

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for September 9, 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. Meeting convened at 10:01 am.

OFFICE BUSINESS

Secretary Patricia Shults met with the Board. Present in audience: Kelly Abken.

Consent Agenda

Motion - Mr. Koch: Mr. Chairman, I would move for approval of the consent agenda for 9/9/09, pulling item #9:

(Clerk's Note: Item #1 was pulled from the consent agenda.)

1. Authorizing cancellation of Salary Clearing warrants 43947, 45504 and 46517, totaling \$96.95, pursuant to RCW 36.22.100.

(Clerk's Note: Item #2 was pulled from the consent agenda.)

2. Authorizing cancellation of Current Expense warrants 58957, 59008, 59922, 60420, 60528, 60536, 60757, 61043, 63194, 61780, 62064, 62926, 62927, 63293, and 63834, for a total of \$616.36, pursuant to RCW 36.22.100.

(Clerk's Note: Item #3 was pulled from the consent agenda.)

3. Authorizing cancellation of Claims Clearing warrants 1073, 1717, 1769, 1812, and 3148, for a total of \$245.21, pursuant to RCW 36.22.100.
4. Approval of **joint Resolution 2009-369** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners for Agreement #09/10-DD-ARC-00 between the ARC of Tri-Cities and Benton and Franklin Counties Department of Human Services for developmental disabilities services for clients in Benton and Franklin Counties, effective July 1, 2009, through June 30, 2010. (Exhibit 1: Information sheet.)
5. Approval of **joint Resolution 2009-370** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners for Agreement #09/10-PREV-BFSAC-00 between the Benton and Franklin Counties Department of Human Services and Benton Franklin Substance Abuse Coalition to provide prevention services through the Project Alert Program, effective July 1, 2009, through June 30, 2010. (Exhibit 2: Information sheet.)

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6. Approval of **Resolution 2009-371** authorizing expenditures in the amount of \$1,700 utilizing funds from the Miscellaneous Trial Court Improvement Fund, Number 128-000-001, line item 594.12.60.0000 (Capital Expenditures), as requested pursuant to the letter from the Trial Court Improvement Fund Authorization Committee, for Imagenet to transfer scanned County Clerk case files to their on-line Datanet site repository.

(Clerk's Note: Item #7 was pulled from the consent agenda.)

7. Approval of **Resolution 2009-___** for the Collection Service Agreement Renewal between Franklin County Planning and Building Code Enforcement and Washington Collectors Tri-Cities, Inc., effective January 1, 2010 through December 31, 2010.
8. Approval of **Resolution 2009-372** for the Intergovernmental User Agreement, OSOS Number IG-4281, between the State of Washington, Office of the Secretary of State, Elections Division, and the Franklin County Auditor, to provide a reviewer for translated Spanish-language materials for the 2009 Spanish General Election Voters' Pamphlet.

(Clerk's Note: Item #9 was pulled from the consent agenda.)

9. Approval of **Resolution 2009-___** for the Personal Services Contract between Franklin County and Everyone Counts, Inc., providing services for a pilot project for disabled voters.
10. Approval of **Resolution 2009-373** for the Amendment to the Interlocal Agreement for Radio Engineering Consulting Services between Franklin County and KITTCOM, effective through December 31, 2010, thus, amending Franklin County Resolution 2007-616.
11. Approval of **Resolution 2009-374** authorizing the Chairman to sign the Franklin County NDA Annual Report for FFY 2009 for submittal to the Washington State Department of Transportation.
12. Approval of **joint Resolution 2009-375** in the matter of execution of amendment #07/09-SA-ESD-01 between Educational Service District 123 and Benton and Franklin Counties' Department of Human Services, extending the original agreement three months through September 30, 2009. (Exhibit 3: Information sheet.)

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13. Approval of **joint Resolution 2009-376** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the Food Services Contract Amendment between the Juvenile Justice Center and Aramark Correctional Services, extending the existing contract through September 30, 2009, thus, amending Franklin County Resolutions 2006-428 and 2009-334. (Exhibit 4: Information sheet.)
14. Approval of Franklin County Motor Vehicle Fund payroll for \$11,540.92 and County Road Fund payroll for \$81,963.70 for pay period ending September 3, 2009.

Second by Mr. Peck.

Regarding item #3, Mr. Peck asked what is the level of effort that goes into notifying the people they are due money?

Mr. Peck requested additional information regarding item #7. He would like to have a memo from the department or whoever oversees the contract saying I'd like for this contract to be renewed, their performance has been adequate, and I think it is in the best interests of the county.

Ryan Verhulp joined the audience.

Ms. Shults said the Prosecutor's office has suggested that the contract be reviewed in full every five years. She showed Mr. Peck the resolution that has been prepared.

Second by Mr. Peck with exclusion of items 1, 2, 3 and 7.

3:0 vote in favor.

Vouchers

Motion – Mr. Koch: Mr. Chairman, I move for approval of 2009 vouchers/fund expenditures, pulling one Current Expense item for \$300, leaving a total of \$241,594.68. The pulled voucher is in a group of vouchers numbered between 21911 and 21958.

Current Expense warrants 21619 through 21686 for \$1729.57; Current Expense warrants 21687 through 21771 for \$3546.89; Current Expense warrants 21772 through 21820 for \$1463.07; Current Expense warrants 21821 through 21832 for \$59,133.41; FC Enhanced 911 warrants 21880 through 21882 for \$9050.61; Ending Homelessness Fund warrant 21883 for \$11,230.92; FC Public Facilities warrants 21884 through 21888 for

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\$3834.39; Jail Commissary warrants 21889 through 21893 for \$5870.55; Sheriff/Sex Offender Grant warrant 21894 for \$23.70 ;Sheriff/Sex Offender Grant warrant 21895 for \$98.00; Treasurer O&M warrants 21896 and 21897 for \$1795.51; Election Equipment Revolving warrants 21898 and 21899 for \$549.45; Current Expense warrants 21911 through 21958 for \$23,129.04; and Current Expense warrants 21959 through 22065 for \$120,439.57.

Second by Mr. Peck. 3:0 vote in favor. (Exhibit 5)

PROSECUTOR

Chief Civil Deputy Prosecutor Ryan Verhulp met with the Board. Present in audience: Kelly Abken.

Management and Supervisor Training

Mr. Verhulp asked for approval to have Franklin County host a Washington Counties Risk Pool (WCRP) training at TRAC in February 2010.

Mr. Peck asked if there are any fiscal impacts for Franklin County. Mr. Verhulp said not through the Risk Pool and not that he knows of otherwise. He said TRAC Manager Troy Woody said there will be no charge from TRAC because it is a county function.

Mr. Peck said I would support it but would want the WCRP or participants to pay the costs so we don't even in a minimal way impact TRAC.

The Board gave **consensus approval** to host the meeting. Mr. Peck wants to make sure TRAC has no direct costs.

Executive Session at 10:28 am regarding a claim for damages from Kimberly Yerbich based on RCW 42.30.110(1)(i) expected to last up to 10 minutes. Kelly Abken left the meeting.

Open Session at 10:38 am.

Motion – Mr. Verhulp: Mr. Chair, I move approval of resolution approving payment of damages to Kimberly Yerbich in the amount of \$141.61 as stipulated in the resolution.

Second by Mr. Miller. 2:0 vote in favor. Abstain: Mr. Koch. This is Resolution 2009-377.

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Request for Deviation: Guilbeau

Mr. Verhulp is preparing information for the Board regarding the Guilbeau request for deviation. He hopes to have it delivered to the Board's office today.

PUBLIC WORKS

Engineer Tim Fife met with the Board. Present in audience: Kelly Abken.

Vouchers

Motion – Mr. Koch: I move for vouchers for County Road Fund for \$516,425.05, Motor Vehicle and Public Works Equipment Fund for \$143,206.62; Solid Waste Fund for \$1448.17; and Solid Waste Fund for \$210.32; and the total amount is \$661,290.16. Second by Mr. Peck. 3:0 vote in favor. (Exhibit 6)

R170

Mr. Fife gave a verbal update report on the R170 road project. A taller Jersey barrier than originally planned will be used on the west side to retain material. There will be a slightly increased cost.

Mr. Peck asked about Federal funds and their relationship to the 50 mile per hour requirement. Mr. Fife said if the speed limit was lower, we would lose the Federal funds of about \$750,000. Mr. Peck asked what is the cost of putting the curve in as opposed to putting in a straight section and putting in a stop sign? Mr. Fife said it would be quite a bit less. He cannot give an exact number. It would have to be redesigned so there would be a cost that would probably make up for any savings.

Mr. Peck said the plan as it was envisioned earlier looked fine but did not envision the impact on the property owner's (English) operation of the house and the ground. We're dealing with that now. We're changing the plan to try to accommodate it. We're re-opening it to a certain extent. He wants to understand if it would cost more or less if the road was redesigned with a stop sign instead of the curve.

Mr. Fife said because of the extra effort of the hearings and redesign of the intersection, we've already spent way more than we had budgeted for design. Mr. Peck asked if there would be additional design work required to make it a T intersection. Mr. Fife said there would be additional cost as far as drafting and other work.

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Mr. Peck asked for Mr. Fife's opinion about whether switching to a T with the design costs would be a more expensive option. Mr. Fife said no, I'm saying it would be a wash as far as construction costs. Mr. Peck said so the people who have said we can't do that because we'd lose Federal money are correct, but even though we would end up losing the Federal money, it wouldn't end up costing the county any more. If the adjustments proposed don't adequately address the needs of the English property, then we're going to need to look at that question again.

Mr. Fife said we've already awarded the contract and the contractor has moved equipment and done work. If we had to pay the \$750,000 back, we would not recover that cost, and there would probably be some buyout on the current contract. Mr. Peck said so there's an unknown contract cost that would tip the scales in the direction of it being more expensive, not a wash. Mr. Fife said there would be additional costs we would never recover because we're well into the contract.

Mr. Peck said if we made that change, in your opinion it would end up costing the county more, potentially hundreds of thousands more. Mr. Fife said yes.

Mr. Miller asked how much county-only money has gone into the project. Mr. Fife said nothing yet. He listed some of the sources of funds.

Mr. Miller asked if the third stage can be done without the second stage. Mr. Fife said you can do all the stages together. Mr. Miller asked if you don't do this stage, can you still do stage three? Mr. Fife said you can do it but you don't have a finished project. Mr. Fife said the whole thing is one project; we've been doing it in phases.

Mr. Peck said he thinks Commissioner Miller is asking, if we don't do Phase 1, are we legally prevented from doing Phase 2 or 3? Mr. Fife said no.

Public Works staff members will be meeting with Mr. English again this week to address his concerns. Mr. Peck and Mr. Koch have also met with him.

Mr. Peck said his concern is the notion of trading the convenience of a through route against potential savings. There are thousands of trucks every year that come down the Klamath Hill.

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DOMESTIC VIOLENCE SERVICES OF BENTON AND FRANKLIN COUNTIES

Kelly Abken of Domestic Violence Services of Benton and Franklin Counties met with the Board. Present in audience: Ed Bush.

Report

Ms. Abken told the Board about the Domestic Violence Services. She invited them to participate in the yearly Candlelight Vigil at 6:00 pm on October 29 at the John Dam Plaza.

DISPATCH

Dispatch Superintendent Ed Bush met with the Board.

Civil Service Commission

Mr. Bush read a statement from Chief Civil Deputy Prosecutor Ryan Verhulp which indicates by law, Franklin County must have its own Civil Service Commission rather than a combined commission with another county because of our population.

Mr. Bush does not know of any Civil Service Commissions that are combined.

Mr. Bowen asked if the Board will approve filling the Chief Examiner position at an hourly rate as a part-time employee. In the past, it has been filled by a contractor. The Chief Examiner position duties include certifying all Civil Service employees that come into county employment, managing the testing process, doing scoring, updating the county's Civil Service rules, and so forth. The budget is a Current Expense fund. It has not been adjusted in many years so an increase will be necessary.

Mr. Peck asked is there a requirement to advertise this position? Mr. Bowen said he doesn't know.

The Board gave approval for Mr. Bush to move forward with the hiring if there are no legal requirements to advertise. Mr. Bush will check with the Human Resources Department prior to proceeding.

OTHER BUSINESS

Columbia River Bridge Crossing Study

The county has already authorized \$10,000 for the study. Because other entities are no longer participating, Franklin County's share of the cost has increased to \$12,500.

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Mr. Peck said my going-in position is we need to study as many options as we can with our eyes open as much as we can. He told the Board about an idea to build a bridge across to Richland that would include a gas line to the 300 Area of Hanford. He thinks we need to do this study with a 20-year vision in mind.

Motion – Mr. Koch: Mr. Chairman, I would move that we support Commissioner Peck as the voting member on the Bridge Consulting/Columbia River Bridge Crossing Study and that we agree with the amount of \$12,500 as Franklin County's contribution. Second by Mr. Miller. 3:0 vote in favor.

Herd Law/Livestock/Open Range

Mr. Peck is preparing an updated ordinance for Board review and input.

COUNTY ADMINISTRATOR

County Administrator Fred Bowen met with the Board.

Inter Budget Transfer

Mr. Bowen asked for approval of a transfer that is necessary due to costs for murder trials.

Motion – Mr. Peck: Mr. Chair, I'd move approval of Franklin County resolution for the inter budget transfer of \$50,000 from Current Expense to Public Defense Budget as required for ongoing trials. Second by Mr. Koch. 3:0 vote in favor. This is Resolution 2009-378.

Washington Association of Public Employee Labor Relations Association (WAPELRA) Conference

Mr. Bowen asked for approval to attend the WAPELRA conference at a cost of \$1171.64. There are funds available in the staff travel budget. The Board **gave approval**.

Community Development Block Grant (CDBG) – Eltopia Water Association

Mr. Bowen asked for approval of a grant application for a \$35,000 block grant to study the Eltopia Water Association's project to expand and improve their system.

The county's responsibility is to handle the funds as a flow-through entity.

Motion – Mr. Peck: Mr. Chair, I move for approval of Community Development Block Grant planning-only grant application for the Eltopia Water Association and further that

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the chairman sign the formal application to the Washington Department of Commerce for said grant application. Second by Mr. Koch. 3:0 vote in favor.

Wireless Communication Device Policy

The Wireless Communication Device Policy will be finalized with Board approval requested on Monday. Mr. Koch asked that the reimbursement schedule be separate because the amounts could change occasionally.

Ed Bush joined the audience.

Commissioners Travel Budget

The Board decided to put \$10,000 in each Commissioner travel budget for 2010.

Cash Carryover

Mr. Peck said as a philosophical question, the Board needs to consider at what point are we willing to entertain reductions in force?

Mr. Koch said personally I support furloughs but I would like to see the numbers of what the furloughs have done for the budget. Mr. Bowen said it would be \$300,000 for a full year.

Mr. Miller said I would support furloughs only if 100% of people agreed.

Mr. Peck said I don't support furloughs. If 100% of the people wanted to do it and we could be assured there was no peer pressure, coercion, anything like that, fine. But I think that is absolutely an unrealistic standard that will never happen. We can never be assured that some employee somewhere isn't being coerced into doing it, which I personally believe has already happened this year, which is part of my basis for being so adamantly opposed. We have a fiduciary responsibility to protect cash flow and solvency of the county. That means we have to, to some degree, replenish our contingency reserve funds.

The current projected budget deficit for 2010 is over \$1,400,000.

The Board discussed some general budget ideas.

DISPATCH

Dispatch Supervisor Ed Bush said Chief Civil Deputy Prosecutor Ryan Verhulp said the Civil Service Chief Examiner position does not have to be advertised.

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MINUTES

Motion – Mr. Koch: Mr. Chairman, I move for approval of Commissioners Proceedings for August 31, 2009, and September 9, 2009. Second by Mr. Peck. 3:0 vote in favor.

Adjourned at 12:28 pm.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until September 14, 2009.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chairman

Chairman Pro Tem

Member

Attest:

Clerk to the Board

Approved and signed September 28, 2009.