

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for April 9, 2008

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

OFFICE BUSINESS

Secretary Patricia Shults met with the Board.

Auditor

Auditor Zona Lenhart met briefly with the Board with a few questions regarding elections. She will meet with the Board later today.

Consent Agenda

Motion - Mrs. Corkrum: I move for approval of the April 9, 2008, consent agenda as follows:

1. Approval of **Resolution 2008-153** for Amendment A to the Washington State Military Department Contract Number E08-017, thus, amending Franklin County Resolution 2007-414; authorizing the Chairman to sign said amendment on behalf of the Board and authorizing the Chairman and Chair Pro Tem to sign the Signature Authorization Form.
2. Approval of **joint Resolution 2008-154** in the matter of execution of an Interagency Agreement from the Division of Social and Health Services (DSHS) that sets forth the procedure by which DSHS will assess and adjust the Long-Term Payable it provides to the County, per Agreement Number 0863-38329, effective July 1, 2008, through June 30, 2009, and authorizing the Chairman to sign said agreement on behalf of the Board. (Exhibit 1: Information sheet.)
3. Approval of **Resolution 2008-155** for the Professional Services Contract between Franklin County and J & J Security & Transport for Courthouse security services effective April 1, 2008 – December 31, 2008.

Second by Mr. Miller. 3:0 vote in favor.

Commissioners Salaries

The Board reviewed a resolution that would rescind the current commissioners salaries resolution and modify the salaries to be nearer to the other elected officials' current salaries of \$81,300.

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Mr. Miller feels all three commissioners salaries should be the same so he would like to delay any increase in salaries for all three commissioners until his salary can increase at the same time, which is two years after the other two salaries. He said he has found that some other counties including Yakima and Benton Counties have changed commissioner salaries in the middle of a term.

Mr. Koch said his reading of the RCWs states the salary cannot be changed midstream.

Mrs. Corkrum said to Mr. Miller, what you're saying is our 2009 and 2010 salary should match yours and then go up. Mr. Miller said then it's fair for whoever gets elected in the next election. He referred to previous years when the three commissioners' salaries did not match each other.

Mrs. Corkrum said it doesn't make any difference to me now. We need to change it before we file for election.

Mr. Miller said if the resolution is approved, he will be the only elected official for two years getting that lower amount. He said probably the fairest way even with the HayGroup study would have been for all elected officials to get the same salary all the way across until 2010. Mr. Koch said then we would have had some employees making more than the elected officials. Mr. Miller said we could have given it to everybody all at the same time. Mrs. Corkrum said I don't think we could have delayed it; there would have been mutiny on our hands.

Chief Civil Deputy Ryan Verhulp joined the meeting.

Mr. Miller referred to population criteria that apply to changing the salaries. Ms. Shults said she reviewed RCW 36.17.020 which talks about the population growth. An explanation in simple terms was if the county population went from 40,000 up to 75,000, moving to the next category, then you could change the salary, but Franklin County's population only increased a couple thousand.

Mrs. Corkrum said we can talk further about this later today.

PROSECUTOR

Chief Civil Deputy Prosecutor Ryan Verhulp met with the Board.

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Commissioner Salaries

Mr. Koch told Mr. Verhulp about the previous discussion. He understood the salaries could only change at the election time but Mr. Miller has said we can do a resolution today for two years down the road. Mr. Verhulp said he believes that's correct. As long as the salary change occurs not during your current term, you can do it beforehand. That's the way he has seen it done previously in other counties and what some Attorney General opinions say. He doesn't think there is any issue with doing it before election time. If you want to do it now or wait a month or two, I don't think it would matter.

Mr. Koch said I think we need to establish it before the filing period. Mrs. Corkrum said she thought so but now knows it's the present salary that can't be changed. She will double-check with the auditor because things change sometimes.

Mr. Verhulp said he looked at the law about the point when you could legally make the change and obviously you have to make the change at the beginning of the next term. Mrs. Corkrum said it just so happens that two of us change. Mr. Verhulp said you could change Commissioner Miller's salary for 2010.

Mrs. Corkrum said we normally in past practice made the change every two years just before the filing period. Then Mr. Miller's salary would be set through 2011, 2012, 2013 and 2014. The way our salaries are now, we're at the \$70,087 rate and we would have to increase our salary for the next four years: 2009, 2010, 2011 and 2012. She said Mr. Koch brought up that the other elected officials got their raise following the completion of the HayGroup study that was implemented in 2007.

The resolution is prepared showing amounts for 2009 and 2010 for Commissioners #1 and #2, knowing that Commissioner #3 would have to stay at 2009 and 2010 the way the original resolution was, and then we'd do another resolution in 2010 to match 2011 and 2012 and make a new 2013 and 2014. Mrs. Corkrum said Mr. Miller is saying for 2009 and 2010 we should stick with his salary and then make the big jump on 2011. That's a big jump.

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Mr. Miller asked to wait to make a decision until County Administrator Fred Bowen gets back on Monday. Mr. Koch said he doesn't know if we need Mr. Bowen present. Mrs. Corkrum said in other words you're unhappy if we get more than you; that's the bottom line. Mr. Miller said it's not so much that; it's all the elected people. It's also looking at your positions. I don't think that looks right. Here are three commissioners and two get that amount. Mrs. Corkrum said nobody cared before. Mr. Miller said this creates a problem for my salary in two years, too, with what people might think. Mr. Miller said it just doesn't seem right. Mrs. Corkrum said if it's for that reason, I don't think you're being very fair to us. Mr. Miller said it isn't for that reason but I just think it doesn't look good. It just seems there should be another way of making steps or something like that. Mrs. Corkrum said we're bound by the RCW. It's either we do it now or we don't do it. We could do it two years from now and give it to you. Mr. Miller said you could do it now for two years from now and have us all be the same. I'm just trying to find a way that it could be even all the way across.

Vehicle Accident

Mr. Verhulp requested an executive session to discuss an accident with a Public Works 2008 Ford Escape vehicle that occurred in July 2007 where the driver was rear-ended. He sent a settlement demand package to the insurance company.

Executive Session at 9:27 am for potential litigation based on RCW 42.30.110(1)(i) expected to last 10 minutes.

Open Session at 9:33 am.

Recessed at 9:33 am.

Reconvened at 9:36 am.

PUBLIC WORKS

Engineer Tim Fife met with the Board.

R170

Mr. Fife reminded the Board about the public workshop scheduled at Basin City Elementary School tonight for the R170 road design. Written public comment will be accepted for a number of days after the meeting. Mr. Fife said the Public Works

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Department and the engineering company will make a recommendation to the Board after all the public comment is compiled.

Resolution: Maintenance Chemical Spray – Roadside Application Agreement.

Supplement #1, between Franklin County and Darry-Air, Inc., Resolution 2006-096

Darry-Air, Inc., the chemical spray contractor, wants to honor its contract with the county but because fuel prices have gone from \$1.38 per gallon to over \$4.00 per gallon, he is requesting a fuel surcharge. Mr. Fife said rather than going back out for new bids, he would recommend approving Darry-Air's request of 50 cents per acre surcharge on foliar application and \$2 per acre surcharge on residual application. He feels that is a reasonable request based on fuel costs. Mr. Fife recommended approval of supplement #1 to the agreement that allows for those surcharges. Mrs. Corkrum asked will the budget handle it or will it be tight? Mr. Fife said it will be tight. Our roadsides look better than they have for a long, long time. We are not getting all the weeds but they're a lot better than they used to be. They're doing a good job for us. Mr. Fife is recommending honoring the request for the surcharges for the rest of this year and then we'll go out for another bid.

Motion – Mr. Miller: I move that we approve 2006 roadside chemical spray contract with Darry-Air, Inc., with a 50 cent per acre surcharge for foliar application and a \$2.00 surcharge per acre on residual application. Second by Mrs. Corkrum. 3:0 vote in favor. (Exhibit 2)

Motion – Mr. Miller: I make the motion that we approve the Maintenance Chemical Spray – Roadside Application Agreement, Supplement #1, between Franklin County and Darry-Air, Inc., amending Resolution 2006-096. Second by Mrs. Corkrum. 3:0 vote in favor. This is Resolution 2008-160.

Fuel Surcharges

Mr. Fife said we're probably going to request a fuel surcharge on rental rates later this year.

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Mrs. Corkrum asked if the contractors who are doing the paving projects in the county can also request fuel surcharges. Mr. Fife said no, they can't, because the contracts do not allow it.

Coyan Road area

Mr. Koch asked about painting of the road center stripe and bridge paint, particularly in the Coyan Road area.

Mr. Fife said it is recommended that bridges not be painted at all because if moisture gets inside the paint on treated bridges, it would have been better if they were never painted. Mr. Fife recommends the bridges not be painted. He knows some were painted at one time and we may want to keep them up. He would prefer to strip off the paint that has been put on than repaint the ones that were painted. Mr. Koch said maybe the areas on the road side of the bridges could be painted. Mr. Fife agreed.

Mr. Fife said the Public Works crews are preparing the striping truck to begin painting on the roads. Water-borne paint has been used but it doesn't last as long as solvent-based paint. We're getting a better handle on the amount of paint that goes down now that we're doing it ourselves. There are a number of roads that are normally painted every three years. Mr. Fife said the state paints some of their roads twice a year. We spend about \$150,000 a year now but will spend more than that in the future because of the cost of paint. Mr. Fife said he thinks it's more important to keep the asphalt in shape, such as fixing potholes, than painting the stripes. Painting is important but he doesn't know from an accident history where centerlines have been a problem, other than in fog situations. Hopefully people slow down when there is fog. Mr. Fife said we can readdress the striping policy but it would cost more money to do it oftener.

AUDITOR

Auditor Zona Lenhart and Chief Civil Deputy Ryan Verhulp met with the Board.

Commissioner Districts

Ms. Lenhart said the RCW is very clear that a public hearing has to take place prior to adoption of any changes to commissioner district boundaries.

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Mr. Verhulp gave the Board a resolution that could be adopted after a public hearing if the Board decided to make changes to the commissioner districts. He said the resolution doesn't do anything more than set forth the history of when redistricting last occurred which was in 2002 and then goes through the process of litigation and action taken by the Board in response to the litigation and a couple of resolutions after the fact that in error rescinded some of the actions you had taken. It then concludes you as a board finding no redistricting has been done since 2002 and goes on to say you would be adopting a new redistricting plan per the map that the Auditor's office has prepared.

Mrs. Corkrum asked in other words the date of the resolution of 2005 doesn't do anything? Mr. Verhulp said really the only pertinent resolution is the April 1, 2002, resolution which set forth the last redistricting plan. All the resolutions after that didn't impact that original redistricting plan and this resolution is just to reinforce that point and then adopt a new redistricting plan if you did want to proceed with that new plan.

Mrs. Corkrum asked if the only reason we would do a redistricting now is if Mr. Koch's and my districts were skewed as far as population? Ms. Lenhart said it's your decision in terms of whether you want to do that or not. Definitely they're not equal. Mrs. Lenhart said it doesn't have to happen this year; it's up to you. You can still opt to do it next year in a non-election year. That's your decision. There is no RCW that I could find that says you're compelled to make decisions now. She said the resolution prepared by Mr. Verhulp corrects all resolutions subsequent to 2002, whether they were accurate or not, and states the action taken in 2002 was appropriate. She likes the way the resolution reads because it shows the clear history in one document. Ms. Lenhart said you have a little bit of time and can act or not act at all.

Mr. Koch asked what's the time frame? Ms. Lenhart said you have to have a new district adopted 30 days in advance of a filing period. The filing period is the first full week of June.

Mrs. Corkrum asked about a 45-day requirement for people to take action after the Board holds a public hearing and sets new commissioner district boundaries. Ms. Lenhart told what she thinks it means.

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Mr. Verhulp said he was requested to put together a resolution that first, set forth the history, and second, adopted a new redistricting plan. The resolution can be changed or does not have to be used.

Mr. Miller thinks the redistricting should get done.

Mr. Koch said a public hearing is required.

Mrs. Corkrum said there's nothing that says we have to do this. We have to do it at the time of a federal census. Ms. Lenhart said the statute says you cannot alter them more often than four years.

Mr. Miller said he thinks his district has 12,000 registered voters and the other two districts have 4000 each. Ms. Lenhart said in 2002 the committee that worked on redistricting gave no allowances for growth. Since the early 1990s, we've had a lot of growth in Franklin County, as has been reported in the newspapers. Franklin County is listed as the fastest-growing county in the state and 21st in the nation.

Mr. Miller said this change to commissioner districts is long overdue because of the growth.

Mrs. Corkrum said but there's no hurry and I'm saying we could do it next year. Mr. Miller said he's saying we should do it this year.

Mrs. Corkrum said I'll live with whatever the majority is but I've told you from the beginning I don't like it.

Mr. Verhulp said the Auditor's office did all the work for the Board on the map. He has prepared the resolution. We've carried out those two tasks for you. He asked the Board to advise his office if you need any further assistance.

Mr. Verhulp left the meeting. Present in audience: Kay Hendrickson and Phil Petersen.

Accounting Software

Ms. Lenhart said it is important to pursue finding new accounting software because CompuTech is no longer going to support the existing system. Mrs. Corkrum said we pretty much had a consensus to buy new software but it hasn't happened.

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Mrs. Corkrum said her opinion is we need to buy something that's functional for accounts payable, payroll, and the Treasurer's office for the annual report. Then if we want to do cost accounting and add pieces to it, we can do that as we can afford it. She hates to think of paying over \$1 million for an accounting system; that number scares her.

Ms. Lenhart said we've had the current system for about 22 years. Mrs. Corkrum said I understand. Ms. Lenhart said it's one thing to find a system but it's another thing to have service after the sale. Mrs. Corkrum said it's been awhile since we set the money aside and if we're not going to follow through and get something done, she is ready to spend the money in other places. Ms. Lenhart said we don't have a gift of time because we have to move quickly but a consultant will help us. She would like for it to be in place by January 2009 but that date is unrealistic.

Ms. Lenhart described how she wants the software to connect with the systems in all departments so it meshes together well.

EXTENSION OFFICE

Extension Director Kay Hendrickson and Extension Agent Phil Petersen met with the Board.

Personnel

Phil Petersen is going to be reassigned to the Grant County office as of June 1, 2008.

Mr. Petersen said his current position here is basically a team position. The variety trials and conservation work to keep the dust on the Horse Heaven Hills will continue. He'll still be working more time here than in Grant County to continue a project that was just started. He doesn't anticipate any drop in the service here. He will be accessible for questions because he's the only forage guy in the state.

Ms. Hendrickson said she was notified this week of the change. As soon as all of this becomes final, then we'll start the process to fill the position. There are very viable candidates that have been applying for positions. She is hoping to have someone hired no later than September.

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Ms. Hendrickson said Mr. Petersen has done a great job in the county and brought some good research money in and some new research.

Ms. Hendrickson will come to the Board as soon as a search committee is organized.

Mr. Petersen said my goal is to maintain the program here.

OTHER BUSINESS

Redistricting

Mr. Miller said he doesn't think there is much time to wait for redistricting. He is taking a lot of pressure about it, both from phone calls and when he has been in groups of people. Mrs. Corkrum said she has not had one single person talk to her. She thinks the redistricting needs to be done next year but not now.

Motion – Mr. Miller: I need to make the motion that we have a redistricting hearing as soon as possible. **Motion died for lack of a second.**

Mr. Koch said we can discuss it Monday before a public hearing notice would have to go in the newspaper.

Adjourned at 10:21 am.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until April 14, 2008.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chairman

Chairman Pro Tem

Member

Attest:

Clerk to the Board

Approved and signed April 14, 2008.