

COMMISSIONERS RECORD 51  
FRANKLIN COUNTY  
Commissioners' Proceedings for February 16, 2011

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Robert E. Koch, Chairman; Rick Miller, Chair Pro Tem; and Brad Peck, Member; Fred Bowen, County Administrator; and Mary Withers, Clerk to the Board. Meeting convened at 9:00 am.

**BASIN CITY WATER AND SEWER DISTRICT**

Bid Opening: Water Systems Improvement – Phase 1

Bid opening convened at 9:00 am. Present: Commissioners Koch, Miller and Peck; County Administrator Fred Bowen; Jason Mellin from J. A. Sewell; and Clerk to the Board Mary Withers. Present in audience: at least 17 people including Doris and Len Barnett and Brett Gledhill representing Basin City Water and Sewer District, Eric Waldron of Premier Excavation, Brian Thoreson of FGC, Chuck Barr of Goodman and Mehlenbacher, Jerrad Johnston of P.O.W., Curtis Wray of C&E Trenching, and Tri-City Herald Reporter Kristi Pihl.

Nine bids were received:

Sharp & Preszler	\$498,381.75
Fowler General Construction	\$663,616.80
Premier Excavation, Inc.	\$512,113.50
West Coast Construction Company	\$667,740.00
William Charles West	\$548,669.00
Goodman and Mehlenbacher	\$525,933.38
KRCI	\$627,567.90
Advanced Excavation	\$629,523.73
P.O.W. Contracting	\$513,397.28

Engineer's estimate for the project was \$764,691.27. The bids will be reviewed, followed by a recommendation to the Board.

**PROSECUTOR (9:11 am)**

Prosecutor Shawn Sant met with the Board. Present in audience: Kristi Pihl and a man.  
Voicemail

Mr. Sant asked for approval to add an auto attendant voicemail feature to replace the answering machine currently in use and explained how the system would be used. The Board is

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aware the Auditor's Office will also be requesting voicemail. If approved, Mr. Bowen said funds would be transferred from Contingency to the Capital budget. The initial cost is \$1349.25. It is unknown if there would be ongoing costs, such as for software updates. The Commissioners decided to wait to make a decision at this time until more information is available from the Information Services Department.

Case Management System

The Prosecutor's Office staff members will receive training for the new case management system which is designed to run in a paperless environment.

**SUPERIOR COURT** (9:31 am)

Superior Court Administrator Pat Austin met with the Board. Present in audience: Shawn Sant, Kristi Pihl, Wilbert Miller and another man.

Resolution: Percentage rates for salaries for Benton-Franklin Superior Court and Drug Court positions

Ms. Austin asked for approval of a resolution. The increased cost will be a little under \$1700. She is not asking for a budget supplement at this time but will wait until later in the year to determine if a supplement is necessary.

**Motion** – Mr. Peck: Mr. Chairman, I would move for Franklin County Board of Commissioners' approval of Benton County Joint Resolution 11 127, Franklin County Resolution 2011-062, adopting percentage rates for salaries for Benton-Franklin Superior Court as presented. Second by Mr. Miller. 3:0 vote in favor.

Drug Court

Prosecutor Shawn Sant gave an update on work being done regarding the Drug Court.

**PUBLIC WORKS** (9:38 am)

Engineer Tim Fife met with the Board. Present in audience: Kristi Pihl, Wilbert Miller and another man.

2010 Vouchers

**Motion** - Mr. Peck: Mr. Chairman, I move for approval of the 2010 CR Unemployment Trust vouchers for \$3772.43 and Motor Vehicle and Public Works Equipment Fund vouchers for

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\$406.18 presented by Mr. Fife in the total amount of \$4178.61. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 1)

2011 Vouchers

**Motion** – Mr. Miller: I make the motion that we pass the 2011 vouchers for County Road Fund for \$53,551.99, Motor Vehicle and Public Works Equipment Fund for \$39,736.70, Solid Waste Fund for \$432.09, and Probation Work Crew for \$260.30, in the total amount of \$93,981.08.

Second by Mr. Peck. 3:0 vote in favor. (Exhibit 2)

East Foster Wells Road – TIGER Grant

Mr. Fife has received notice of award of TIGER grant funds. He recommended approval of the agreement and the amendment to the local agency agreement. Some conditions of the TIGER grant include: quarterly reports are required to the Department of Transportation; and annual performance measure reports are required for five years.

**Motion** – Mr. Peck: Mr. Chair, I move for approval of the agreement between Franklin County and United States Department of Transportation for FHWA Tiger II Grant No. C-14, East Foster Wells Extension Phase 2 as presented. Second by Mr. Miller. 3:0 vote in favor. Resolution 2011-063 was approved.

**Motion** – Mr. Peck: Mr. Chairman, I move for approval of Local Agency Agreement AL 2154, Supplement #11, between Franklin County and Washington State Department of Transportation for CRP 500 – East Foster Wells Road as presented. Second by Mr. Miller. 3:0 vote in favor. Resolution 2011-064 was approved.

**OFFICE BUSINESS** (9:52 am)

Administrative Assistant Toni Fulton met with the Board. Present in audience: Kristi Pihl, Tim Fife and another man.

Vouchers/Warrants

**Motion** – Mr. Miller: Mr. Chairman, I move that we approve the fund expenditures and the bottom line in a total amount of \$183,963.71. Second by Mr. Peck. 3:0 vote in favor.

Current Expense warrants 45787 through 45843 for \$26,697.24; TRAC warrants 45844 through 45867 for \$37,758.12; TRAC warrant 45868 for \$318.96; Franklin County RV Park warrants 45869 warrants 45873 for \$9,729.90; Courthouse Facilitator warrant 45874 for

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\$1,062.50; Clerk LFO Collection Fund warrant 45875 for \$388.75; Boating Safety warrant 45876 for \$25.61; Sheriff's Narcotic Trust warrant 45877 for \$446.32; E911/State Contract Operations warrants 45878 and 45879 for \$1,329.88; Ending Homelessness Fund warrant 45880 for \$42,688.00; and Current Expense warrants 45881 through 45922 for \$63,518.43. (Exhibit 3)

Consent Agenda

**Motion** - Mr. Peck: Mr. Chairman, I would move for approval of the consent agenda as presented and ask for discussion of items 1, 5 and 8. Second by Mr. Miller.

Item 1: Mr. Peck said the furniture purchase is entirely appropriate, that the Auditor's Office obtained three bids and is buying used furniture at a savings. He feels it would be more appropriate to purchase the items from the county-wide capital expense account and treat them as an equipment item in order to be precise for budgeting purposes. Mr. Koch and Mr. Miller agreed.

Item 5: Mr. Peck said there is no problem with approval of the intergovernmental agreement between Franklin County and the Benton PUD. He noted the commissioners received a letter expressing concern about the county doing work for other entities. He stated the RCWs are very clear that the county is not only allowed but encouraged to work with other agencies.

Item 8: Mr. Peck told Mr. Fife that the Board is considering making a procedural change that would allow a department head with an approved travel budget to authorize out-of-state travel without Board approval. Mr. Fife explained how the county will benefit from the employee attending the training.

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

1. Approval of Resolution 2011-065, authorizing purchase of office furniture and hardware for the Auditor's Office in the amount of \$892.39 including sales tax and inter-budget transfer of \$892.39 from the 2011 Current Expense Non-Departmental Budget #001-000-700, Contingency Reserve line item, to the 2011 Current Expense Auditor Budget #001-000-060, Office and Operating Supplies line item
2. Approval of Resolution 2011-066, Amendment to Interlocal Agreement with the City of Connell, Washington, for indigent defense services, **amending Resolution 2010-263**
3. Approval of Resolution 2011-067, Professional Services Agreement with Attorney Merwin Moe Spencer to provide indigent defense services in Franklin County Superior

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Court for conflict and overflow cases and specifically for the case of *State v. Jose Morales*

4. Approval of purchase of 2011 bituminous surface treatment aggregate from Central Premix (Exhibit 4)
5. Approval of Resolution 2011-068, Intergovernmental Agreement #TS-002 between Franklin County and Public Utility District No. 1 of Benton County (Benton PUD) for use of Franklin County telecommunications engineer
6. Approval of Resolution 2011-069, Equipment Contract copy machine lease for Franklin County Public Works Administrative Office between Franklin County and Pacific Office Automation
7. Approval of Resolution 2011-070, appointment of Michele Gerber, Ph.D., to the Benton-Franklin Counties Substance Abuse Administrative Board, term expiring December 31, 2013
8. Approval of Out-of-State Travel for Public Works Department employee Lynne DeSantis to attend the 2011 Hexagon International Conference in Orlando, Florida, June 5 through 10, 2011, at a cost of \$2384
9. Approval of Resolution 2011-071, proclamation setting February 22, 2011, as Have a Heart for Kids Day in Franklin County
10. Approval of Resolution 2011-072, surplus property – disposal of one desk chair and one typewriter stand as requested by Prosecutor
11. Approval of purchase of four (4) new digital cameras for four (4) new patrol cars (Exhibit 5)
12. Approval of award of bid for 2011 emulsified asphalt from Western States Asphalt (Exhibit 6)

**COUNTY ADMINISTRATOR** (10:14 am)

County Administrator Fred Bowen met with the Board. Present in audience: Ed Bush, Dana Crutchfield, Kristi Pihl, Andy Miller, Wilbert Miller, Sharon Paradis, Jennifer Bowe, TV reporter and another man.

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Animal Control

Mr. Bowen said he is not prepared to discuss the animal control item that was listed on his agenda today.

Water Rights

Mr. Bowen asked for approval to submit a request for the administrative confirmation of division of water rights for county property near TRAC in order to put the water rights in the names of Franklin County, City of Pasco and Aho rather than Burlington Northern. The City of Pasco made the request by a letter dated April 20, 2010. The materials have been reviewed by Attorney Bill Davis for the county. Mr. Peck questioned whether the number that will be used is irrigable acres or raw acres. Mr. Bowen said Franklin County owns 77 acres of which 72 acres are irrigable. The total water right is for 260 acres. Mr. Peck would like to have further review. He wants to know what percentage of acres belongs to Franklin County and what percentage are irrigable. The Board asked Mr. Bowen to obtain more information.

Proposed designation of Kahlotus Ridgetop as national natural landmark designation

The Board has received a letter from the U.S. Dept of Interior regarding the proposed designation of a Kahlotus ridgetop as a national natural landmark. Mr. Peck is concerned about future impacts on development for the property owner.

The Board asked that staff identify the landowner(s) and confirm they have received the information and had an opportunity to comment.

Work done by the county for other entities

Mr. Peck stated the Commissioners acknowledge we received a complaint from a constituent who was concerned about the county doing work for other counties and vice versa, and that as a Board we believe the work done is consistent with the RCWs, that it is cost-effective for the counties, it is a long-established practice, there's nothing wrong with it, and we don't intend to change it. Mr. Koch and Mr. Miller agreed.

County Land near TRAC

The Board has received a letter from a property owner partner asking if the county would be willing to grant an easement or sell some land if their property is selected as a site to build a city library. Mr. Peck thinks it is in the best interests of the community and that if the site is

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selected, the county should work with them to make it possible, perhaps through a lease, allowing an access road, or sale of a portion of county property. He asked for consensus approval of the Board to convey that message to the property owner. Mr. Miller said I think we could actually benefit from that. He would want to know how much acreage would remain as county property. Mr. Koch showed on the map the general area where an easement would have to be located due to city roads already in existence. There was discussion about the process that might need to occur. Mr. Peck presumes the property owners would sell the land to the library district but he does not know that for sure.

Mr. Peck adjusted his request for consensus to simply be Board consensus that in the best interest of the library district and our citizens that we would not object to working with the property owners if they are selected to provide this facility. We would be willing to work with them within reason to try to help them gain access to that library. Mr. Koch and Mr. Miller agreed.

Mr. Koch said another factor to consider is that a neighboring property has been split. He pointed to an area on the map where he believes there is an access area.

Non-Bargaining Employees increase for medical benefits

**Motion** – Mr. Peck: Mr. Chair, I move that we approve the resolution presented in the matter of providing contribution to the employee benefits and approval of “contractual leave” for benefited non-bargaining employees for the 2011 year. Second by Mr. Miller. 3:0 vote in favor.

Resolution 2011-073 was approved.

Animal Control

Mr. Peck noted that the county had budgeted \$20,000 for animal control, not \$2000 as reported in the Tri-City Herald.

**Recessed** at 10:47 am.

**Reconvened** at 10:54 am.

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**OTHER BUSINESS**

Juvenile Drug Court

Juvenile Justice Center Director Sharon Paradis, Benton County Prosecutor Andy Miller and Franklin County Prosecutor Shawn Sant met with the Board. Present in audience: Ed Bush, Jennifer Bowe, Jacqueline van Wormer, Dana Crutchfield, Kristi Pihl and another man.

The Circle of Hope has offered Juvenile Drug Court \$2500 to help get Franklin County youth through the Drug Court that have not yet finished it. Cost information was given to the Board for review. Ms. Paradis explained the process that may be involved if the approval is granted.

Andy Miller explained how Circle of Hope funds were raised. He said we don't want to have juveniles who are making progress being kicked out so we voted to donate \$2500 for the first part of the year 2011. Circle of Hope may provide additional funding later in 2011.

Mr. Sant talked about cost/benefit analyses when working with youth. We sometimes don't see long-term benefits until later on. One benefit he has observed is a carryover of the youth benefits to adults in the household. He feels the Youth Drug Court is a valuable program. He will dedicate his own personal time as needed if he does not have enough staff available.

Rick Miller said the program is not easy but is pretty intense, lasting up to three years.

Mr. Sant and Ms. van Wormer answered Mr. Peck's questions about percentages.

The Board had **consensus approval** to accept the revenue from Circle of Hope and allow the two youth to continue in drug court. The Circle of Hope will send the revenue to Benton County in Franklin County's name to handle two youth who had been dropped from Juvenile Drug Court because of lack of funds.

Mr. Koch left the meeting to attend another meeting on county business.

Dispatch

Dispatch Director Ed Bush met with the Board.

**Motion** – Mr. Peck: Mr. Chairman Pro tem, I move for approval of the Washington State Military Department Contract Amendment A to Contract Number E11-037 for state enhanced 911 funds as presented. Second by Mr. Miller. 2:0 vote in favor. Resolution 2011-074 was approved.



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Parks and Guns

Materials will be prepared for Board review regarding guns in parks.

Open Space Conservation – Ridges to Rivers Open Space Network (RROSN) (11:28 am)

Present in audience: Kristi Pihl.

RROSN asked for a resolution accepting their plan. Mr. Peck said he feels the county remains steadfast in our position that while we might look to this plan for information and ideas, it is not a binding document on the county. While we're happy to accept it with gratitude for their efforts, we are not willing to accept it as a part of our growth management plan or strategic plan but rather as a well-prepared local reference work that we will draw on as needed.

Mr. Miller agreed.

**Adjourned** at 11:31 am.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until February 23, 2011.

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

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Robert E. Koch, Chairman

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Rick Miller, Chairman Pro Tem

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Brad Peck, Member

Attest:

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Clerk to the Board

Approved and signed February 23, 2011.