

COMMISSIONERS RECORD 48
FRANKLIN COUNTY
Commissioners' Proceeding for December 5, 2007

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Bob Koch, Chairman; Neva J. Corkrum, Chair Pro Tem; and Rick Miller, Member; Fred Bowen, County Administrator; and Mary Withers, Clerk to the Board. Neva J. Corkrum, Chair Pro Tem, was absent at the beginning of the meeting for a personal appointment.

OFFICE BUSINESS

Secretary Patricia Shults met with the Board. Present in audience: Carrie Huie-Pascua.

Consent Agenda

Motion - Mr. Miller: I move for approval of the consent agenda as follows:

1. Authorizing the Franklin County Assessor to shift \$265,000 from the Road Department levy to the County Current Expense levy for the year 2008. (Exhibit 1)
2. Authorizing the Franklin County Assessor to levy \$55,000 generated from the property tax assessment for the Veteran's Assistance Fund for the 2008 budget year. (Exhibit 2)
3. Approval of *Voluntary Transfer of Annual Leave Request* as per Resolution 2001-246 for Terri Henricks (Maintenance) for a total of 160 hours as follows:
 - Frank Jenny (Prosecutor's Office) to transfer 110 hours.
 - Sandra Schroeder (Sheriff's Office) to transfer 50 hours. (Exhibit 3)
4. Approval of **Resolution 2007-626** amending Franklin County Resolution 2006-456 to reflect the name change from Columbia Trust Bank to Columbia River Bank.
5. Approval of **Resolution 2007-627** for the 2007 Safe Driving, Length of Service and Attendance Awards.

Second by Mr. Koch. 2:0 vote in favor.

Motion – Mr. Miller: I move to authorize Commissioner Corkrum's signature on the consent agenda items. Second by Mr. Koch. 2:0 vote in favor.

Vouchers/Warrants

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Motion – Mr. Miller: Mr. Chairman, I move for approval of vouchers as listed: Current Expense warrants 60375 through 60471 for \$2,953.71; Law Library warrant 1052 for \$1,074.26; Current Expense warrants 60472 through 60493 for \$14,287.71; and Current Expense warrants 60494 through 60496 for \$5,999.74 for a total of \$24,315.42. Second by Mr. Koch. 2:0 vote in favor. (Exhibit 4)

Laptop Computers for Assessors Office

The Information Services Department has notified the Commissioners that the cost for laptop computers for the Assessors Office has increased to \$9855.30, a \$3932 difference from the \$6900 that was originally budgeted. Assessor Steve Marks told the Board about the need for the computers in May. The funds will come out of the Capital Outlay budget, Computer Hardware line item. Mr. Bowen talked to Information Services Director Kevin Scott by telephone. Mr. Scott told Mr. Bowen there are funds available in the budget. The Board asked Ms. Shults to prepare a resolution authorizing the purchase of the computers for Monday's consent agenda.

HUMAN SERVICES (HS)

HS Director Carrie Huie-Pascua met with the Board for a department update. She gave the Board the report for October and November 2007 (Exhibit 5).

Advisory Boards

Ms. Huie-Pascua said we are working closely with all three advisory boards (Developmental Disabilities, Substance Abuse Prevention and Mental Health) to better define their role in relationship to Human Services. Earlier this year, she talked with them about what her vision was for them and her vision for HS and discussed development of an annual work plan on their part. At that time it didn't go very far but she thinks the time is right to put that forward again. She said the development of a work plan would assist our advisory boards to look at tasks for the year that they can focus on and put things on the calendar well in advance for a review of programs, looking at goals and objectives to begin to organize the work of HS in relationship to the advisory boards' role to us. She said we have had a good working relationship looking at goals and objectives and having them provide comment to the agency.

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She introduced the possibility of combining the three boards earlier in the year but without exception they all said no. They want to maintain their particular program areas.

Ms. Huie-Pascua feels all the boards should come together at some point for at least an annual or semi-annual meeting. Mr. Koch thinks it is a good idea.

Developmental Disabilities

Service outcomes have been added to the report. (See Exhibit 5).

Commissioner Corkrum joined the meeting.

Housing Services

We have no intent of providing housing services or being a service provider in the same way as we do for Crisis Response and the Assessment Center. Our role is to be the contracts management piece for those housing dollars. Only one program has direct services for housing, which is the Substance Abuse treatment services with one employee working in the Benton County Jail. We are hoping to contract with a current provider to do the work. The Homeless Grant Assistance Program fits nicely with the focus on offender re-entry. We also have been working with them on Benton County's Homeless Housing Program.

Shelter Plus Care is specific to mental health consumers. The program has been shifted away from the mental health specialist to the housing program specialist. It is a rent and utilities subsidy program. We are meeting the requirements of the grant.

Mental Health Services

The transition of clients from Sunderland to the other three providers has gone very smoothly. It has been determined that 25% of the total 706 clients had not been receiving services, meaning they were not active in services for six months or more. They should have been exited from the system. It is based on an agreement with the Regional Support Network (RSN) that once the client had not received services for at least six months, they should have been exited from the system. The 25% is conservative.

The active clients receiving services number slightly above 400. A number of them do not meet Access to Care criteria. We have asked all provider agencies to provide

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services for a period of time and then plan on closing them out because they don't meet the criteria.

Mr. Koch asked about the number of people involved in Access to Care. Ms. Huie-Pascua said we don't have the numbers but have asked the providers for that information.

Ms. Huie-Pascua explained how the payment system works.

Mr. Koch asked regarding Access to Care, is this something if I come in and I'm eligible for that and in a few months if I progress out of it, does that change the access criteria? Ms. Huie-Pascua said the criteria remains the same for treatment, such as so many hospitalizations in the last few years and other needs. It is very well-defined but there are many opportunities to meet the Access to Care criteria. The reason for the criteria is that we are mandated to serve the priority population that have severe and persistent mental illness that has resulted in hospitalizations, problems with functioning on a day-to-day basis, issues with employment, and issues with other kinds of health care. It's a whole list of criteria. Primarily it's that a person has to have persistent mental illness to meet the criteria. So a person can have a medical coupon but may not actually meet the criteria and have the illness. We want people to get better, to recover. They can continue receiving treatment services for quite a long period of time. They may have the diagnosis but not meet the criteria. If they don't meet the criteria because so much time has elapsed because of wellness and recovery, if they get ill again they can meet the criteria again.

Mental Health Services: Crisis Response

We have seen a 40% increase in service this year from last year's numbers. Ms. Huie-Pascua thinks one reason is we expected to see more when we restructured, so now Crisis Response is handling all of the crises. A second reason is we are seeing population growth in our bi-county area which means there are more people they have to respond to. There may be other factors. The 2008 budget includes hiring two crisis counselors who will assist the mental health professionals in doing evaluations. It is a

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much more cost-effective way to provide crisis response services without having to provide all Master-level employees. It does provide quality service.

Mental Health: Consolidated Crisis Response Center

The Crisis Response Center was sometimes formerly referred to as the Triage Center. A workgroup will meet today. The workgroup is trying to determine the amount of money that will be saved because of being all in one place instead of in three buildings. Savings include rent, travel costs, and computer connectivity. The cost for the old Health District building on Canal Street is a little more than half of what it would cost for a new building, which did not include any remodeling costs. The workgroup felt it was not cost-effective to use the old Health District building. We will look at the hard numbers today.

Community Health Center – LaClinica

The RSN and Human Services received the late audit report from Community Health Center for LaClinica on November 12. Human Services contracts for services through LaClinica. LaClinica was sanctioned so RSN is withholding 10% on their monthly payment, amounting to about \$11,000. However, the payment was withheld from Human Services, not LaClinica. Mr. Koch said instead of RSN paying Human Services full fare, the money never got to Human Services. RSN and Human Services are working to resolve the problem.

Ms. Huie-Pascua said there were 11 findings from the audit report. There are some serious findings in terms of internal controls. None of the findings related to behavioral health services that we contract for except that there is some kind of impact overall. The next audit report is due to us in February 2008. She gave the Board a copy of the letter she has sent to LaClinica (Exhibit 6) and a copy of a letter to Mr. Koch from the Community Health Center (Exhibit 7).

Prosecutor Ryan Verhulp joined the audience.

Ms. Huie-Pascua said one piece that is important to note is that she received a phone call from RSN staff expressing concern regarding an appearance of a conflict of interest because she is the director of HS and the former director of Nueva (a part of

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LaClinica), The RSN offered to take on the task so it would not be seen as a conflict of interest. Ms. Huie-Pascua said in speaking to legal counsel regarding that, there was no more of a conflict of interest, perhaps a perception or concern of maybe bias. That was established. In doing that we wanted to have the relationship return to the contractual relationship that currently exists.

Ms. Huie-Pascua asked for Board direction regarding her course of action and what the Board wants her to do specifically. Mr. Koch said we have the audit, which is over a year old. He thinks the next key is the audit that will come in after the first of the year for the more current time period and also LaClinica's letter of corrective action, what they plan to do to get over this milestone. Mr. Koch said as either the Franklin County Commissioner or the RSN chair, he doesn't need to see much more from them until we see what their next audit is. Mrs. Corkrum and Mr. Miller concurred.

Substance Abuse and Prevention Services

Treatment completion rates are now up to 74% combined. This is an increase over the last quarter of 49%. Ms. Huie-Pascua is very pleased with the completion rate.

Prevention Services: There is a focus on Pasco and Franklin County in particular. There was a series of healthy youth surveys conducted about a year and a half ago. Pasco had a high rate of underage drinking at 24%, which is 5% above the state average of 19%. There will be a series of town hall meetings that will focus on underage drinking.

PROSECUTOR

Chief Civil Deputy Prosecutor Ryan Verhulp met with the Board.

Pasco Sanitary Landfill

Mr. Verhulp asked for approval to pay consultant fees. Franklin County's share is \$1784.01, one-sixth of the total \$10,704.06.

Motion – Mrs. Corkrum: I move for approval of payment of Franklin County's portion of an invoice to the Landfill Group to Aspect Consulting, LLC, for professional consulting services for \$1784.01. Second by Mr. Miller. 3:0 vote in favor. This is Resolution 2007-628.

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Executive Session at 9:57 am regarding current litigation based on RCW 42.30.110(1)(i) expected to last less than 10 minutes.

Open Session at 10:05 am.

Franklin County Superior Court: Matthews v. Franklin County Treasurer

Motion – Mr. Miller: I move that we accept the issuance of a warrant in the amount of \$650 per Franklin County Superior Court order in re John David Matthews v. Franklin County Treasurer, Case Number 07-2-50999-5. Second by Mrs. Corkrum. 3:0 vote in favor. This is Resolution 2007-629.

PUBLIC WORKS

Engineer Tim Fife met with the Board.

Vouchers

Motion – Mr. Miller: Mr. Chairman, I move that we accept the vouchers for County Road Fund for \$367,178.44; and MV & PW Equipment Fund for \$31,568.43. Second by Mrs. Corkrum. 3:0 vote in favor. (Exhibit 8)

Resolution: 2008 County Road District Regular Property Tax Levy

Mr. Fife asked for approval of a resolution that puts people on notice that we're going to take the full 1% increase that we are allowed to do. It is shown that way in our budget.

Motion - Mrs. Corkrum: I move we approve Resolution 2007-630 regarding the 2008 County Road District Regular Property Tax Levy, increasing it by 1% to the tune of \$24,961. Second by Mr. Miller. 3:0 vote in favor.

Mr. Fife said the number includes the \$265,000 that is then transferred over from the Road Department levy to the Current Expense levy. It does not include new construction.

R170 and Juniper Dunes

A helicopter flight will be taken tomorrow to show staff representing legislators the R170 and Juniper Dunes areas.

Grader in Connell Christmas Parade

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A Public Works grader will be used in the Connell Christmas parade at no cost to the county. County employees will drive it but are volunteering their time.

2008 BUDGET

Public Hearing: Adoption of 2008 Budget

Public Hearing convened at 10:23 am. Present: Commissioners Koch, Corkrum and Miller; County Administrator Fred Bowen; TRAC Manager Troy Woody; and Clerk to the Board Mary Withers.

Motion – Mrs. Corkrum: I move we postpone the budget hearing until 10:30 am on December 19. Second by Mr. Miller. 3:0 vote in favor.

TRAC

TRAC Manager Troy Woody met with the Board.

Parking at TRAC

Mr. Woody said we need to designate TRAC parking lots for particular uses. The document regarding the parking is being reviewed by Mr. Verhulp.

Arena Renovation

We need to better define what needs to be done on the arena renovation so that we come to more accurate costs. Mr. Woody would like to do a road trip to look at four events centers in Portland and Seattle and two in Spokane and perhaps attend events at those places. He estimates the cost of the trips will be \$3000 to \$4000. He feels it will be well worth the money before getting to the final design stage.

Mr. Woody is attempting to determine if there are any state, Federal, or private grants available. He is interviewing some grant writers. The first expense would be identifying possible grants. He estimates hiring someone to research possible grants would take 20 hours at a rate of \$75 per hour for a total cost of \$1500. He followed the same process to prepare for the warm-up arena. He is calculating high on the amount of time involved. The availability of grants dictates to some degree what the final design will be like. Mr. Woody is looking for guidance on where the funds would come from. Mrs. Corkrum said we have to start somewhere. Mr. Koch agreed. Mrs. Corkrum asked would this be a TRAC project? Mr. Bowen said it is possible the development funds

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could be used from the distressed and rural counties .09 funds (which used to be .08 funds). We estimated it would be about \$100,000 more. Currently there is \$152,000 available in the fund. Prior to the increase to .09, the county was collecting about \$200,000 a year. We estimated an additional \$300,000 next year.

The distressed and rural counties fund was authorized to be collected for 25 years. It's a kickback on the state sales tax that is distributed from Franklin County back to Franklin County.

Rural and Distressed Counties Funds

The Board would like to talk to legislators about increasing the .09 funds again this year by some percentage.

Display Sign

Mr. Woody said the display sign along Interstate 82 used an old style of bag cell phone which is now obsolete. Our computer called that phone and the phone jacked into the message board and changed the message. The phone companies that we currently use no longer support the bag phones. They took the bag phone out and put a Nokia cell phone in the box. You can't put a Nokia phone jack in a cell phone. The phone company has said tough luck, it's not our problem. The sign does not support cellular service. The only option at this stage is to run a hard line out to the sign. We're waiting to get a price. The rough number to upgrade the sign is \$15,000. There is a computer in the sign. It does not have wireless network capability.

The PUD owns the sign but wants the county to buy the sign from them. They do not want to put any more money into the sign.

Mr. Koch said he would rather replace the sign and start over again than put any money into the existing outdated sign.

Mr. Woody said the sign was unplugged because the temperature and time display is not correct.

Mrs. Corkrum left the meeting to have a conference call on county business.

Analysis

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Mr. Woody showed the Board an analysis that attempts to show the benefits of TRAC to the City of Pasco.

List of Capital Projects for 2008

Mr. Woody reviewed the list of capital projects that he would like to complete in 2008 (Exhibit 9).

Bid Opening: Environmental Control System

County Administrator's Secretary Bridgette Scott joined the meeting. Present in audience: Scott Hagensicker and Dale Hollandsworth of Apollo Sheet Metal. Chief Civil Attorney Ryan Verhulp joined the meeting later.

Ms. Scott said the bid opening is scheduled today, not the bid award as it is listed on the agenda. She was told Facilities Director Chris Giles did talk to every company involved. Scott Hagensicker was told it would occur at 11 o'clock. Ms. Scott does not know if it was a miscommunication on our part. The original bid opening was originally scheduled for 11:00 am on November 21. Ms. Scott left the meeting.

Mr. Hagensicker said he does not think there was a time change on the communication but a date change.

At the mandatory walk-through, vendors needed additional information to be provided by TRAC. The bid opening was continued to today. Today's agenda says it is a bid award but it is actually the bid opening. The time on the agenda is listed as 10:30 am. The vendors have stated that they knew the date was changed to December 5 but the time was not specified so they thought it was 11:00

Mr. Bowen asked Scott Hagensicker how he was notified. Mr. Hagensicker said he believes his office received an email and a phone call from Chris Giles.

Mr. Verhulp said this is a bidding irregularity. He does not know any other type of situations that relate to this. Our recommendation is when there are irregularities to consider the nature of them and decide whether you want to find the irregularities as not impacting or not substantial to the process or throw out the entire bids and do it over. The do-over is always the legally safest course of action. If you choose otherwise, he would recommend as a Board that you make specific findings on the record as to why you

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feel this isn't a substantial irregularity and why you feel you can go ahead and proceed with an award because of a, b and c.

Mr. Woody said he thinks it needs to be established with Chris Giles how he communicated with the parties. Mr. Koch said he agrees; he cannot say in good conscience without seeing in writing that everyone had been notified.

Mr. Woody asked about starting over again.

Mr. Koch feels we should start over again.

Mr. Hollandsworth asked is the mandatory walk-through still required? Or is it open to all bidders? There was discussion about possible procedures.

Mr. Verhulp said a new notice could go out and all terms or conditions or things you need from the walk-through could be part of that notice so any bidders would be aware and subsequently bid accordingly.

Mr. Bowen said the bid opening can be postponed and notice sent or the process can begin completely again. He asked can we postpone the opening to those three vendors that attended the mandatory walk-through? Mr. Verhulp said I suppose you can probably do it again.

Mr. Koch said three entities took the opportunity to go through the walk-through so that part of the process is done. I think I can foresee just making sure the other two didn't want to bid.

Chris Giles and Bridgette Scott joined the meeting.

Mr. Koch asked Chris Giles about notification of change of bid opening. Did you literally talk to all three or email all three? Mr. Giles said, "I did. I also contacted Apollo as well as Campbell and Company and dropped off the additional information and told them we would be doing the opening on December 5 at 11 o'clock. Troy also sent me an email which I believe was cc'd to all three stating it was at 11 o'clock."

Mr. Woody said he sent out the spec's but did not ask for confirmation and did not receive confirmation.

Mr. Koch asked Mr. Verhulp if we could postpone it a week and make sure the other entities that had the walk-through have an opportunity to bid.

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Mr. Verhulp said if you opt to postpone, he would recommend you issue a notice in writing today notifying as to what the irregularities were and because of such you are setting a new opening date. That way they have notice of that. Then proceed ahead. He would be most comfortable with something in writing.

The Board decided to continue the bid opening until December 12 at 10:30 am and leave the award date on December 17 with a notation that the party could withdraw the bid based on the current circumstances if they wish.

Motion – Mr. Miller: I move that we postpone the bid opening to December 12 at 10:30 am for the environmental control system. Second by Mr. Koch. 2:0 vote in favor.

PROSECUTOR (continuing)

Chief Civil Deputy Prosecutor met with the Board.

Executive Session at 11:12 am regarding potential litigation based on RCW 42.30.110(1)(i) expected to last 10 minutes.

Open Session at 11:19 am.

Resolution: L&I and Robert Harris

Mr. Verhulp asked for a motion related to the January 23, 2005, vehicle collision between a City of Pasco vehicle and the Franklin County Sheriff's Office.

Motion – Mr. Miller: Mr. Chairman, I move that we accept the claim for damages for the accident with Robert Harris with the City of Pasco, for settlement of \$10,000 to the Minnick Hayner Trust Account. Second by Mr. Koch. 2:0 vote in favor. This is Resolution 2007-631.

COUNTY ADMINISTRATOR

County Administrator Fred Bowen met with the Board.

Franklin County Courthouse Renovation Project

Mr. Bowen asked for approval of Addendum #6 for \$6810 for preparation of design work for installation of a new handrail. The estimated cost of the handrail is anticipated to be \$30,000. Mr. Bowen said it was the county's decision during original design to not install a handrail, similar to other historic buildings such as in Washington, D.C.

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Mr. Koch thinks closing the stairway down is not an option because of fire safety issues.

Mr. Miller asked why the design work costs so much. Mr. Bowen said they have to actually build it on site. It cannot be done prefabbed. Mr. Bowen said the work is for design, putting it out to bid, and then monitoring the work while it is being done.

Motion – Mr. Miller: I move for approval of Addendum #6 between Franklin County and CKJT Architects for restoration of the 1913 Franklin County Courthouse and the bid and architectural work of the stairway in the courthouse for \$6810. Second by Mr. Koch. 2:0 vote in favor. This is Resolution 2007-632.

TRAC Arena

Mr. Bowen asked for approval to pay \$3275.65 including sales tax for professional services from CKJT Architects to provide a preliminary pre-design project cost estimate for the TRAC Arena remodel project. He said the original TRAC arena construction plans that belonged to the county were lost. A copy of the plans was located but it cost \$275 to reproduce them.

Motion – Mr. Miller: I move that we accept the Professional Services Contract between Franklin County and CKJT Architects to provide a preliminary pre-design project cost estimate for the TRAC Arena remodel at a cost not to exceed \$3275.65 including sales tax. Second by Mr. Koch. 2:0 vote in favor. This is Resolution 2007-633.

Staircase

The preliminary design for the handrail on the staircase was reviewed. Mr. Koch feels it would tie in best to the existing design.

Executive Session at 11:37 am regarding real estate acquisition or site selection based on RCW 42.30.110(1)(b) and real estate sale, minimum price, for RCW 42.30.110(1)(c).

Executive Session continued at 11:50 am expected to last 10 minutes.

Open Session at 12:00 noon.

Adjourned from Franklin County Meeting at 12:00 noon. The Board met in a Bi-County meeting with Benton County Commissioners at 1:30 pm continued from Monday, December 3, 2007.

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BI-COUNTY MEETING

The Honorable Boards of Franklin County Commissioners and Benton County Commissioners met on the above date. The following people were present for the meeting:

Franklin County Commissioners Bob Koch, Chairman; Neva J. Corkrum, Chair Pro Tem; and Rick Miller, Member. Benton County Commissioners Leo Bowman, Chairman; Max E. Benitz, Jr., Member; and Claude Oliver, Member.

Also present: Benton County Deputy County Administrator Loretta Smith Kelty, Health District Accountant Jeff Jones, Benton County Deputy Prosecutor Ryan Brown, Attorney Chris Mertens representing the Health District, Health District Director Dr. Larry Jecha, Benton County employee Linda Ivey, Health District employee Rick Dawson, Health District employee Sandra Owen, KEPR TV Reporter Chelsea Kopta, Tri-City Herald Reporter Laura Kate Zaichkin, and Franklin County Clerk to the Board Mary Withers.

Discussion and Potential Revisions to Revised Charter (By-Laws) of the Benton Franklin District Board of Health

Mr. Benitz spoke as chairman of the Benton-Franklin Health District. He explained how the Health District budgets have been set historically. In the past, cities helped fund the Health District, but for several years now only counties fund it. The membership of the Board of Health is currently made up of some county commissioners and city representatives but it is possible to have the boards of county commissioners be the district health board.

He has been told by legal counsel that if a change is made in the composition of the Health District Board that certain steps need to take place.

He asked if the Board members want to consider approving a joint resolution to reconstitute the membership of the Health District Board pursuant to RCW 70.46.020. The resolution would set up the board for future governance of the Health District. He asked the chairs of both boards if you would like to see legal advice on the redrafting of the Benton-Franklin Health Board current by-laws.

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Mrs. Corkrum said she would like to ask the attorneys for input regarding statutory authority.

Mr. Bowman said it catches me a bit off-guard. I was not aware of any issues until Monday and then received paperwork yesterday. I have a zillion questions. I think the question is do we have the authority to make this decision.

Mrs. Corkrum said when the law was changed to take the cities out of the district, our board at that time chose to ask the cities to continue being part of our board. However, they refused to contribute towards the budget or any facilities that we have improved. This year when we had the budget shortfall, I sent a letter as the new chairman of the budget committee to ask the cities if they would contribute. They all pretty much declined. We got two letters, one from Kennewick and one from Richland, saying that they didn't have any funds, that they were short of money also and wished us well.

Ryan Brown said he understands the question is regarding whether the commissioners have legal authority to reconstitute unilaterally the district Board of Health and could the cities assert a claim to remain part of the Board of Health. He recommended going into executive session to reserve the privilege on that based on potential claims of that nature.

Mr. Oliver said he contacted Tom Moak who served as a longstanding member of the Health Board representing a city. He said Mr. Moak did contact other city representatives and received positive feedback for the change, that it would be appropriate that the counties would decline to have the cities participate on the board. The city representatives did request that there be some level of communication, whether a monthly newsletter, email communications, etc., which Mr. Oliver feels sure Dr. Jecha would like to do anyway.

Executive Session at 1:43 pm RCW 42.30.110(1)(i) expected to last no more than 15 minutes. All audience members left except for Loretta Smith Kelty, Chris Mertens, Ryan Brown, Dr. Jecha and Ryan Verhulp.

Open Session at 1:53 pm with no decisions made. (The other audience members returned to the room.)

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Motion – Mrs. Corkrum: Mrs. Corkrum said in view of our discussion regarding the budget and the cities' unwillingness to participate financially, I would move to approve this resolution.

Mr. Bowman asked Mr. Benitz if he would support the resolution. Mr. Benitz said "Yes, I will support the resolution." Mr. Oliver said he will support the resolution.

Mr. Bowman said, "The majority will rule but I would have to oppose this at this time. There are so many questions. I was provided information yesterday. For example, the charter, I have no idea what that looks like. I don't know what that is." He asked what difference does it make if we're a separate board? I don't know the answer to that.

Mrs. Corkrum said we don't have to pass this today. We can do it next week.

Mr. Bowman said also we have a personal conversation which I don't doubt the integrity but it doesn't sound like we've done due diligence with the cities. We have a letter or two but I have not been privileged to those letters. What is their intent? I don't know the answer to that.

The Board members were given copies of letters from the City of Kennewick and City of Richland (Exhibit 10).

Mr. Oliver then said he would wait to give approval until Mr. Bowman has had a chance to review the materials.

Mr. Benitz said he understands the concerns that have been expressed. He said staff has been assigned to prepare a budget for presentation next Wednesday.

Motion – Mr. Benitz: With this I would feel that it is necessary for us to pass this current resolution today. I would like to make that motion for Benton County, in the matter of reconstituting the membership of the Benton Franklin District Board of Health pursuant to RCW 70.46.020. Second by Mr. Oliver.

Mr. Oliver said I would not move we adopt that today, giving Mr. Bowman an additional week to get information. I would not support the passage of that today but I do support the intention.

Mr. Bowman asked Mr. Benitz, is this imperative to adoption of the budget? Would the cities who in fact are on the current board oppose a budget that they didn't

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have to fund themselves? If they're not required to fund it, then they would probably support a budget with the existing makeup of that board.

Mrs. Corkrum said she can't answer that.

Mr. Benitz said he can't answer that. He asked if we don't take this approach, then is there another option or a different alternative? He believes it is extremely important that we do take this step to ensure that by January 1 we do have an adopted budget for the Health District.

Mr. Bowman asked if we take this action today affirmatively and then come back with a budget that is acceptable, why would the existing Health Board oppose it? What would be the difference a week and a half down the road versus now? He doesn't know if the budget would come to the joint boards of county commissioners. He asked if it is possible to pass a budget that would get us through the first two or three months of operation or first two or three weeks of January or whatever. He said, "I apologize; I just have too many questions." He said he will support whatever decision you gentlemen make.

Mr. Mertens and Mr. Brown responded to Mr. Bowman's questions.

Mr. Bowman said Benton County has already allocated \$330,000 for the Health District in 2008. Mr. Brown said we have to have a budget by January 1. Mr. Bowman asked could it be amended midterm like in January, February or March to be less-rushed? Maybe you folks are familiar with it and ready to go but I'm not so I have no concept of what we're talking about.

Mr. Miller said I'm in the same situation. I just received this joint resolution this morning. I have some questions, too. I'd like to see it maybe next week so we can discuss this further, not that I think we shouldn't keep doing the process.

Mr. Koch said at this point we're at an impasse because Benton County said no. Mr. Bowman called for the question.

Vote: 1:2 vote in favor. Yea: Benitz. Nay: Oliver and Bowman.

There was a second on Mrs. Corkrum's motion.

Vote: 2:1 vote in favor. Yeas: Koch and Corkrum. Nay: Miller.

COMMISSIONERS RECORD 48
FRANKLIN COUNTY
Commissioners' Proceeding for December 5, 2007

The Board tentatively scheduled a bi-county meeting for Wednesday, December 12, at 1:30 in Franklin County.

Mr. Brown said the second step involves amendments or redoing the by-laws or charter for the Board of Health. After discussion, it was determined that the by-laws will be reviewed and redrafted with a draft copy given to each Board member for input. The three attorneys will work together. Max Benitz will be the point person for Benton County. Neva Corkrum will be the point person for Franklin County.

Adjourned at 2:20 pm.

COMMISSIONERS RECORD 48
FRANKLIN COUNTY
Commissioners' Proceeding for December 5, 2007

There being no further business, the Franklin County Board of Commissioners meeting was adjourned until December 10, 2007.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chairman

Chairman Pro Tem

Member

Attest:

Clerk to the Board

Approved and signed December 17, 2007.