



Keith Johnson
County Administrator

BOARD OF COMMISSIONERS
FRANKLIN COUNTY
WASHINGTON

BRAD PECK
District 1

ROCKY MULLEN
District 2

CLINT DIDIER
District 3

AGENDA
Regular Board Meeting
Tuesday, January 26, 2021

Franklin County Courthouse, Commissioners' Meeting Room
1016 North Fourth Avenue, Pasco, Washington

This is a preliminary agenda. Discussion items may be added, deleted or modified. Public Hearings will not start earlier than the advertised time. Other agenda times are approximate and provided to aid in planning.

In-Public attendance PROHIBITED at this time.
Please join us Streaming Live on YouTube
(Franklin County Commissioners Meeting 01/26/2021).

9:00 a.m. Call to Order, Moment of Silence and Pledge of Allegiance

9:00 a.m. Potts and Associates Legislative Updates
Presented by Zak Kennedy and Jim Potts

9:15 a.m. Certificate of Appreciation to Assessor Peter McEnderfer

9:17 a.m. Discussion on Position Changes Approved with 2021 Budget
(Resolution 2021-018 upon approval) Continued from 1/19/21 meeting

9:25 a.m. Public Comment by Phone: 509-546-5859
We welcome your comments, as they are important to us.
Please limit your comments to three minutes.

9:35 a.m. Office Business

1. Approval of Payroll Rosters
 2. Approval of Warrant Registers
 3. Approval of Consent Agenda
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1. Resolution 2021-026 Re-appointing Michelle Andres to Franklin County Civil Service Commission
 2. Resolution 2021-027 2021 Road Levy Certification and Estimated Revenue to County Road Administration Board
 3. Resolution 2021-028 Renewal of Rattlesnake Mt. Insurance Coverage 2021

9:40 a.m. Administration Office Business

- Discussion on Redistricting
- Discussion on Traffic Data on Wernett Road
- Discussion on Web Ex for Commissioner Meetings

10:20 a.m. Unfinished or Additional Business

- Canvassing Board Update
- Discussion on Prayer or Moment of Silence
- Discussion on Assessor Replacement
(Applicants will introduce themselves prior to Board going into Executive Session)

10:40 a.m. Executive Session 42.30.110 (1) (h)

Evaluate Qualifications of Candidate for Appointment to Elective Office
(Final Action is taken in Open Session)

11:10 a.m. Public Comment

Executive Session-RCW 42.30.110 (1) (i) Litigation or Potential Litigation

11:20 a.m. Adjourn



FRANKLIN COUNTY, WASHINGTON

BOARD OF COMMISSIONERS

REGULAR MEETING
JANUARY 26, 2021

The Minutes of the Board of Commissioners proceedings are not verbatim. Access to an electronic audio recording of meetings are available on the Franklin County website or upon request.

9:00 a.m.

Call to Order

Commission Chairman Clint Didier called the Franklin County Commissioners' Regular Board Meeting to order at 9:00 a.m., in the Commissioners' Meeting Room in the Franklin County Courthouse located at 1016 North Fourth Avenue, Pasco, Washington.

Commissioners Present Telephonically: Commission Chair Clint Didier, Chair Pro Tem Rocky Mullen and Member Brad Peck

Commissioner Peck briefly spoke of his beliefs and preferred twenty seconds of silence.

Pledge of Allegiance

9:02 a.m. **Certificate of Appreciation for Assessor Peter McEnderfer**

Commissioner Didier read a letter from the County, expressing their appreciation to Mr. McEnderfer for the many years of service as an Appraiser and Assessor in Franklin County. Commissioner Peck also thanked Mr. McEnderfer for his outstanding service. Commissioner Mullen appreciated the time and efforts he put forth in the Office.

9:06 a.m. **Discussion on Position Changes Approved with 2021 Budget**

Administrator Keith Johnson recommended approving this resolution with another motion to delay the hiring of a position in the Administration office and the Appraisers office until the county is fully opened again. He would like to see a time frame on that motion and revisit approving the former positions in March or April.

Commissioner Peck did not concur with Mr. Johnson's recommendation. He saw an opportunity to hire two positions and help at least two members of the community.

Commissioner Mullen thanked constituents and the community for reaching out and expressing their thoughts. He mentioned that Commissioners are stewards of the county funds. The government does not have any money, except for what it collects from taxes. He believed that the government needed to supply security for its residents, infrastructure to accommodate safe travel and commerce for the community as a whole. He believed in performance reviews to make sure the county is working as efficiently as possible.

Commissioner Peck had concerns, as these positions had been previously incorporated into the 2021 budget and believed it would do more harm to the county by not filling these positions.

❖ *Commissioner Peck moved to approve Resolution 2021-018 as presented with the understanding that the person who got laid off from their job yesterday, could be working for the county tomorrow.*

Commissioner Mullen requested clarification on the resolution. Commissioner Peck requested no discussion without a second. Commissioner Didier asked for a second. With no second, the motion failed.



**FRANKLIN COUNTY, WASHINGTON
BOARD OF COMMISSIONERS**

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Administrator Keith Johnson asked for resolution 2021-018 to be a motion, with a second motion dealing with any hiring restrictions you wish to put in place.

❖ *Commissioner Peck moved to approve Resolution 2021-018 as presented.*

Commissioner Didier would like to amend the motion that the Appraiser II position and the Budget and Policy Analyst would be frozen until the county and our schools are opened. Commissioner Mullen seconded.

Discussion.

Commissioner Peck wanted to verify with Human Resources and Legal Counsel if this was legal since these positions had been approved, and included in the 2021 budget.

Mr. Johnson reiterated the reason he would like the motion on the original resolution and a second motion, was to single out the two positions that Commissioner Didier and Commissioner Mullen did not wish to approve.

❖ *All in favor of the amendment and the motion carried. All in favor of Resolution 2021-018 as presented and the motion carried.*

9:25 a.m. **Potts and Associates Legislative Updates**

Zak Kennedy followed up with Commissioner Didier's question as to whether the four corners had signed the proclamation. Mr. Kennedy responded that the four corners did not sign the proclamations. On the twenty-three proclamations, they went out on party lines.

Additional Bills that were discussed.

2021 House Bill 1332 Concerning property tax deferral during the COVID-19 pandemic

2021 House Bill 1152: Supporting measures to create comprehensive public health districts

2021 Senate Bill 5078: Addressing firearm safety measures to increase public safety

2021 Senate Bill 5051: Concerning state oversight and accountability of peace officers and corrections officers

2021 Senate Bill 5122: Concerning the jurisdiction of juvenile court.

9:34 a.m. **Public Comment**

- Michelle Andres SB5134 Enhancing public trust and confidence in law enforcement and strengthening law enforcement accountability for general authority Washington peace officers, excluding department of fish and wildlife officers added ten new sections on January 14th, 2021. In addition, SB5055 concerning law enforcement personnel collective bargaining. Ms. Andres asked for this to be brought before the civil service board for discussion.
- Erica would like to see a county committee to compose maps of redistricting.
- Keith Johnson read a letter written by Todd Harris for public comment. Mr. Harris expressed his concerns on the experimental COVID 19 vaccine. He would like to see an audit done on the voting machine. In addition, he would like to see schools open. He urged the Commissioners to find a way to open the county.



**FRANKLIN COUNTY, WASHINGTON
BOARD OF COMMISSIONERS**

**REGULAR MEETING
JANUARY 26, 2021**

9:40 a.m. **Approval of Fund Expenditure Warrants**

01/26/2021

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.060, expense reimbursement claims.
Action: As of this date, 01/26/2021 *Brad Peck*
Move that the following warrants be approved for payment:
Certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.

Warrants \ Check Numbers:	00367739 - 00367839	\$528,077.13
EFT Check Numbers:	00000703 - 00000717	\$46,890.06
		<u>\$574,967.19</u>

Fund Expenditures	Amount Issued
CURRENT EXPENSE	\$531,274.82
AUDITOR O & M	\$235.81
ELECTION EQUIP REVOLVING	\$625.29
BOATING SAFETY	\$56.89
JAIL COMMISSARY	\$2,680.44
ENHANCED 911	\$3,984.66
COUNTY ROADS	\$20,607.35
SOLID WASTE	\$256.39
THE HAPO CENTER	\$3,562.28
FRANKLIN COUNTY RV PARK	\$3,903.74
MOTOR VEHICLE	\$7,779.52

In the amount of: \$574,967.19

The motion was seconded by: Brad Peck
Approved Telephonically

And passed by a vote of: 3 to 0

Reviewed by the County Administrator: *[Signature]*
[Signature]
The attached vouchers have been approved by Auditor or Deputy:
Matt Beaton

[Signature]
Vouchers Audited By:
Paola Mendoza

v.co.franklin.wa.us/auditor

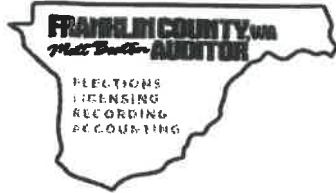
❖ *Commissioner Mullen moved to approve Fund Expenditures audited and certified by the auditing officer for warrants prepared for the week of January 26, 2021 for payment totaling \$574,967.19. Commissioner Peck seconded and the motion carried.*



**FRANKLIN COUNTY, WASHINGTON
BOARD OF COMMISSIONERS**

**REGULAR MEETING
JANUARY 26, 2021**

9:40 a.m. **Approval of Salary Clearing and Emergency Management Payroll**



1016 N 4th Ave, Pasco,
WA 99301
509-545-3502

1/126/2021

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, 1/126/2021
moves that the following warrants be approved for payment.

<u>FUND</u>	<u>WARRANT</u>	<u>AMOUNT</u>
Salary Clearing Payroll:		
Net Payroll Checks	00367444-00367447	\$ 5,597.73
Net EFT Payroll Checks	00031334-00031598	\$ 469,210.38
Deduction and Contribution Checks	00367448-00367465	\$ 500,975.89
	Total	\$ 975,784.00
Emergency Mgmt Payroll:		
Net EFT Payroll Checks	00031330-00031333	\$ 7,734.21
Deduction and Contribution Checks	00367466-00367482	\$ 12,205.54
	Total	\$ 19,939.75
Grand Total All Payrolls		\$ 995,723.75

In the total amount of **\$995,723.75**

The motion was seconded by Brad Peck
Approved Telephonically and passed by a vote of 3 to 0.

The attached payroll has been approved by Auditor or Deputy

Payroll Prepared by Peter Gadomsky

❖ **Commissioner Mullen moved to approve Salary Clearing and Emergency Management Payroll totaling \$995,723.75. Commissioner Peck seconded and the motion carried.**



FRANKLIN COUNTY, WASHINGTON BOARD OF COMMISSIONERS

REGULAR MEETING
JANUARY 26, 2021

9:40 a.m. Approval of Consent Agenda

1. Resolution 2021-026 Re-appointing Michelle Andres to Franklin County Civil Service Commission
2. Resolution 2021-027 2021 Road Levy Certification and Estimated Revenue to County Road Administration Board
3. Resolution 2021-028 Renewal of Rattlesnake Mt. Insurance Coverage 2021

❖ *Commissioner Mullen moved to approve the Consent Agenda. Commissioner Peck seconded and the motion carried. Commissioner Didier asked for discussion on item #1 and asked Administrator Keith Johnson to clarify the role of the County Civil Service Commission. After discussion, the motion carried.*

9:44 a.m. Administration Office Business

- Mr. Johnson reiterated the previous discussions on redistricting and the notice of challenge the county received based on the current system. There are no statues available to supply guidance in creating a redistricting committee. Mr. Johnson recommended meeting with our legal team and the Board to discuss the matter under executive session prior to moving forward with a plan.

Commissioner Mullen would like to move forward with establishing a redistricting committee as soon as possible.

Commissioner Peck has spoken out about redistricting since 2017 and has cautioned the county of the events that might happen if action did not take place. He believed the time to create a commission was not a viable option. He believed a lawsuit was heading towards the County.

Commissioner Didier reviewed the RCW's and found no prohibition as to our authority to compose a committee to initiate, evaluate and propose for our consideration a change to precinct boundaries. He would like to move forward on this action immediately. He proposed a plan to Administrator Keith Johnson.

Chief Deputy Prosecuting Attorney Jen Johnson suggested we meet with outside council to discuss this in executive session.

10:00 a.m.

- Mr. Johnson gave an update from the Public Works Department, in regards to traffic concerns on Wernett Road. Public Works Director Matt Mahoney also explained they have done all that they can do with their limited resources to slow down the traffic, which includes speed limit sign postings and digital read out signs. Mr. Mahoney stated it was a nationwide problem. Sheriff Raymond let the Commissioners know that he would place as much law enforcement into this area as possible but noted that his staff limited.



**FRANKLIN COUNTY, WASHINGTON
BOARD OF COMMISSIONERS**

**REGULAR MEETING
JANUARY 26, 2021**

10:26 a.m.

- Administrator Keith Johnson spoke of the concerns on the use of Web Ex for Commissioner Meetings. The Commissioners asked if the chat feature and security would be an issue in using WebEx. In discussing the matter with Information Services, Mr. Johnson was assured that WebEx would meet the criteria for holding safe Commissioner Meetings online. The Clerk of the Board requested to start the process in two weeks, to allow her time to set up and familiarize herself with the program prior to going live.

❖ ***The Commissioners were in consensus with using WebEx for the Commissioners Meetings starting February 9, 2021.***

Unfinished or Additional Business

10:32 a.m.

- Mr. Johnson discussed moving forward with a Canvassing Board meeting. He recommended scheduling a night meeting to involve the public and answer any questions they may have. Auditor Matt Beaton would help the Clerk of the Board with a detailed public notice that would be advertised in the Franklin County Graphic.
- Mr. Johnson discussed the matter of prayer or moment of silence with legal. After discussion, his recommendation to the Commissioners would be a moment of silence. Commissioner Peck stated that as a Christian he enjoyed his prayer time, and is not offended by Christian prayers in Board meetings. However, he thought that it violated the liberty of other citizens if they have dispart views. He preferred a moment of silence. Commissioner Mullen approved a moment of silence as well. Commissioner Didier read the preamble of the Supreme Court, which allows prayer and he is in favor of holding prayer that is non-denomination. Only seeking for wisdom and guidance for the Commissioners to make correct choices on behalf of the county.

❖ ***Commissioner Peck moved that it would be the policy of the Franklin County Board of Commissioners that we make a regular part of our meeting agendas a 30-second moment of silence, respecting the individual liberties to pray or not of their choosing, that the Board effectively do the will of the people. There was no second and the motion failed.***

Commissioner Peck mentioned that the subject needed to be removed from the agenda or come to an agreement of how it is to be handled between the Commissioners.

- ❖ ***Commissioner Peck moved for a Board adoption of a practice of incorporating a 30-second moment of silence as part of our Board meeting agendas. No second and the motion fails.***
- ❖ ***Commissioner Peck moved that we remove any references of prayer or a moment of silence from the weekly agendas of the Franklin County Board of Commissioners. No second and the motion fails.***



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JANUARY 26, 2021**

Commissioner Mullen asked Prosecuting Attorney Shawn Sant if this created a liability for the county. Mr. Sant suggested going into executive session to discuss legalities of this matter.

- ❖ ***The Commissioners will go into Executive Session-RCW 42.30.110 (1) (i) Litigation or Potential Litigation to discuss this matter later in the meeting.***
- Mr. Johnson reported that the Franklin County Republican Central Committee has submitted three nominees to fill the recently vacated Assessors position. The following names have been submitted, Chief Deputy Assessor Piper Mitchell, John Rosenau and James Gimenez.

Mr. Gimenez was at his current work place and was unable to give a brief statement.

Ms. Mitchell gave a background of her education and stated she has worked for the county since 1987 under various duties related to the Assessor's Office. She has been Chief Deputy Assessor for twenty-five years.

Mr. Rosenau stated that his background over the last twenty-five years has been in leadership, finance, and management in banking. He has managed twenty-six financial centers and over five hundred employees.

11:00 a.m. Executive Session 42.30.110 (1) (h) Evaluate Qualifications of Candidate for Appointment to Elective Office

Commissioner Didier recessed into Executive Session at 11:08 a.m., for up to 25 minutes with the opportunity to extend if necessary to Evaluate Qualifications of Candidate for Appointment to Elective Office. Invited to attend, Legal Counsel, Board members. Administrator, Clerk of the Board and Human Resources Director.

Commissioner Didier reconvened the Regular Meeting at 11:36 a.m. with no action taken.

Technical Difficulties

- ❖ ***Commissioner Peck moved for appointment of Piper Mitchell as the incoming County Assessor to fill the seat until such time as proper election is held. No second and the motion dies.***
- ❖ ***Commissioner Mullen moved to have John Rosenau fill the position until November. (elections) Commissioner Didier second. After discussion the motion carried, 2:1 with Commissioner Peck opposed.***



**FRANKLIN COUNTY, WASHINGTON
BOARD OF COMMISSIONERS**

**REGULAR MEETING
JANUARY 26, 2021**

11:41 a.m. **Executive Session-RCW 42.30.110 (1) (i) Litigation or Potential Litigation**

Commissioner Didier recessed into Executive Session at 11:41 a.m., for up to 30 minutes with the opportunity to come out early. Invited to attend, Legal Counsel, Board Members. Administrator and Clerk of the Board

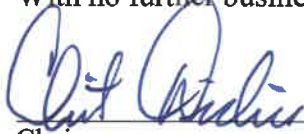
Commissioner Didier reconvened the Regular Meeting at 12:13 p.m. with no action taken.

Resuming discussion on prayer.

- ❖ *Commissioner Peck moved that the Franklin County Commissioners undertake a policy that forgoes our meeting with prayer or even a moment of silence and in lieu of that, we encourage all of our citizens to join us in pre meeting prayers, either on the courthouse steps, or on a suitable location. Commissioner Mullen seconded the motion. After discussion, the motion carried 2:1 with Commissioner Didier abstained.*

Adjourn

With no further business to bring before the Board, the meeting adjourned at 12:16 p.m.


Chair


Clerk of the Board

3-9-2021
Date