCW 36.29.020".

V. "Section 4 of ARTICLE 9 – ACCOUNTING, BOOKS, and RECORDS" of said agreement is amended and replaced to read as follows:

"9.4 Funds and Audit. Pursuant to RCW 71.24.100, GCBH, LLC shall appoint a single fiscal agent to serve the fiscal and financial needs of the ASO. Funds provided to the ASO from all sources shall be maintained and managed by the appointed single fiscal agent. GCBH, LLC, is appointed to serve as its own single fiscal agent".

[THE REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY.
SIGNATURES FOLLOW.]

The member counties to this Agreement do hereby agree by their signature to approve this Amendment which amends the **JOINT COUNTY AUTHORITY ASO INTERLOCAL OPERATING AGREEMENT** concerning Greater Columbia Behavioral Health, LLC.

This agreement is signed on this _____ day of _____, 2019.

ASOTIN COUNTY, WASHINGTON

Chairman

Member

Member

Constituting the Board of County
Commissioners of Asotin County,
Washington.

Attest:

Clerk of the Board

Approved as to form:

Prosecuting Attorney

The member counties to this Agreement do hereby agree by their signature to approve this Amendment which amends the **JOINT COUNTY AUTHORITY ASO INTERLOCAL OPERATING AGREEMENT** concerning Greater Columbia Behavioral Health, LLC.

This agreement is signed on this _____ day of _____, 2019.

BENTON COUNTY, WASHINGTON

Chairman

Member

Member

Constituting the Board of County
Commissioners of Benton County,
Washington.

Attest:

Clerk of the Board

Approved as to form:

Deputy Prosecuting Attorney

The member counties to this Agreement do hereby agree by their signature to approve this Amendment which amends the **JOINT COUNTY AUTHORITY ASO INTERLOCAL OPERATING AGREEMENT** concerning Greater Columbia Behavioral Health, LLC.

This agreement is signed on this _____ day of _____, 2019.

COLUMBIA COUNTY, WASHINGTON

Chairman

Member

Member

Constituting the Board of County
Commissioners of Columbia County,
Washington.

Attest:

Clerk of the Board

Approved as to form:

Prosecuting Attorney

The member counties to this Agreement do hereby agree by their signature to approve this Amendment which amends the **JOINT COUNTY AUTHORITY ASO INTERLOCAL OPERATING AGREEMENT** concerning Greater Columbia Behavioral Health, LLC.

This agreement is signed on this _____ day of _____, 2019.

FRANKLIN COUNTY, WASHINGTON

Chairman

Member

Member

Constituting the Board of County
Commissioners of Franklin County,
Washington.

Attest:

Clerk of the Board

Approved as to form:

Deputy Prosecuting Attorney

The member counties to this Agreement do hereby agree by their signature to approve this Amendment which amends the **JOINT COUNTY AUTHORITY ASO INTERLOCAL OPERATING AGREEMENT** concerning Greater Columbia Behavioral Health, LLC.

This agreement is signed on this _____ day of _____, 2019.

GARFIELD COUNTY, WASHINGTON

Chairman

Member

Member

Constituting the Board of County
Commissioners of Garfield County,
Washington.

Attest:

Clerk of the Board

Approved as to form:

Deputy Prosecuting Attorney

The member counties to this Agreement do hereby agree by their signature to approve this Amendment which amends the **JOINT COUNTY AUTHORITY ASO INTERLOCAL OPERATING AGREEMENT** concerning Greater Columbia Behavioral Health, LLC.

This agreement is signed on this _____ day of _____, 2019.

KITTITAS COUNTY, WASHINGTON

Chairman

Member

Member

Constituting the Board of County
Commissioners of Kittitas County,
Washington.

Attest:

Clerk of the Board

Approved as to form:

Deputy Prosecuting Attorney

The member counties to this Agreement do hereby agree by their signature to approve this Amendment which amends the **JOINT COUNTY AUTHORITY ASO INTERLOCAL OPERATING AGREEMENT** concerning Greater Columbia Behavioral Health, LLC.

This agreement is signed on this _____ day of _____, 2019.

WALLA WALLA COUNTY, WASHINGTON

Chairman

Member

Member

Constituting the Board of County
Commissioners of Walla Walla County,
Washington.

Attest:

Clerk of the Board

Approved as to form:

Deputy Prosecuting Attorney

The member counties to this Agreement do hereby agree by their signature to approve this Amendment which amends the **JOINT COUNTY AUTHORITY ASO INTERLOCAL OPERATING AGREEMENT** concerning Greater Columbia Behavioral Health, LLC.

This agreement is signed on this _____ day of _____, 2019.

WHITMAN COUNTY, WASHINGTON

Chairman

Member

Member

Constituting the Board of County
Commissioners of Whitman County,
Washington.

Attest:

Clerk of the Board

Approved as to form:

Deputy Prosecuting Attorney

The member counties to this Agreement do hereby agree by their signature to approve this Amendment which amends the **JOINT COUNTY AUTHORITY ASO INTERLOCAL OPERATING AGREEMENT** concerning Greater Columbia Behavioral Health, LLC.

This agreement is signed on this _____ day of _____, 2019.

YAKIMA COUNTY, WASHINGTON

Chairman

Member

Member

Constituting the Board of County
Commissioners of Yakima County,
Washington.

Attest:

Clerk of the Board

Approved as to form:

Deputy Prosecuting Attorney