

COMMISSIONERS RECORD 50  
FRANKLIN COUNTY  
Commissioners' Proceeding for June 3, 2009

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Rick Miller, Chairman; Bob Koch, Chair Pro Tem; and Brad Peck, Member; Fred Bowen, County Administrator; and Mary Withers, Clerk to the Board.

**OFFICE BUSINESS**

Secretary Patricia Shults met with the Board. Present in audience: Tri-City Herald Reporters Joe Chapman and Dalina Castellanos and Chief Civil Deputy Prosecutor Ryan Verhulp.

Reporters

Mr. Chapman introduced Dalina Castellanos to the Board.

Consent Agenda

Mr. Miller said Mr. Peck would like to discuss item 4 on the consent agenda.

**Motion** - Mr. Koch: I move for approval of the consent agenda for June 3 and I would like to discuss #3:

1. Approval of ***Voluntary Transfer of Annual Leave Request*** as per Resolution 2001-246, for Shirley Belisle (Clerk's Office) for a total of 22.5 hours as follows:
  - Cheryl Jones (Clerk's Office) to transfer 7.5 hours.
  - Melissa Larios (Clerk's Office) to transfer 15 hours.
2. Approval of **Resolution 2009-205** authorizing the Franklin County Corrections Work Release Center to purchase a Konica Minolta Bizhub 222 black and white digital copier from Abadan at a cost of \$4,042.84, authorizing payment of the invoice from the Miscellaneous Jail Commissary Fund #134-000-001, line item 594.23.64.0001 (Capital Outlay), and authorizing the Chairman to sign the Minolta Copier Maintenance Contract between Abadan and Franklin County Corrections Work Release Center, model #BH222, serial #A11W011000891, for a period of twelve months commencing May 26, 2009, for a monthly base charge of \$20 for 2,000 copies, plus applicable copy overages at a cost of \$.01, to be paid from the Current Expense Sheriff's Detention/Correction Budget #001-000-540, line item 523.20.48.0000 (Repairs and Maintenance). (Exhibit 1: Information sheet.)
3. Approval of **Resolution 2009-206** authorizing the Franklin County Sheriff's Office to lease a Konica Minolta C451 copier from Abadan, with financing through Key Equipment Finance Inc., for a term of 60 months at a cost of \$202.97 per month, to be paid utilizing funds from the Current Expense County Sheriff's

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Budget #001-000-520, line item 521.20.45.0000 (Rentals & Leases – Copier) and authorizing the Chairman to sign the Lease Agreement on behalf of the Board.

(Clerk's Note: Agenda Item 4 was not approved.)

4. Approval to submit a Memorandum to Franklin County employees regarding handicap parking.
  
5. Approval of **Resolution 2009-207** authorizing Franklin County District Court (Probation Department) to lease a Konica Minolta Bizhub 222 black and white digital copier from Abadan, with financing through Key Equipment Finance Inc., for a term of 60 months at a cost of \$77.23 per month, to be paid utilizing funds from the District Court Budget #001-000-260, line item 512.40.45.0001 (Lease Copier-Fax-Printer) and authorizing the Chairman to sign the Lease Agreement and Non-Appropriations Rider on behalf of the Board.

Second by Mr. Peck.

Mr. Koch asked for clarification of why we're spending \$12,000 over a period of sixty months for a copier. Ms. Shults said she believes it's a color copier and the sheriff signed the lease instead of the Commissioners so the Sheriff committed the county to this so the resolution is after the fact. Mr. Koch asked is his signature binding? He asked if the other Commissioners feel \$12,000 expense is proper without further background information.

Ms. Shults said the invoice came in and was paid. At the time she thought the invoice was one of the regular continuing invoices that come in for leasing copiers. When she called the vendor about it, the vendor said it was a new lease. Ms. Shults obtained the lease that the Sheriff signed from the Sheriff's Office.

Mr. Koch said the Sheriff has \$4200 in his budget for copiers. He wonders if the budget will allow him to spend that next year. Mr. Koch asked is that the only copier paid from that line item? Ms. Shults said yes. Mr. Miller said if it's in the Sheriff's budget, he can do that. Ms. Shults said yes, he can, but the contract also obligates the county to an additional four years. That is why the contracts are normally signed by the Board. Mr. Miller said in this case, obviously the copier is needed and used and has been during the year.

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Ms. Shults said the only reason this is on the agenda is to bring it to the Board's attention and also to have a record copy in the minutes showing who has what specific equipment and how much money is spent. The contracts are usually backed up with resolutions so we can easily track them.

Mr. Bowen reviewed the Sheriff's budget figures. He said it appears there is money in the budget but he does not know if this is an additional copier.

Mr. Peck said he is looking at it from a policy standpoint of entering into contracts that bind the county, not from a micromanaging standpoint.

Mr. Miller said he feels the copier might be needed.

Mr. Koch said that's enough discussion. I feel the expenditure is extreme. Mr. Peck asked are you comfortable supporting it? Mr. Koch said if you two are, yes. He said it is a binding contract.

Mr. Miller asked that the matter be brought up again at budget time.

The Board held a discussion about agenda item #4 regarding a request for a Board memo about employee use of handicapped parking spaces.

Mr. Koch asked Mr. Verhulp for his input. Mr. Verhulp said it was brought to my attention at the Safety Committee meeting.

Mr. Peck said I agree with having employees leave the best spaces for our customers. I don't think that should extend to people with disabilities since I believe the level of disability is a more significant distinction than whether or not they are an employee or a customer, nor do I think that the parking issue requires Board of Commissioners involvement and action. I recommend against the proposed memo. If there is enough difference in the distance of our disabled parking spaces for this to be an issue, then we should be moving all of our disabled spaces closer to the building.

Mr. Peck said the point is simply if it's not a disabled parking space, then sure, our able-bodied employees should park out a ways and leave it open up close for customers. But if we're talking people with disabilities – and let's just assume that the person working in this building has a significant disability – I don't agree with telling them they need to park in the furthest disabled space to leave room for a customer who

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may have a very minor disability. He asked does that make sense? Mr. Verhulp said it does. Mr. Verhulp said the request was not his personal legal opinion on the matter.

Mr. Verhulp said his legal opinion would be if you have a disability, you have the right to utilize that spot regardless of whether you're an employee or not.

Mr. Peck said I don't think we ought to do the memo. Mr. Koch said with that background, he agrees. Mr. Miller agreed.

**Amendment to Motion** – Mr. Peck: I would make a friendly amendment to the motion. That amendment would be that we remove item 4. Second by Mr. Koch.

**Consent Agenda Vote:** 3:0 vote in favor.

**Vouchers/Warrants**

**Motion** - Mr. Peck: I would move approval of vouchers for June 3, 2009, in the total amount of \$77,933.48: Landfill Closure Trust Fund warrant 17918 for \$6,131.98; Current Expense warrants 17919 through 17982 for \$55,360.82; Auditor O&M warrants 17983 through 17986 for \$1,189.54; Boating Safety warrants 17987 through 17989 for \$404.30; Sheriff's Narcotic Trust warrant 17990 for \$354.53; Franklin County Capital Projects Fund warrants 17991 through 17992 for \$9,445.50; Crime Victims/Witness warrant 17993 for \$337.30; Trial Court Improvement Fund warrants 17994 through 17995 for \$1,781.84; Crime Victims/Witness warrant 17996 for \$176.72; Jail Commissary warrants 17997 through 18000 for \$2,388.50; and Election Equipment Revolving warrants 18001 through 18002 for \$362.45. Second by Mr. Koch. 3:0 vote in favor. (Exhibit 2)

**PROSECUTOR**

Chief Civil Attorney Ryan Verhulp met with the Board. Present in audience: Dalina Castellanos and Joe Chapman.

**Executive Session** at 9:22 am expected to last 15 minutes based on RCW 42.30.110(1)(i) regarding litigation or potential litigation. Mr. Chapman and Ms. Castellanos left the meeting.

**Open Session** at 9:37 am.

**PUBLIC WORKS**

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Engineer Tim Fife met with the Board. Present in audience: Ryan Verhulp, Jerrod MacPherson, Joe Chapman and Dalina Castellanos.

Hendricks Pit Expansion Update

Mr. Fife gave the Board a memo regarding the Hendricks Pit Expansion Update (Exhibit 3). He said the Bureau of Reclamation would prefer a deed rather than a boundary line adjustment. He explained the history of the county's use of the Hendricks Pit site and the work that has been done to acquire the property from the Reed family. He said after working with the Planner and Assessor, we're going to do a segregation. The effect will be the same. There will still only be one tax parcel when we are done. The documents are being prepared.

Request for Reimbursement of Work: City of Pasco

Mr. Fife asked for approval of a request from the City of Pasco which was received by the Public Works Department. The city requested expedition of the request because of a closed road. It involves up to \$100,000 worth of work for their Maple Drive area. The city will only pay actual costs. The reason the city uses the county to do the work is because the city does not have the ability to do chip seal with either equipment or manpower so they would have to contract the work out.

**Motion** – Mr. Peck: I would move approval of the City of Pasco request for Franklin County Public Works Road assistance as presented consistent with our existing interlocal agreement. Second by Mr. Koch. 3:0 vote in favor. (Exhibit 4)

Resolution: Interlocal Cooperative Agreements for General Equipment and Services for the following Counties: Adams, Benton, Chelan, Columbia, Garfield, Grant, Lincoln, Walla Walla and Yakima

Mr. Fife said the agreements are all the same as what the Board signed for Kittitas County a few weeks ago. The reason we're doing this is to share specialized equipment or manpower that at times we have a need for. Rather than buy that piece of equipment for ourselves, we can share it between the counties, particularly in times when they don't need it or they have the additional manpower that they can provide to us. In these economic times, it becomes invaluable. These agreements allow us to do that sharing.

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For instance, Columbia County wants us to do their striping starting next year. Mr. Peck asked the agreements would allow it to be done but it still has to come back to us for approval, right? Mr. Fife said yes. Mr. Peck asked if the work would be contingent on us having the available time and equipment. Mr. Fife said yes. We would not be reducing what we have to get done with our own work.

Mr. Miller asked that the contracts be placed on the consent agenda on June 8.

R170

Mr. Miller told Mr. Fife that he talked to Senator Cantwell's office. He was told Franklin County is on the appropriation list for 2010 for Road 170. We have to keep in touch with Senator Murray because of her position on the Transportation committee. Mr. Miller said the Commissioners and the Public Works Department should keep in touch.

**PLANNING AND BUILDING DEPARTMENT**

Planning Director Jerrod MacPherson met with the Board.

Public Hearing: Amend Franklin County Economic Development Plan

Public Hearing convened at 9:53 am. Present: Commissioners Miller, Koch and Peck; County Administrator Fred Bowen; Planning Director Jerrod MacPherson; and Clerk to the Board Mary Withers. Present in audience: Carrie Huie Pascua, Joe Chapman and Dalina Castellanos.

Mr. MacPherson said the document is the update to the county's Economic Development Plan. (Exhibit 5: Action Summary.) In 1999 Franklin County adopted the first Economic Development Plan. It correlated with distressed county funds.

Mr. Bowen said the .04 distressed county funds did not require a plan. As legislation changed, the economic development plan became a requirement. The amount later changed to .08 and then to .09.

Mr. MacPherson said the plan was originally created because there was a requirement for an economic development plan that listed projects for which you wanted to utilize the money in order to leverage the money. The original plan was updated in 2004 and 2006. It is primarily comprised of information from several different documents

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including information from the existing Comprehensive Plan, which has an economic element, Office of Financial Management (OFM) data for population, and U.S. Agricultural Census data. It is used for the distressed county funds as well as a tool that we can utilize as a handout and as an informational guide for prospective businesses. He listed some information that is included in the plan.

An updated list of projects was the driving force to make the update. They are identified in Section 9. Mr. MacPherson noted that the economic development items are listed as item numbers 1 through 14 but are not listed in any particular order or ranking.

Mr. Bowen said most of the funds are already obligated through bonds. We are leaving enough in the fund to protect the ability to make the bond payments. There is about \$300,000 available in the fund now. He met with advisory committee members to review the 14 projects.

Franklin County's project in the plan is to meet an ongoing need at TRAC. It is not tied to any one specific project at TRAC other than to support TRAC and its needs. There are three requests which we put together as one. As funds become available, the Board can distribute the funds as they choose.

Mr. MacPherson said the plan is a good tool from a planning perspective. If some grant funds become available, the document can be used as leverage for grant funds in addition to using distressed county funds.

Mr. Miller asked three times if anyone in the audience would like to speak as a proponent for the Economic Development Plan update. There was no response.

Mr. Miller asked three times if anyone in the audience would like to speak as an opponent. There was no response.

Mr. Peck asked if the advisory committee members expressed any objections to the plan. Mr. Bowen said no.

**Motion** – Mr. Koch: Mr. Chairman, I would move for a motion of adoption of Franklin County Economic Development Plan and rescinding Resolution Numbers 1999-399, 2004-284 and 2006-250. Second by Mr. Peck. 3:0 vote in favor. This is Resolution 2009-204.

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Final Approval Short Plat SP 2009-07, Drew Vincent

**Motion** – Mr. Peck: Mr. Chairman, I'd move final approval of Short Plat 2009-07 as requested by Drew Vincent. Second by Mr. Koch. 3:0 vote in favor. This is Resolution 2009-208.

Final Approval Short Plat SP 2009-06, James Middleton

**Motion** – Mr. Peck: Mr. Chairman, I move for final approval of Short Plat 2009-06 as requested by James Middleton. Second by Mr. Koch. 3:0 vote in favor. This is Resolution 2009-209.

**HUMAN SERVICES (HS)**

HS Director Carrie Huie Pascua met with the Board. Present in audience: Joe Chapman and Dalina Castellanos.

State Budget Reductions

Ms. Huie Pascua said all of our program areas have state budget reductions but we do not yet have dollar amounts. For substance abuse and prevention providers, there will be some 90-day bridging contracts so no interruption in services will occur.

The Developmental Disabilities contract is the most challenging because of changes in the contract. A forum will be held at ARC of the Tri-Cities, intended to be focused on meeting with families of clients. The Department of Human Services funds only employment services for developmental disabilities clients, not housing and other kinds of care services.

Housing Case Manager Position

On Monday, Benton County signed a bi-county resolution approving a new position called Housing Case Manager, a part-time position that is completely grant funded through the Regionally Assisted Collaborative Housing Project (REACH). We've made a three-year commitment to the project. So far it has been highly successful. We are serving a six-county area. The contract is through the Spokane office. Since it is grant-funded, there are no guarantees for the person who will be hired into this position. The person who is hired will be fully aware of that. The grant requires that there be a housing case manager to deliver the case management services.



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**Motion** – Mr. Peck: Mr. Chair, I would move that we approve this joint Franklin-Benton County Resolution as presented, approving a position and salary created for Housing Case Manager in the Bi-County Human Services Department. Second by Mr. Koch. 3:0 vote in favor. This is Resolution 2009-210.

**Community-Wide Planning Process**

A community-wide planning process was conducted on May 18 as part of the process for the Community Action Committee (CAC) to be the lead agency for the CTED grants. Ms. Huie Pascua will be providing documentation to the Board regarding the process because she feels it is important that the Board have it.

**Facilitation and Technical Assistance Work**

The HS Department has continued to provide facilitation and technical assistance for the Ringold Work Group. Staff have also provided facilitation and technical assistance for My Friend's Place, a group that is considering development of a youth shelter for our community.

**Mental Health Services**

Ms. Huie Pascua told the Board about discussions that are taking place regarding the funding formula. A 3% reduction is expected overall for mental health services but no final numbers are available.

Work is continuing on the feasibility report for a Consolidated Crisis Response Center (CCRC).

**Substance Abuse and Prevention**

Bridge contracts will be prepared so there will not be a gap in services while the state budget figures are being determined.

The state has sent notice that they will not give any funding for administration of prevention services. County Human Services directors have sent a formal letter of displeasure and disagreement to the governor. We've asked for flexibility.

**OFFICE OF PUBLIC DEFENSE**

Indigent Defense Coordinator Eric Hsu met with the Board. Present in audience: Joe Chapman and Dalina Castellanos.

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**Executive Session** at 10:32 am regarding contract negotiations expected to last 10 minutes. Mr. Chapman and Ms. Castellanos left the meeting.

**Open Session** at 10:42 am.

**COUNTY ADMINISTRATOR**

County Administrator Fred Bowen met with the Board. Present in audience: Joe Chapman and Dalina Castellanos.

American Building Maintenance

**Motion** – Mr. Peck: Mr. Chair, I would move approval of Franklin County Resolution 2009-211 to amend Franklin County Resolution 2008-556 and to approve janitorial services contract amendment between Franklin County and American Building Maintenance in the approximate amount of \$31,144 for janitorial services to proceed June 1, 2009, to December 31, 2009. Second by Mr. Koch. 3:0 vote in favor.

J.N. Jacobsen & Son, Inc.

**Motion** – Mr. Koch: I move approval of Certificate of Substantial Completion to J.N. Jacobsen & Son, Inc., regarding the Franklin County building demolition and new parking lot project. Second by Mr. Koch. 3:0 vote in favor. This is Resolution 2009-212.

**Executive Session** at 10:48 am regarding two issues, both under contract negotiation, pursuant to RCW 42.30.140(4) expected to last 15 minutes. Mr. Chapman and Ms. Castellanos left the meeting.

**Executive Session** continued at 11:05 am expected to last 20 minutes. Those waiting outside were notified.

**Executive Session** continued at 11:25 am expected to last until 12:00 noon. No one was waiting outside.

**Executive Session** continued at 12:00 noon continued expected to last 20 minutes.

**Open Session** at 12:38 pm.

**Adjourned** at 12:38 pm.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until June 8, 2009.

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

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Chairman

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Chairman Pro Tem

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Member

Attest:

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Clerk to the Board

Approved and signed June 17, 2009.