

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: 03/31/21	PREPARED BY: Lori Schmidt
Meeting Date Requested: 04/06/21	PRESENTED BY: Stephen Sultemeier
ITEM: (Select One) <input checked="" type="checkbox"/> Consent Agenda <input type="checkbox"/> Brought Before the Board Time needed:	
SUBJECT: Mutual Use of Jail Facilities with Benton County and to void Resolution 2021-063	
FISCAL IMPACT: When utilized and/or without exchanging offenders it will cost \$102.92 per day per inmate, not included in the budget	
BACKGROUND: Resolution 2021-063 had an incorrect start date and needs to be voided. The past agreement is expiring and the attached First Amendment is necessary as both parties wish to amend Section 22 – DURATION to extend the current Agreement through April 30, 2022, while maintaining the rest of the Agreement in full force and effect.	
RECOMMENDATION: Move to approve the First Agreement Amendment thereby extending the Agreement for Mutual Use of Jail Facilities with Benton County, and to void Resolution 2021-063 due to the incorrect date submitted.	
COORDINATION: Jim Raymond Jennifer Johnson	
ATTACHMENTS: Resolution Two original contracts	
HANDLING / ROUTING: One original to Franklin County One original to Benton County	

I certify the above information is accurate and complete.

_____ Stephen Sultemeier, Cmdr

FRANKLIN COUNTY RESOLUTION _____

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

RE: IN THE MATTER OF AUTHORIZING FRANKLIN COUNTY COMMISSIONERS TO SIGN THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN FRANKLIN COUNTY AND BENTON COUNTY FOR MUTUAL USE OF JAIL FACILITIES; RESCINDING RESOLUTION 2021-063

WHEREAS, per Franklin County Resolution 2019-120 and Benton County Resolution 2019-360, the Franklin County Commissioners approved the Agreement between Benton County and Franklin County for mutual use of Jail Facilities with a termination date of April 30, 2021; and

WHEREAS, the First Amendment is necessary as both parties wish to amend Section 22 – DURATION to extend the current Agreement through April 30, 2022, while maintaining the rest of the Agreement in full force and effect; **NOW, THEREFORE**

BE IT RESOLVED, the Board of Franklin County Commissioners, Franklin County, Washington, hereby approves and is authorized to sign the attached First Amendment to the Agreement for Mutual Use of Jail Facilities between Franklin County and Benton County for the period of May 1, 2019 through April 30, 2022. This Agreement may be renewed for successive periods of one year by written addendum executed by all parties hereto; and

BE IT FURTHER RESOLVED, Resolution 2021-063 is hereby rescinded.

APPROVED this _____ day of _____, 2021.

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

Chair

Chair Pro-Tem

Attest

Clerk of the Board

Member

**First Amendment to
Agreement for Mutual Use of Jail Facilities
Between
Benton County and Franklin County**

This First Agreement Amendment, made and entered into this _____ day of _____, 2021 by and between **BENTON COUNTY**, a political subdivision of the State of Washington, and **FRANKLIN COUNTY**, a political subdivision of the State of Washington; hereinafter collectively (“the parties”).

Recitals

Whereas, the parties entered into an Agreement for Mutual Use of Jail Facilities dated May 7, 2019 whereby the parties agreed to utilize the other parties respective County jail as a place of inmate confinement when it is deemed to be in the best interest of both Counties.

Whereas, the attached First Amendment is necessary as both parties wish to amend Section 22 – DURATION to extend the current Agreement through April 30, 2022, while maintaining the rest of the Agreement in full force and effect.

Now, therefore, in consideration of the provisions and agreements set forth herein, the parties agree that all provisions of their original Agreement shall remain in effect except the below section which is amended as follows:

- a) Section 22. DURATION - is hereby deleted and replaced in its entirety with the following:

This Agreement shall be effective May 1, 2019 and shall continue through April 30, 2022, unless terminated earlier under the terms set forth in Section 21 above. This Agreement may be renewed for successive periods of one year by written addendum executed by all parties hereto under such terms as the parties agree in writing. Nothing in this Agreement shall be construed to make it necessary for the Contracting Agency to continuously house inmates with the County.

This section was intentionally left blank

IN WITNESS WHEREOF, the parties to this First Agreement Amendment have executed this Amendment to take effect upon signature of both parties.

Date: _____

Date: _____

BENTON COUNTY, WASHINGTON

FRANKLIN COUNTY, WASHINGTON

Jerome Delvin, Chairman
Benton County Commissioner

Clint Didier, Chairman
Franklin County Commissioner

Shon Small, Pro-Tem
Benton County Commissioner

Rocky Mullen, Pro-Tem
Franklin County Commission

Will McKay, Member
Benton County Commissioner

Brad Peck, Member
Franklin County Commissioner

Attest: _____
Clerk of the Board

Attest: _____
Clerk of the Board

Approved: _____
Scott Souza
Chief of Corrections

Approved: _____
Jim Raymond
Franklin County Sheriff

Approved as to Form:

Approved as to Form:

Ryan J. Lukson, Civil DPA

Jennifer Johnson, DPA