

COMMISSIONERS RECORD 49  
FRANKLIN COUNTY  
Commissioners' Proceeding for April 21, 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; Fred Bowen, County Administrator; and Patricia Shults, Pro Tem Clerk to the Board. Present in audience: Tri-City Herald reporter Joe Chapman.

**OFFICE BUSINESS**

Rescind Franklin County Resolution 2008-160 (Commissioners' Redistricting Plan)

**Motion** - Mr. Miller: I move we rescind Resolution 2008-160. This is Resolution 2008-169. Second by Mr. Koch. Mr. Miller and Mr. Koch voted in favor. Mrs. Corkrum opposed.

Set Public Hearing to Consider Commissioners' Redistricting Plan

Mr. Miller said we need to continue with the regular agenda and advertise on Thursday for a public hearing to discuss the commissioners' redistricting plan. The question was asked if the Board wanted to publish the notice in the Tri-City Herald along with the Franklin County Graphic, as the Franklin County Graphic is Franklin County's legal newspaper.

Mr. Koch asked if a resolution was required. No resolution is required if the Board gives consensus or makes a motion to advertise.

Mr. Miller asked what do we normally do? Mrs. Corkrum said if there is something of interest to the majority of the population then it should go in both newspapers.

Mr. Koch indicated there was no consensus from the Board to publish a notice.

Mrs. Corkrum said she was opposed to it, as she said before. It's not necessary to redistrict at this time. The law allows us to redistrict at the time of the federal census. I know Mr. Miller's district is out of whack, but mine and Mr. Koch's are not. It doesn't affect this election. We can do it next year, look at it and get more input from the public with the way the lines are drawn and there won't be anybody up for election. So it wouldn't be political football. That's my reasoning for being opposed.

Mr. Miller said his reasoning for it is that every four years you have to redistrict if it is out of whack. When my district is out of whack, the other two are out of whack too,

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so that doesn't make sense. There are many people out there that are wondering why it's out of whack and hasn't been fixed. Actually, the Auditor came in in July and stated we need to redistrict. We made the maps and now we don't want to.

Mrs. Corkrum said that was at his (Mr. Miller's) request that the Auditor came in with new maps. Mr. Miller said she (the Auditor) brought it in and said we need to do the maps and redistrict. Mrs. Corkrum said that was because he had been talking to her about it ever since he'd been elected.

Mr. Miller said that was because he was told, after he was elected we would redistrict. So that's where we're at.

Mrs. Corkrum said she didn't agree to that resolution as it was. When the committee met and the other two Board members on the Board voted for it, they didn't take into consideration any growth. So don't blame me for the way your district ended up.

Mr. Miller said we are not blaming you but as commissioners it is our job to do it. You need to do the ethical thing. Mrs. Corkrum said they don't have to do it every four years. That is the most you can redistrict. You can't do it any sooner than every four years. You're misreading the RCW.

Mr. Miller said no I'm not. First of all there is an equal protection clause that requires all citizens be permitted to participate equally. Mrs. Corkrum said he voted for a resolution without any participation from the public. You already had your mind made up. Mr. Miller said no he didn't. Mrs. Corkrum said you voted for the resolution. Mr. Miller said that was because it's the right thing to do; it's ethical to do. Mrs. Corkrum said it needed to go to a public hearing for public input, and you didn't allow that.

Mr. Miller said he did ask for a public hearing the week before and was told no, you just need a motion to a resolution. On that Wednesday, April 8<sup>th</sup> or whenever, he did not get a second. So it is just the right thing to do. There should be nothing to be afraid of. It needs to be realigned and every person should have an opportunity to run in an equal amount of districts.

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Mr. Koch said he was against a public hearing also. Mr. Miller asked how come? Mr. Koch said just because of what's been going on and it is a decennial need.

Mr. Miller said it is way out, it should be aligned. Nothing's been going on other than somebody refusing to do the ethical thing of aligning the districts. Mrs. Corkrum said please don't question my ethics. I have no skeletons in my closet.

Mr. Miller asked, so there's no second on the public hearing? The Board continued with the remainder of the regular agenda items.

WSU/Franklin County Extension Office Search Committee

The WSU Extension Office Director was given approval to establish a search committee to find a replacement for a county agriculture agent and desires to have a commissioner participate on the committee. Mr. Miller was appointed.

Agenda Format

This topic was initiated by Mr. Chapman last Friday. He would like to have everyone that is meeting with the Board provide an agenda to the secretary by Thursday, for placement on the Commissioners agenda for publication on Friday. The agenda is provided for the Commissioners use, for them to know which meetings they are to attend and where. Mrs. Corkrum said it is also a notification to the media to know when the Board is meeting and whom with.

Mr. Koch said the department updates are just that. Probably the only exception is the resolution we approved in error last week. That was the first time in four years that he's aware of and we could go back many years before that. Mrs. Corkrum agreed. The only other time that we really get a resolution that comes in that may not be on the agenda is from Public Works, when they have road gravel contracts. Mr. Koch said he is having a hard time trying to stifle the other elected officials that say they want to come in and talk about their department. By the time Monday comes along, they may have others things they need to talk about. Then they can't because the subject wasn't listed.

Mrs. Corkrum said she told Mr. Chapman in her conversation before that for Juvenile Justice or Human Services, a lot of their resolutions are just mundane contracts from the state that they have to have both boards sign. These are usually presented on the

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consent agenda. But she thinks anything of interest from the Commissioners Office could be listed on the agenda. She doesn't think a lot of the other offices resolutions are newsworthy.

Mr. Verhulp joined the audience.

Mr. Koch said that they had asked a year ago to have department heads, if they had revenue requests, to send it to the Board a week ahead of time for their consideration. That way the Board didn't have to make last-minute decisions.

Mr. Koch asked Mr. Chapman if he saw a fracture in their agendas in the past, except for last week.

Mr. Chapman said he wouldn't say fracture. He's looking for more advance disclosure of what to expect. "Department updates" doesn't really say much. He understands what they are saying about not wanting to tie anybody's hands, if they didn't have it in to the secretary by Thursday, they wouldn't be able to talk about it. But he would appreciate as an improvement, just some kind of a first round of requests by Thursday and let people, if they know that early, to report it for the agenda posting. Then come Monday morning, if they have other things they want to add to it, he would say it wouldn't have to be a prohibition on them to discuss it.

Mr. Koch said in that respect you're putting more work on the secretary. Mr. Chapman conceded that was correct. He apologized. But it would make the agenda more lengthy and more detailed. He's seen more lengthy agendas. Mr. Koch said he wouldn't have a problem having the agenda more detailed or lengthy, but to do it on Thursday, and Friday and Monday morning, that's an additional workload.

Mrs. Corkrum said the rule of 24-hour notice to the media hampers us on some topics. Maybe we would have to wait until the following week before we made a decision on something they heard from an elected official that maybe was vital to get it done. She can't think of anything the other departments bring us, such as the Road Department, other than contracts that are pretty routine. The Planning Department is pretty well spelled out for public hearings on subdivisions and conditional use permits.

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Mr. Koch said they would work together and see what they can come up with. Hopefully you can see our side of it too, as far as we don't want to add another employee. It was unfortunate last week that that happened (approval of a resolution prior to holding a public hearing to consider redistricting).

Request to Place County Parcels on the Columbia River Web Site

Mr. Koch said Neil Aalland from WSAC sent the commissioners a letter through Department of Ecology (DOE). DOE is putting together information on main stream water resources as required by Columbia River legislation. They're asking to be able to put our TaxSifter link on their web site.

Mrs. Corkrum said she saw the email but didn't know if that was appropriate. Mr. Koch said they took the letter to Assessor Steve Marks and Mr. Marks does not have a problem with providing the link. Mrs. Corkrum said she would not have a problem if Mr. Marks approves. Mr. Koch said DOE needs a letter by May 1, 2008, with Franklin County's approval. Mr. Koch said it was public information on the web site already. This will just be one more link to the information.

Mr. Koch asked for a letter to be prepared for Wednesday's consent agenda.

Vouchers

**Motion** - Mrs. Corkrum: I move for approval of 2008 vouchers as listed in the amount of \$107,075.15: Law Library warrants 1069 through 1070 for \$557.55; Current Expense warrants 62890 through 62891 for \$3,659.24; Current Expense warrants 62892 through 62944 for \$14,373.59; Current Expense warrants 62945 through 63009 for \$53,083.92; Law Library warrants 1071 through 1072 for \$7,008.36; Current Expense warrants 63010 through 63021 for \$15,435.84; Landfill Closure Trust warrant 16 for \$2,066.47; Sheriff's Narcotic Trust warrants 254 through 255 for \$425.17; Boating Safety warrant 421 for \$33.49; Franklin County RV warrants 446 through 452 for \$7,625.36; Trial Court Improvement warrant 7 for \$8.82; Clerk LFO warrant 34 for \$156.00; and Crime Victims Witness warrant 396 for \$2,641.34; for a total of \$107,075.15. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 1)

**PROSECUTOR**

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Chief Civil Deputy Prosecutor Ryan Verhulp met with the Board.

Mr. Verhulp told the Board it will be easy enough for the Prosecutor's Office to provide a summary of agenda items they plan to talk about during their time with the Board each week. Then at the Board's discretion, they can decide whether or not to include them. Mrs. Corkrum said she was sure the other officials will do likewise.

Mr. Verhulp said he needed some brief guidance from the Board on a claim for damages. He requested up to ten minutes of executive session for potential litigation. **Executive Session** at 9:24 am expected to last 10 minutes based on RCW 42.30.110.1(i). Mr. Chapman left the room.

**Open Session** at 9:28 am.

Mr. Chapman joined the audience.

Mrs. Corkrum asked about the statute of limitations. Mr. Verhulp said that was a good point. This accident occurred in March 2007. We have three years and only one year has passed.

Mr. Verhulp left the meeting.

## **PUBLIC WORKS**

Assistant Public Works Director Guy Walters met with the Board.

### Vouchers

**Motion** - Mr. Miller: I move that we accept the vouchers here as listed: County Road Fund for \$136,006.47; Motor Vehicle and Public Works Equipment Fund for \$162,668.42; and Solid Waste Fund for \$836.86. Second by Mrs. Corkrum. 3:0 vote in favor. (Exhibit 2)

### Settlement Agreement for East Foster Wells Road Extension Phase II

Mr. Walters presented the Board with a copy of Public Works Director's recommendation, through DOT (Department of Transportation) right-of-way agent/specialist, to make an offer to purchase Irene Arnold's property needed for the extension of East Foster Wells Road. She doesn't really agree with the price they are offering but she is willing to take it just to get it done and over with.

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Mrs. Corkrum asked if we were paying \$20,000. Mr. Walters said yes, \$20,000 at \$600 an acre, which includes a \$13,000 administrative settlement. She thinks her acreage is worth more than that because whoever has been doing her comparison has been using property values up around Connell, which don't really fit along East Foster Wells.

The state has been doing all the negotiations. Mrs. Corkrum asked, is this our last piece of property we have to purchase? Mr. Walters said yes. This letter goes to Mrs. Arnold for final acceptance. It states she is entitled to \$750 to get one last appraisal.

**Motion** - Mrs. Corkrum: I move approval of CRP 500 - East Foster Wells Road Extension Phase II, Parcel Number 500-11 (Irene Arnold) in the amount \$20,000, that's appraisal value and administrative settlement. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 3)

Mr. Walters left the meeting.

**PLANNING AND BUILDING DEPARTMENT**

Final Approval for Subdivision SUB 2007-04, James O'Rourke

**Motion** – Mrs. Corkrum: I move we approve the final subdivision SUB 2007-04 for First Pacific Properties, for James O'Rourke, authorizing the Chairman to sign the final plat. Second by Mr. Miller. 3:0 vote in favor. This is Resolution 2008-170.

**COUNTY ADMINISTRATOR**

County Administrator Fred Bowen met with the Board.

Annex Basement Remodel

Mrs. Corkrum asked, did the architect talk about an entrance into the basement at the annex? Mr. Bowen said he had Facilities Director Chris Giles working on that. Our crew is going to do that work instead of hiring an architect. The basement will be remodeled. Mr. Giles obtained a permit from the City of Pasco. Mr. Bowen said we need to hire a structural engineer to do the design on the entrance, because we want to put a ramp that leads from the sidewalk down to the basement and maybe put some windows in to lighten it up. Mr. Koch asked how many windows does Mr. Bowen want in that area of town? Mr. Bowen said, maybe we don't. He thought it would be nice to have some light coming in.

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Mr. Bowen said he did talk to the architect and since we do have that second exit they do not need to have a second exterior door. Mr. Koch agreed, they will not get landlocked.

Mr. Koch asked what the plan was for storage of the records currently in the basement. Mr. Bowen asked Mr. Giles to go to the Port of Pasco to ask if they have another building we can rent.

Mrs. Corkrum wondered if what was stored downstairs was really all needed. Mr. Bowen said in the Commissioners space, we have records that need to be kept. He knows Planning has records they need to keep. Rather than going to Bekins, we're looking at the Port to see if they have something that we can use for storage.

Ms. Rumsey joined the meeting.

Rattlesnake Mountain Resolution

Mr. Bowen told the Board that City Manager Gary Crutchfield sent an email to him asking that the commissioners support a resolution that would cease the action at Rattlesnake Mountain by DOE taking our repeaters off the hill. Even though the commissioners sent a letter to DOE, he felt it would be more formal if the Board did it by resolution.

**Motion** – Mr. Miller: I move that we send this resolution in the matter of public access to Rattlesnake Mountain. Second by Mrs. Corkrum. 3:0 vote in favor. This is Resolution 2008-171.

Franklin County Jail Minimum Security, Work Release & Office Addition

Mr. Bowen presented CKJT's project analysis for the Franklin County jail, minimum security, Work Release and office addition for the Board's review. CKJT provided a budget using the \$4,000,000 figure as the county requested. Mr. Bowen also asked CKJT to provide a budget for all the items the county needed. This estimate totaled \$5,955,951. This is not a 20-year fix. Who knows how long this would last? Mr. Bowen is projecting 10 years. He knows if they move 60 prisoners out of the jail, it would take 60 more prisoners to get us back where we are today. The consultants hired last year said we needed 225 beds to take us to 20 years. We're not getting half of that.

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Maybe we'll only get eight years out of it but the problem we have is that we have a jail that is overcrowded. If we take 60 prisoners over to Benton County, you're going to spend \$1.3 million a year just to keep them over there and you're still not fixing your problem.

Mr. Bowen said the \$2,880,000 would build a 60 inmate, 14,400 square foot, two-story, minimum security dorm, similar to Lewis County. The Board continued to review the cost analysis provided.

Mrs. Corkrum asked about a Public Works loan with low interest. Mr. Bowen said he looked into that at one time and doesn't think they can do Public Works loans for jails. He'll look into that again.

Mr. Bowen said \$6 million would build a 27,000 square foot building. Mrs. Corkrum asked if that property would handle this expansion. Mr. Bowen said it would. The jail was always meant to be added onto the way it was built. The biggest trick is to build it so it will fit another expansion the next time we grow.

Mr. Bowen said he was talking to the owners of Atomic Foods. They said they agreed to sell to us with the amount we offered, but since that time he sent a withdrawal letter because they wanted too much money. Architect Brian Johnson with CKJT and Mr. Bowen walked through the building last week to do a preliminary review. Mr. Johnson said the wood ceiling would be a problem with incarceration, holding people at a 24-hour lockdown setting. Mr. Johnson talked to Code Enforcement with the City of Pasco and they automatically required that we have a structural analysis done. Mr. Johnson will get a price on having a company out of Seattle come down and do a structural analysis, but it doesn't look good. Atomic Foods is 15,000 feet but what we need is about 30,000 feet and the \$6 million dollars would give us the space we need.

Mr. Bowen said it's a million dollars for Work Release. If we were to buy Atomic Foods we wouldn't have to put Work Release in, but it doesn't look good. He thinks the county really needs that property but it is too much money for us to make it into a parking lot, unless we were going to buy it and put offices in. But it won't work for anything to do with incarceration.

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Mr. Bowen said the bottom line to the whole scenario, it's \$6 million dollars for this and who knows what it is going to cost to fix the existing jail. We've looked into purchasing Atomic Foods but that's not going to work. The Board still has to consider implementing the additional sales tax. He doesn't know how the county could afford to build a \$6 million dollar jail at this time without the tax. The county could probably handle a \$3 million or \$4 million bond, with the REET money (Real Estate Excise Tax) that Public Works won't need after three years. Mr. Bowen asked for Board direction.

Mrs. Corkrum said we have money set aside. What would our payments be with what we have available with the REET money? Could we take from that fund and make up the difference? Mr. Bowen said he would run those numbers and bring it back to the Board Wednesday.

The only concern Mrs. Corkrum has with this scenario, going ahead with the construction, what do we do with the Work Release people during construction? We need to have a plan. Mr. Bowen said he has a plan: using the old Health Department building. That's why we haven't gone ahead with demolition. He really wants to have a parking lot because he thinks that is what the county is going to need the most. Jail Captain Rick Long looked at the building and said it would work just fine for Work Release.

Mr. Miller asked what the cost would be to use the old Health Department building for Work Release. Mr. Bowen said minimal. We would need to go to the City of Pasco and ask if we could do it temporarily. The building is fairly cleaned up. We'd have to patch all the holes we knocked in the walls trying to figure out how to remodel it, but our crews can do that. Then we could put an expanded metal over the glass so people aren't climbing in and out and put buzzers on the doors. It makes sense to move them over there. We need to figure out what we're doing with Information Services and the coroner because we plan to take that trailer out while they do the expansion.

Dispatch

Mr. Bowen said that when the salary matrix was done originally, the Sheriff's Department had a different percentage because of the type of work they do, Corrections

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had a different percentage due to their environment, and Dispatch was also raised ten percent higher. When they adjusted Dispatch they didn't move Communications Director Ed Bush up at the same time. He asked for approval of a resolution would place Mr. Bush a at Grade D Step 19 instead of just a regular 19 on the salary matrix. The difference would be \$5,600 a year.

Mrs. Corkrum asked if that was retroactive. Ms. Rumsey said the resolution was written retroactive to January 1, 2008.

**Motion** - Mr. Miller: I move approval of the grade placement for the Communications Director retroactive back to January 1, 2008 into the matrix as D19. Second by Mrs. Corkrum. 3:0 vote in favor. This is Resolution 2008-172.

Ms. Rumsey said because they put the Dispatchers into a different salary matrix, one of the things that happened is that the dispatchers, the way they were graded, if a person that was in there one year, two years and three years and then a brand new person is hired, the others make less than the new entry level person. We have people that have been there for three years training people that just got hired. When we implemented this new matrix, they're all going to be making exactly the same. So there are two scenarios that the dispatchers came to us with. The first scenario, they have two people that have been there three years and have been doing all the training. Rather than them getting a step increase on their anniversary date, which varies, scenario number one would be that their anniversary date would change to January 1 so instead of waiting, they would move directly to a Step 2 effective January 1. The reasoning for that is that we have some people that will be in a Step 1 that have been there one or two years and their anniversary date is in March. So they're moving to Step 2 before the people that have been there three years, because one is not until July and another one is not until October. So the people that have been there less will be making more. It only affects two people. The cost for that scenario would be about \$2,100 a year for those two people.

The other scenario they gave us is they would keep their same anniversary date but the people that were hired in 2007 would not get an increase until 2009. So they would stay at Step 1. The cost for this scenario would be about \$2,200.

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Mr. Bowen said he thought the second option is not fair. The first option to give them a new anniversary date is the fairest thing to do. That would be his recommendation.

Ms. Rumsey asked if this was something we needed to do in a letter to the union, because they already voted to approve the new salary matrix. They already did a Memorandum of Understanding (MOU), but in that MOU and resolution it doesn't state any of this. Mr. Bowen said that was not foreseen. Ms. Rumsey asked if that is something that needs to come from the union or from us. Mr. Bowen said they sent us a letter stating they had this problem. Now if the Board chooses to correct it, they will correct it. It will have to be done by resolution. He asked if Ms. Rumsey had a resolution. She said no, but she would write one for Wednesday's consent agenda.

Memorandum of Agreement for Appraisers

Ms. Rumsey provided the Board with a Memorandum of Agreement (MOA) for the appraisers for 2006-2008 contract addendum, implementing the new salary matrix effective 2008. Mrs. Corkrum asked how many employees does this involve? Mr. Rumsey said four.

**Motion** – Mrs. Corkrum: I move for approval of Resolution 2008-173, Memorandum of Agreement, Addendum to Resolution 2006-133, Collective Bargaining Agreement between Franklin County and Local 2658-F (Appraisers), of the American Federation of State, County & Municipal Employees, and the Washington State Council of County and City Employees. Second by Mr. Miller. 3:0 vote in favor.

**Motion** – Mr. Miller: I move that we accept the resolution for 2009-2011 Collective Bargaining Agreement between Franklin County and Local 2658-F (Appraisers) of American Federation of State, County and Municipal Employees. This is Resolution 2008-174. Second by Mrs. Corkrum. 3:0 vote in favor.

Courthouse Clerical Agreement Addendum

**Motion** – Mrs. Corkrum: I move for approval of Resolution 2008-175, Memorandum of Agreement, Addendum to Resolution 2006-131, Collective Bargaining Agreement between Franklin County and Local 874CH (Courthouse), of the American Federation of

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State, County and Municipal Employees, and the Washington State Council of County and City Employees. Second by Mr. Miller. 3:0 vote in favor.

**Motion** - Mr. Miller: I move that we accept the Resolution for the 2009-2011 Collective Bargaining Agreement between Franklin County and Local 874-CH (Courthouse) of American Federation of State, County and Municipal Employees, AFLCIO and the Washington State Council of County and City Employees. Second by Mrs. Corkrum. 3:0 vote in favor. This is Resolution 2008-176.

**Performance Review**

Mrs. Corkrum requested an executive session to discuss a performance review of County Administrator Fred Bowen.

Mr. Bowen and Mr. Chapman left the meeting.

**Executive Session** 10:31 am regarding RCW 42.30.110(1)(g) expected to last ten minutes.

**Open Session** at 10:39 am.

**Motion** – Mrs. Corkrum: I move we approve the Change of Status for Fred Bowen at his anniversary date and authorize the Chairman to write a letter of satisfactory performance for his file. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 4)

**Greater Columbia Behavioral Health**

Mrs. Corkrum asked how Greater Columbia Behavioral Health was doing. Mr. Koch said better. Mrs. Corkrum asked, are we getting participation from other county commissioners from other counties? Mr. Koch indicated less than 50%. Benton County Commissioner Benitz was appointed to the Finance Committee, as there hasn't been a commissioner on the committee before.

**Benton Franklin Health Department**

Mr. Bowen asked how much involvement is expected by the Board from him regarding the Benton-Franklin Health Department. Mr. Koch thought his involvement on the Finance Committee would be beneficial. He foresees him coming to a couple of Board meetings just to see the makeup of it. It will depend upon his availability.

**Adjourned** at 10:55 a.m.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until April 23, 2008.

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

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Chairman

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Chairman Pro Tem

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Member

Attest:

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Clerk to the Board

Approved and signed May 12, 2008.