

COMMISSIONERS RECORD 64
FRANKLIN COUNTY
Commissioners' Proceedings for July 29, 2015

This document is a summarized version of the Board of Commissioners proceedings. The minutes are paraphrased, not verbatim. Access to an electronic audio recording of the meeting is available upon request.

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Chairman Brad Peck, Chair Pro Tem Rick Miller, and Commissioner Robert E. Koch participating by phone, Interim County Administrator Jerrod MacPherson, and Clerk to the Board Valerie Loffler. The meeting convened at 9:00 a.m. with the Pledge of Allegiance.

Public Hearing - Establishing Juniper Dunes Recreation Area Access Road (9:01 a.m.)

Public Works Director Matt Mahoney provided a brief staff report recapping the project timeline.

Chairman Peck opened the public hearing at 9:05 a.m. No testimony was provided and the hearing was closed.

MOTION: Commissioner Miller moved to establish Juniper Dunes Recreation Area Access Road as a county project utilizing Alternative #2. Second by Mr. Koch. 3:0 vote in favor. Resolution 2015-264 was approved.

Tom Wilson, Horticultural Pest and Disease Control Board (9:12 a.m.)

Mr. Wilson discussed the need to exceed the bid limit of \$5,000 to purchase a truck from Grandstand Motors in the amount of \$5,833.07.

MOTION: Commissioner Miller moved to adopt Resolution 2015-265 exempting the bid limit and authorizing the Horticultural Pest and Disease Control Board to purchase a 2004 Ford 150 pickup truck from Grandstand Auto Sales in the amount of \$5,833.95. Second by Peck. 3:0 vote in favor.

There was no objection by the Board to insert "plus or minus ten percent". The motion, as amended, carried by a 3:0 vote in favor.

Executive Session

At 9:15 a.m. Chairman Peck announced an executive session pursuant to RCW 42.30.110(1)(g), review performance of public employee, to last approximately 10 minutes.

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The meeting reconvened at 9:26 a.m.

MOTION: Commissioner Koch moved to adopt Resolution 2015-266, restructuring the Sheriff Deputies' Workforce and associated intra-budget transfers. Second by Miller. 3:0 vote in favor.

OFFICE BUSINESS (9:29 a.m.)

Vouchers

MOTION: Mr. Miller moved for approval of Fund Expenditures for July 29, 2015, in the amount of \$1,183,745.75. Second by Commissioner Peck. 3:0 vote in favor. (Exhibit 1)

Fund Expenditures	Warrants		Amount Issued
Current Expense	116810	116844	19,591.74
Current Expense	116845	116884	27,519.36
Auditor O & M	116885		62.53
Solid Waste	116886		425.20
Veteran's Assistance	116887		2,990.00
Motor Vehicle/Public Works	116888		240.78
Fr. Co. Unemployment Trust	116889		10,953.79
Current Expense	116890	116897	5,005.12
Auditor O & M	116898		2,333.81
Treasurer O & M	116899	116900	3,628.84
Crime Victims/Witness Assist	116901	116902	3,215.10
Sheriff/Sex Offender Grant	116903	116906	209.58
Jail Commissary	116907	116910	2,978.42
Enhanced 911	116911	116915	3,821.53
Law Library	116916	116918	10,786.97
Ending Homelessness Fund	116919	116928	4,132.00
FC Capital Projects Fund	116929		1,747.13
.3% Criminal Justice Const Fnd	116930		59.39
Franklin County RV Facility	116931	116937	7,304.19
TRAC Operations Fund	116938	116961	19,417.51
County Roads	116962	116988	344,891.96
Solid Waste	116989	116991	21,531.12
Motor Vehicle/Public Works	116992	117006	114,678.66
Current Expense	117007	117043	256,632.53
Supplemental Preservation Fund	117044		39.22
Boating Safety Fund	117045	117047	1,559.45
Landfill Closure Trust Fund	117048		6,717.96
.3% CJ Sales Tax LTGO D/S	117049		290,000.00
Franklin County RV Facility	117050	117056	21,271.86
		TOTAL	\$ 1,183,745.75

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Motion: Mr. Miller moved for approval of payroll vouchers for July 29, 2015, for a grand total of \$130,427.30. Second by Mr. Peck. 3:0 vote in favor. (Exhibit 2)

County Road		
Payroll	116488-116510	\$ 27,275.73
Direct Deposit		<u>37,694.44</u>
		64,970.17
Benefits	116511-116520	<u>47,750.97</u>
	Total	<u>\$ 112,721.14</u>
 Motor Vehicle		
Payroll	116464-116477	\$ 4,285.62
Direct Deposit		<u>5,123.37</u>
		9,408.99
Benefits	116478-116487	<u>8,297.17</u>
	Total	<u>\$ 17,706.16</u>
	Grand Total	<u>\$130,427.30</u>

Motion: Mr. Miller moved for approval of payroll vouchers dated July 29, 2015, in the amount of \$89,379.01. Second by Mr. Peck. 3:0 vote in favor. (Exhibit 3)

<u>Fund</u>	<u>Warrant</u>	<u>Amount</u>
County Road		
Payroll	116796-116805	\$ 19,978.82
Direct Deposit		<u>43,305.49</u>
		63,284.31
Benefits	116806-116809	<u>14,157.90</u>
	Total	<u>\$ 77,442.21</u>
 Motor Vehicle		
Payroll	116785-116791	\$ 3,799.64
Direct Deposit		<u>5,914.70</u>
		9,714.34
Benefits	116792-116795	<u>2,222.46</u>
	Total	<u>\$ 11,936.80</u>
	Grand Total	<u>\$ 89,379.01</u>

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Consent Agenda (9:30 a.m.)

Motion: Mr. Miller moved to approve Consent Agenda items 1 through 25. Second by Mr. Koch.

Mr. Peck requested that Consent Agenda Item 23 be removed and placed on the next consent agenda to allow for coordination with the Prosecuting Attorney's Office.

Mr. Miller had no objection to the amendment. 3:0 vote in favor.

1. Approval of Resolution 2015-267, executing First Amendment to Agreement #14/15-DD-ACCS-00 to provide Developmental Disabilities Services between Benton and Franklin Counties Department of Human Services and Ambitions Community Support Services of Washington, Inc.; approved by Benton County Resolution 2014-685 and Franklin County Resolution 2014-386
2. Approval of Resolution 2015-268, executing First Amendment to Agreement #14/15-DD-SA-00 to provide Developmental Disabilities Services between Benton and Franklin Counties Department of Human Services and Service Alternatives, Inc.; approved by Benton County Resolution 2014-687 and Franklin County Resolution 2014-384
3. Approval of Resolution 2015-269, executing First Amendment to Agreement #14/15-DD-CI-00 to provide Developmental Disabilities Services between Benton and Franklin Counties Department of Human Services and Columbia Industries; approved by Benton County Resolution 2014-688 and Franklin County Resolution 2014-377
4. Approval of Resolution 2015-270, executing First Amendment to Agreement #14/15-DD-ARC-00 to provide Developmental Disabilities Services between Benton and Franklin Counties Department of Human Services and the ARC of Tri-Cities; approved by Benton County Resolution 2014-737 and Franklin County Resolution 2014-399
5. Approval of Resolution 2015-271, executing Grant Number 14-46108-03, Amendment D, Consolidated Homeless Grant Between Washington State Department of Commerce, Community Services and Housing Division, Housing Assistance Unit, and Benton and Franklin Counties Department of Human Services, approved by Benton County Resolution 2013-905 and Franklin County Resolution 2013-468
6. Approval of Resolution 2015-272, executing DSHS Agreement Number 1563-39746 between Department of Social and Health Services, Division of Behavioral Health and Recovery, and Benton and Franklin Counties Department of Human Services
7. Approval of Resolution 2015-273, executing First Amendment to Agreement #14/15-DD-CDC-00 to provide Developmental Disabilities Services between Benton and Franklin Counties Department of Human Services and Children's Developmental Center; approved by Benton County Resolution 2014-752 and Franklin County Resolution 2014-405

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8. Approval of Resolution 2015-274, executing First Amendment to Agreement #ESG-DVS-2015 between Benton and Franklin Counties Department of Human Services and Domestic Violence Services of Benton and Franklin Counties (DVSBF); approved by Benton County Resolution 2015-137 and Franklin County Resolution 2015-049
9. Approval of Resolution 2015-275, terminating the Professional Services Agreement with Attorney Daniel Stovern for Public Defense Services in Benton and Franklin Counties Juvenile Court
10. Approval of Resolution 2015-276, terminating the Professional Services Agreement with Attorney Daniel Stovern for Conflicts and Overflow Cases in Franklin County Superior Court
11. Approval of Resolution 2015-277, executing a Professional Services Agreement with Attorney Daniel Stovern for Public Defense Services in Franklin County Superior Court
12. Approval of Resolution 2015-278, requesting signature from the Boards of Benton and Franklin County Commissioners on the Fee for Services Contract between the Juvenile Justice Center and the Kennewick School District
13. Approval of Resolution 2015-279, requesting signature from the Boards of Benton and Franklin County Commissioners on the Fee for Services Contract between the Juvenile Justice Center and the Kiona-Benton School District
14. Approval of Resolution 2015-280, requesting Signature from the Boards of Benton and Franklin County Commissioners on the Juvenile Detention Alternatives Initiative (JDAI) Grant Application between the Office of Juvenile Justice (OJJ) and the Benton-Franklin Counties Juvenile Justice Center
15. Approval of Resolution 2015-281, awarding the Program Agreement between the Juvenile Justice Center and the State of Washington Department of Social and Health Services
16. Approval of Resolution 2015-282, awarding the Program Agreement between the Benton-Franklin Counties Juvenile Justice Center and the State of Washington Department of Social and Health Services, Juvenile Rehabilitation Administration (Evidence Based Expansion)
17. Approval of Resolution 2015-283, awarding the Program Agreement between the Juvenile Justice Center and the State of Washington Department of Social and Health Services, Juvenile Rehabilitation Administration (Consolidated Services 1563-43059)

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18. Approval of Resolution 2015-284, requesting signature from the Boards of Benton and Franklin County Commissioners on the Contract between the Benton-Franklin Counties Juvenile Justice Center and the Pasco School District to provide a Probation Counselor in Chiawana High School
 19. Approval of Resolution 2015-285, requesting signature from the Boards of Benton and Franklin County Commissioners on the Contract between the Benton-Franklin Counties Juvenile Justice Center and the Pasco School District to provide a Probation Counselor in Pasco High School
 20. Motion to authorize the Chairman to sign the Change of Status placing HR Coordinator at Grade 15/Step 2, effective 7/1/2015
 21. Approval of Resolution 2015-286, authorizing payment to Tyco SimplexGrinnell System for Annual Fire Alarm Monitoring in the amount of \$607.29
 22. Approval of Resolution 2015-287, requesting signature from the Boards of Benton and Franklin County Commissioners on the Fee for Services Contract between the Juvenile Justice Center and the Richland School District
- (Clerk's Note: Consent Agenda Item #23 was removed from the consent agenda.)
23. Approval of Resolution _____, renaming the 2015 Current Expense Prosecuting Attorney/ Human Resources Division Budget #001-000-685 to Human Resources and approving associated budgetary allocations
 24. Approval of Resolution 2015-288, awarding Julie A. Elmenhurst, DBA Elmenhurst Counseling LLC, a Personal Services Contract to provide Functional Family Therapy to youth referred by the Counties
 25. Approval of Commissioners' Proceedings for June 10, June 17, June 24, June 30, and July 8, 2015

Recessed at 9:37 am.

Reconvened at 9:50 am.

COUNTY ADMINISTRATOR

Interim County Administrator Jerrod MacPherson met with the Board.

Executive Session at 9:52 am pursuant to RCW 4242.30.140(4) regarding labor contract negotiations expected to last up to 30 minutes.

Open Session at 10:23 am.

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PROSECUTOR

Prosecutor Shawn Sant and Senior Deputy Prosecutor Janet Taylor met with the Board.

Executive Session at 10:26 am pursuant to RCW 42.30.110(1)(i) regarding agency enforcement actions, litigation or potential litigation, expected to last up to 30 minutes.

Open Session at 10:57 am.

Recessed at 10:57 am.

Reconvened at 11:07 am.

INITIATIVE 502 MORATORIUM REGARDING MARIJUANA

Attorney Bronson Brown met with the Board.

Executive Session

Executive Session at 11:07 am pursuant to RCW 42.30.110(1)(i) regarding enforcement actions, litigation or potential litigation, relating to Initiative 502 Moratorium, expected to last up to 30 minutes, reserving the right to come out of executive session early. Mr. Brown indicated less than 30 minutes may be needed.

Open Session at 11:34 am. Mr. Peck allowed time for people who may have been waiting to come back into the room.

OTHER BUSINESS (11:34 am)

Final Approval Subdivision 2014-01, Valencia Estates, Phase I

Motion – Mr. Miller moved to approve resolution for final approval of SUB 2014-01, Phase I, to subdivide 9.60 acres into 17 single family lots. Second by Mr. Koch. 3:0 vote in favor. Resolution 2015-289 was approved.

Final Approval Subdivision 2015-01

Motion – Mr. Miller moved to approve resolution for final approval of SUB 2015-01 to subdivide approximately 37.85 acres into 58 single family residential lots. Second by Mr. Koch. 3:0 vote in favor. Resolution 2015-290 was approved.

E911 Consolidation work

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Mr. Peck gave an update on work being done regarding a possible consolidation of E911. A draft interlocal agreement has been prepared.

Public Comment

Michelle Andres gave her background and perspective on the community. She wants to become familiar with how the government works and also help provide a bridge to people in the community as they communicate and work with government. There was discussion between Ms. Andres and the Board members.

Adjournment

The meeting adjourned at 11:58 am.

Bi-County Meeting with Benton County Commissioners

(Clerk's Note: A copy of the minutes for the Special Bi-County Board Meeting held in Benton County on Wednesday, July 29, 2015, is attached following these minutes as Exhibit 4.)

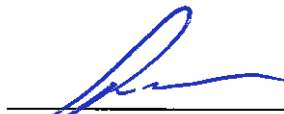
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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until the Special Bi-County meeting at 1:30 p.m. held at the Benton County Justice Center in Kennewick, WA.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON



Chairman



Chairman Pro Tem



Member

Attest:



Clerk to the Board

Approved and signed September 23, 2015.



FRANKLIN COUNTY AUDITOR

Matt Beaton, Auditor

7/29/2015

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims.

Action: As of this date, 7/29/2015

Move that the following warrants be approved for payment:

A handwritten signature in blue ink, likely of the Auditor, Matt Beaton.

certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.

<u>FUND Expenditures</u>	<u>WARRANTS</u>		<u>AMOUNT ISSUED</u>
Current Expense	116810	116844	19,591.74
Current Expense	116845	116884	27,519.36
Auditor O & M	116885		62.53
Solid Waste	116886		425.20
Veteran's Assistance	116887		2,990.00
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Supplemental Preservation Fund	117044		39.22
Boating Safety Fund	117045	117047	1,559.45
Landfill Closure Trust Fund	117048		6,717.96
.3% CJ Sales Tax LTGO D/S	117049		290,000.00
Franklin County RV Facility	117050	117056	21,271.86

In the amount of

The motion was seconded by

Koch

1,183,745.75

And passed by a vote of 3 to 0

Reviewed by County Administrator

A handwritten signature in blue ink, likely of the County Administrator.

The attached vouchers have been approved by Auditor or Deputy

Vouchers Audited By : Julie Jordan

A handwritten signature in black ink, likely of the Auditor, Matt Beaton.

A handwritten signature in black ink, likely of Julie Jordan.



FRANKLIN COUNTY AUDITOR

Matt Beaton, Auditor

July 29, 2015

Franklin County Commissioners:

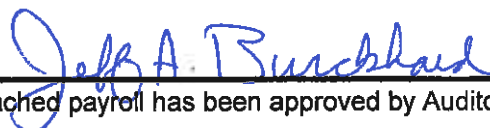
Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.

Action: As of this date, July 29, 2015  _____, move that the following warrants be approved for payment.

<u>FUND</u>	<u>WARRANT</u>	<u>AMOUNT</u>
County Road		
Payroll	116488-116510	\$ 27,275.73
Direct Deposit		37,694.44
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Benefits	116511-116520	47,750.97
	Total	\$ 112,721.14
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Motor Vehicle		
Payroll	116464-116477	\$ 4,285.62
Direct Deposit		5,123.37
		<hr/> 9,408.99
Benefits	116478-116487	8,297.17
	Total	\$ 17,706.16
		<hr/> <hr/>
	Grand Total All Payrolls	\$ 130,427.30
		<hr/> <hr/>

In the total amount of **\$130,427.30** (\$112,721.14 + \$17,706.16)

The motion was seconded by Koch and passed by a vote of 3 to 0.



 The attached payroll has been approved by Auditor or Deputy



 Payroll Prepared By Melissa Olheiser



FRANKLIN COUNTY AUDITOR

Matt Beaton, Auditor

July 29, 2015

Franklin County Commissioners:

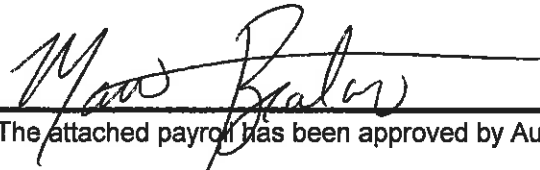
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<u>FUND</u>	<u>WARRANT</u>	<u>AMOUNT</u>
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Direct Deposit		43,305.49
		<u>63,284.31</u>
Benefits	116806-116809	14,157.90
	Total	<u><u>\$ 77,442.21</u></u>
 Motor Vehicle		
Payroll	116785-116791	\$ 3,799.64
Direct Deposit		5,914.70
		<u>9,714.34</u>
Benefits	116792-116795	2,222.46
	Total	<u><u>\$ 11,936.80</u></u>
Grand Total All Payrolls		<u><u>\$ 89,379.01</u></u>

In the total amount of **\$89,379.01** (\$77,442.21 + 11,936.80)

The motion was seconded by Koch and passed by a vote of 3 to 0.



 The attached payroll has been approved by Auditor or Deputy



 Payroll Prepared By Melissa Olheiser

MINUTES**BOARDS OF BENTON AND FRANKLIN COUNTY COMMISSIONERS**

Special Bi-County Board Meeting
Wednesday, July 29, 2015, 1:30 p.m.
Benton County Justice Center
Commissioners Conference Room, 2nd Floor
7122 W. Okanogan Place, Bldg. A
Kennewick, WA 99336

Benton County

Present: Chairman Jerome Delvin
Commissioner James Beaver
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Absent: Commissioner Shon Small

Benton County/Bi-County Employees Present: Lexi Wingfield, Personnel Manager; DPA Steve Hallstrom; DPA Ryan Lukson; Clerk Josie Delvin; Jacki Lahtinen, District Court Administrator; Undersheriff Jerry Hatcher; Linda Ivey, Sheriff's Office; Adam Fyall, Sustainable Development; Paul Schut, Commissioner's Office; Deputy Administrator Loretta Smith Kelty; Linda Robb, Human Services Administrator.

Franklin County

Present: Chairman Brad Beck
Commissioner Rick Miller
Commissioner Bob Koch (via teleconference)

Franklin County Employees Present: Jerrod McPherson, Carlee Nave, PA Shawn Sant, Janet Taylor, Valerie Loffler.

Discussion – Future of Human Services

Chairman Delvin said it did not appear the counties had a written agreement regarding Human Services but had operated by past practice between the two counties. He said if the counties were going to continue he felt they needed to come up with an agreement on how to operate. He said at a minimum, they should place one county with the responsibility of the administrative duties (including personnel, payroll and finances) and let that county run those since there had been a conflict and with one county in charge they would not have those possible conflicts running the joint county operation.

Chairman Peck asked how that process would work and Chairman Delvin suggested that whatever county took on that role would take the responsibility with everything except policy issues and those would be up to the legislative bodies.

Chairman Peck asked about the hiring and firing and Chairman Delvin said except for one position, it was currently done that way.

There was a discussion regarding compensation for bi-county employees and if one county decided to compensate at a higher rate. Chairman Delvin said the bi-county employees were not currently benefitted the same as regular county employees and there had been delay in getting some of those issues approved.

Chairman Peck indicated that state pass-through money might not disadvantage the other county but there could be a problem if one county had unilateral authority; he said the delay for employees seemed to be in bringing up bi-county employees to the Benton County level. He said it was problematic for executive decisions to be made by one county, ethically and legally.

Chairman Delvin suggested one way to do it would be to contract out the services by having one county contract with the other to perform the services or to have Benton County do some services and Franklin County do some. He said that trying to work through these bi-county issues had been a problem and at a minimum he wanted to work through the Human Services issue.

Chairman Peck said he had a problem with one county executing all the functions on behalf of the other due to liability and/or financial risk. He said it appeared that Benton County currently handled the day to day administrative (payroll, hiring) and the bigger issues were handled together.

Chairman Delvin agreed but said that Benton County was not compensated for those functions. He also talked about the Detox Center and funding issues associated with that service.

Chairman Peck said it appeared the counties had the following options: (1) remain status quo; (2) work on a written agreement; (3) primary operator with the other county being a subscriber; or (4) the counties have separate operations, although he said he was not advocating for that.

Chairman Delvin said that he was agreeable to looking at an operating agreement. If they couldn't agree, they could look at contracting or then maybe split the bi-county operation.

Commissioner Miller said he would like to see the bi-counties continue to collaborate and keep what they still had. He said when there was a disagreement it would be a good idea to have a written agreement.

Commissioner Beaver said he wanted to see some guidelines and operating language. He said if they couldn't reach an agreement, then they would have a different discussion but he had concerns about the current process.

Commissioner Koch via/teleconference, said it sounded like Benton County was having a hard time working with Franklin County but he didn't know where the conflicts were. He said it appeared for a number of months different things were going on that he was not aware of.

Chairman Delvin said that letters were sent to Franklin County about issues and they did not get a response and that was frustrating. It was clarified there were three different letters sent since March. Mr. Sparks said they referred to Superior Court, Juvenile, and OPD (specifically operating and maintenance costs at Juvenile and Superior Court and how they were calculated). Ms. Smith Kelty said the letters were sent to the Chairman and most recently to all three commissioners.

Chairman Delvin said the legal teams for each county could look at an agreement outlining costs for day to day responsibilities.

Commissioner Koch said that was a very good place to start but was concerned that Benton County had not received responses to three letters.

Commissioner Beaver also agreed it was a good place to start. He asked who they should address the letters to and Franklin County indicated to send it to their county administrator.

Chairman Peck said he believed responses had been sent but he would look into it.

Executive session – Review Performance of a Public Employee

The Boards went into executive session at 2:00 p.m. for up to 45 minutes to discuss the performance of a public employee. Also present were Jerrod McPherson, Carlee Nave, PA Shawn Sant, Janet Taylor, Valerie Loffler, Ryan Lukson, Lexi Wingfield, Steve Hallstrom, Loretta Smith Kelty, David Sparks and Cami McKenzie.

The Boards came out of executive session at 2:40 p.m. No decisions were made in executive session.

It was announced that no decisions would be made at this meeting. The Boards agreed they wanted to meet again next week and the appropriate notices would be sent out.

There being no further business, the meeting adjourned at 2:41 p.m.

Clerk of the Board

Chairman