

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

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

WASHINGTON COUNTIES RISK POOL (WCRP)

WCRP Executive Director Vyrle Hill and Member Services Manager David Goldsmith met with the Board. Present in audience: Tri-City Herald Reporter Joe Chapman.

Annual Report

Mr. Goldsmith gave a summary of the 2007-08 liability insurance program.

Washington State Liability Law

Mr. Koch asked for an explanation about the State of Washington and having no limits of liability. Mr. Goldsmith said the state chose to create virtually no immunities for public entities. Since then some very limited partial judicial immunity has been put in place. The term "joint and several liability" says regardless of the portion of your responsibility in some kind of liability situation that the plaintiff or injured party needs to be made whole. Mr. Goldsmith gave an example. Most states have proportional liability and a cap on non-economic damages such as pain and suffering. Washington does not have punitive damages but has non-economic damages (pain and suffering) with no caps.

Mr. Koch said what's spurring the question is that the National Association of Counties (NACo) has had a drug card/pharmacy program. The Franklin County Prosecutor is against having the county implement the program.

Mr. Hill said the Franklin County Prosecutor sent it to us for review. If you read the agreement, it is very specific that you as a sponsoring institute accept all liability associated with that program. You're accepting their liability under this program. The Risk Pool jointly with the other member counties agreed to insure the actions of the county but CareMark isn't an agent of the county. It's different than the county having a need for services that it retains and enters into a contract to retain. The opinion of the Risk Pool Coverage Council is that it would be a violation of state law of the pooling

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

provisions for the Risk Pool to extend the coverage via the terms of that contract. If NACo could convince CareMark to accept their liability, then you wouldn't have the objection that is outstanding at this time.

Chief Civil Attorney/Risk Manager Ryan Verhulp joined the meeting.

Mr. Hill said the State of Washington has a pharmaceutical program that will every bit match the CareMark program. It takes away a revenue-generating source for NACo. It is available for any resident alien or citizen. It is administered under the State Health Care Authority. Other pharmacies also have programs.

Risk Pool Insurance Program

Mr. Hill reviewed the counties that are in the Risk Pool. Franklin County has been a member since the beginning, which was 20 years ago.

Results of recent Membership Compact Audit and associated findings

We received a letter of congratulations with no audit findings. Mr. Hill noted that the Risk Pool was informed that it was one of 33 similar letters that have been sent out during Brian Sonntag's entire tenure as state auditor. It was a remarkable feat that we're very proud of.

He gave the county the official copy of the audit for keeping with the county's audit information (Exhibit 1). It is a subset of the county's audit. The reports are also available on the Risk Pool's web page for the past 12 years.

Mr. Hill reviewed pages from the Annual Report (Exhibit 2). Page 17 of the Annual Report includes a copy of the examination report and summary from the State Risk Manager's Office. Mr. Hill said even though they are supposed to annually audit the operational effects of the pool, they were a bit derelict in their duty in the past, but they have new staff and Shannon Stuber is now their program administrator. Earlier this year, Ms. Stuber did a four-year audit to help catch up and she found no findings. She was very, very complimentary of the actions and functions of the Risk Pool.

Mr. Hill reviewed the financial status of the Risk Pool, referring to pages from the Annual Report. He reviewed the financial status pages of the Annual Report, noting the report covers to the end of the fiscal year in September 2007. He explained about the

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

stop loss program. He reviewed Current Liabilities information. He said the total net assets is more regularly referred to as members' equity. This is money that is residual above and beyond what the actuary expects is going to be needed. He said a confidence factor or probability factor is used. There is about a 90% confidence factor between what is in reserve and \$5.3 million residual, at least a 90% probability that the Pool will have enough to pay any and all claims it would ever be responsible for in the future.

The Board of Directors changed the confidence factor to a 98% goal a few years ago. It translates into a dollar net factor for each dollar in reserve. It will take awhile to reach that goal. Once that goal is reached, the remainder can be used for dividends, insurance expansion, premium reductions, or whatever the Board of Directors decides.

Mr. Hill said the Risk Pool is in good shape at this time. It matches any of the pools in the state and is better than most insurance companies.

Prosecutor Steve Lowe joined the audience.

Review of Claims Data

Mr. Goldsmith and Mr. Hill reviewed the claims data. The primary exposure is worker hours. Another portion of exposure is from auto liability.

Training Program

Mr. Hill said the Training Program flyer is being updated. The Risk Pool has an active training program. The flyer includes information about types of training programs that the Risk Pool has put on, is putting on, or will put on. The Pool tries to assist member counties by providing training. There is also a scholarship program to send people to special training that the Risk Pool wouldn't ordinarily put on.

Franklin County Risk Management Audit

Mr. Goldsmith referred to a memo dated March 16, 2007, titled "Franklin County Risk Management Audit." He said we'll be following up with staff regarding the memo. Most of the issues involved policy, not practice. The policies are good but some are not reduced into written form. The problem with that is that as people change, if it's written down at least there will be consistency in terms of its application over time. He knows

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

the county is working on the Personnel Policy. We'll do a follow-up. This work is done in a three-year cycle.

Mr. Goldsmith said you can be pretty proud of your program. You've got excellent staff working on the program. You've been a valued member county for the last 20 years and we think that the partnership between the two of us goes pretty well.

Last year we were successful in getting some kind of tort reform through the legislature. The Department of Licensing saw that Risk Pools or self-insurance entities were not considered an insurance entity in the state of Washington. Because of that, we can't get access to driver's records of those people driving our cars. The legislature has now authorized access when someone is first hired. We can ask for access after they are employed but the employee does not have to give it. Some safety programs have discussion about frequent accidents. People may need some remedial training. Some information will be sent out to risk managers so they are fully aware of that training.

Elected Officials Performance Bonds

Mr. Lowe said elected officials performance bonds have been an issue over the last couple of years just on a cost issue. It used to cost about \$150 for a four-year term. Last year the company started charging each year of the four years so in effect the price of the bond has quadrupled. It's a performance bond for a very small amount that was statutory in the 1800s. He explained the idea behind the bonds. He said the insurance company is making way too much money because the risk involved is so minimal. Mr. Lowe thinks in over 120 years in Franklin County, there may have been three elected officials that ever couldn't finish their term for either criminal behavior or whatever other reason.

Mr. Lowe is asking the Risk Pool to help out to package the bonds up in any manner. They have to be individual bonds.

Mr. Hill said the Underwriting Committee has it on the agenda to again address public officials' bonds next year and whether that is an insurance package that the Risk Pool wants to self-fund.

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

Mr. Lowe said the big issue is, if you want to do all-employee, it is expensive. Mr. Hill said the crime of securities is a different set of circumstances. Mr. Lowe said that is a whole different market.

Mr. Hill said several counties have gone to blanket bonds for elected officials. He gave an example. He said bond is different than insurance. The bonding company has an obligation to step in and do, regardless of cost, what is needed. It is a requirement for elected officials and some appointed officials to provide a bond. The problem with a blanket bond is that the county gives up the ability for each official to be bondable and carry a bond.

Personnel Policy

Mr. Lowe said a second issue is the county's personnel policy. It came up in the audit. He plans to put a request in his budget during the next budget cycle to have the Personnel Policy rewritten and suggest that the county contract with a personnel agency to help with the work. There are companies that do that. Mr. Lowe said, frankly, none of us have time to rewrite the policies now.

Mr. Hill said the average personnel claim two years ago was under \$100,000. Now it's over \$200,000. Five years ago it was under \$35,000. Most of it is the cost of the legal fees as opposed to judgment.

Appreciation

Mr. Lowe expressed appreciation for the work done by the Mr. Hill and Mr. Goldsmith and by the Risk Pool and thanked them for coming to our courthouse. You're doing a great job and the numbers show it. He thanked the Risk Pool for the good job they've done for the counties. Mrs. Corkrum said she can't praise the staff enough.

Recessed at 9:59 am.

Reconvened at 10:13 am.

PROSECUTOR

Chief Civil Deputy Prosecutor Ryan Verhulp met with the Board.

Water Rights near TRAC

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

Mr. Verhulp has reviewed the application by the City of Pasco to divide water rights. He has worked with Doyle Heath, City of Pasco's engineer. He used the white board to demonstrate where the water rights are located and to show some figures. Initially there were two farm circles that had one water right granted for 260 acres which was in the name of Burlington Northern, the previous owner, and is still in that name. In the process of having this land developed as subdivisions (indicated), Pasco noticed the water right was still in the name of the previous owner. The Department of Ecology (DOE) allows for a process to divide the water right where new owners have taken over the land. The county, Pasco and Aho would each get their own certificate after following the process. Each party is responsible to calculate what percentage of the right is entitled to them.

Pasco and Aho have submitted an application, signed it, and done the calculation in terms of how they think the water right should be divided. They say it should be divided based on irrigated acreage and the historical use of irrigation on the property over the last five years. That's one way you can calculate division of water rights through DOE. They have gone through a correct process. But by doing it on irrigated acreage, what it amounts to is we're losing 30 acres of water right or a 51% decrease if we agree to their calculation of how this water right should be divided.

Mr. Verhulp has looked into this and discussed it with Prosecutor Steve Lowe. He said our overall conclusion is we would recommend you as a Board or Mr. Bowen should advise Pasco that we feel the water right should be calculated on raw acreage as opposed to irrigated acreage. Part of the rationale is when the water right was originally granted for the 260 acres, it was granted on the basis of raw acreage. That raw acreage is still there. That would be a reason why not to calculate it not on irrigated acreage. Ultimately that position may fail in the end. Mr. Verhulp has talked to DOE officials who told him eventually an application gets submitted to DOE and they said we will accept your proposed calculations as to how the water rights should be divided but ultimately we will change it if we don't think it's right.

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

He thinks Pasco's engineer has done a fine job in calculating it and irrigated acreage is a basis to divide a water right. He just doesn't know that we would recommend that we just automatically give up a large portion of the right we have now unless DOE tells us otherwise.

Troy Woody joined the audience.

Mr. Verhulp gave a summary of the water rights information he has reviewed.

Mrs. Corkrum asked have they taken into consideration a large portion of the softball area that is being leased by the city? Technically that's our acreage. The water rights to that land still belong to us even though it is a city facility and they built it.

Mr. Bowen asked if it is a 20-acre field. Mrs. Corkrum said she thinks so.

Mr. Chapman joined the audience.

At Mr. Bowen's request, Mr. Verhulp will draft a letter to the City of Pasco.

Mr. Verhulp said obviously Pasco has done a calculation themselves. It may be in our best interests to have someone in the county do a calculation as to what we think it should be. He has talked in general to staff in the Planning and Public Works Department but they have not done anything like that before. He described what the city engineer did using a computer program. He thinks someone in the county could also use a computer program to make some calculations.

Mr. Verhulp answered Mrs. Corkrum's question about Aho. He doesn't know how the City of Pasco determined water rights for each home in Aho's subdivisions. The two circles were 260 acres but additional land was in the boundaries. Mr. Koch thinks the water rights would have been full corners and all. Mr. Verhulp said that could be.

Mrs. Corkrum asked if there would be appropriate compensation for giving up a water right. In response, Mr. Bowen said he wouldn't recommend the county relinquish any water rights. Mrs. Corkrum said that has been her position all along.

TRAC

TRAC Manager Troy Woody met with the Board. Present in audience: Joe Chapman.

Car Show Update

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

Mr. Woody showed the Board the Car Show Event Settlement Sheet. The event made about \$1600, not for TRAC alone but for the city and county. A few changes will be made for next year's event including adding a demolition derby. The event has seen good growth.

Guest complaint letter

Mr. Woody gave the Board a copy of a letter from a guest who was dissatisfied with a number of things. He asked the Board to review it and let him know if they want to change direction.

Lighting Project

The PUD will give rebates of up to 50% for a lighting project at TRAC. We will change out every light and ballast in the dressing rooms, under the bleachers in the arena, and in Meeting Rooms 2 and 4. It will involve about \$3000 worth of materials. We'll pay \$215 for it. We will absorb the cost of the labor.

Sales Meeting

Mr. Woody showed the Board a summary of a sales meeting staff report that is done formally at least twice a year. He said TRAC plans to put a menu price increase on catering menus.

Wine label sample

We've applied for an addition to our liquor license that allows us to sell wine that has the TRAC name on the label. He showed the Board an example of a first draft of a label. It can be sold as TRAC's private label. That is not the primary purpose. He gave an example of another purpose: He can sell this label to a bride and have this wedding wine served at TRAC. She can have this label custom made how she wants it at her expense by this winery. It will cost basically the same as she pays for a bottle of wine now that it is custom and then she can take the unused bottles home. That's important to us because I'm not going to buy her three cases of wine and be stuck with two cases of the Smith wedding wine that I can't sell to anybody else.

The winery that actually does these labels got the legislation through a number of years ago so that for about \$50 a year I'd buy an extra stamp. It will not cost us any more.

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

All the costs go to the customer. It gives us really just another selling advantage. There is a two-case minimum. The customer can take home what they do not open. Currently our license does not allow that. Legally it has to be custom to TRAC which it will have "TRAC" on the front label at all times.

Holiday Inn Express issues

Mr. Woody told the Board about some ongoing challenges in working with Holiday Inn Express. During a wedding party on Saturday night, a restroom partition was broken down. Holiday Inn Express asked TRAC how do you want to pay for this? No pictures were taken. Mr. Woody said TRAC would have billed the client. Mr. Woody views that damage as a cost of doing business. It's one of a number of things that have come up.

Another issue concerns parking lot fixtures. Part of the agreement before Mr. Woody started at TRAC was that TRAC maintain Holiday Inn Express' parking lot fixtures. So we change light bulbs. One of the fixtures needs to be replaced and it will cost \$1000. To his view, TRAC would not replace that. He can't find it in the agreement anywhere that TRAC would replace it. It's on their lot. He feels "maintenance" and "replacement" are different from each other.

Mr. Koch asked is there anything that says you need to replace their lights? Mr. Woody said no, I can't find it. I was told that was the agreement, that we would keep those maintained. Replacing it is different.

He gave an example: TRAC hosts groups to solicit them to get people in but cannot gift. The hotel comped rooms. We comped rooms for them to have a meeting. The Holiday Inn Express Manager Vijay Patel had an issue why we would comp the meeting room. It's a board room that's empty anyway. We need to determine whether the general manager or Mr. Patel is questioning.

Mr. Woody will be meeting with Holiday Inn Express personnel soon.

RFP Process for Naming Rights

Mr. Woody said a draft document is being prepared to solicit naming rights for the arena and/or the entire TRAC building. His recommendation to the Board is to put it out

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

as a public request for proposals in the newspapers and through press releases. We don't have to accept any offers if we don't like what we get.

Recent events

Attendance was 3200 at the Hispanic Dance last week. The Barrel Race went really well. It was the second largest barrel race in the year. There were 320 horses in stalls. There were no conflicts between the two groups.

TRAC Sales Packets

Mr. Woody gave the Board the newest version of the TRAC sales packets which contains general information about TRAC.

Update

Mr. Woody answered Mrs. Corkrum's questions about progress of upgrades such as new paint at TRAC, particularly in the meeting rooms.

Mr. Woody said he would recommend dry walling the ends instead of using drape over the long run. Then the wall could be used as a screen.

The draft of the second TV commercial has been prepared. It is geared to the catering end of things. One more ad will be prepared, geared to holiday parties. The three ads will rotate for awhile. They mesh nicely with the TRAC web site.

Recessed at 10:52 am.

Reconvened at 10:57 am.

PUBLIC WORKS

Engineer Tim Fife met with the Board. Present in audience: Joe Chapman.

Invitation to Bid: CRP 591 / Countywide Safety Improvement Flashing Lights

We have federal approval to go to bid for flashing lights at a number of intersections. We're also doing an alternate bid to add illumination. It's the federal contract plus an alternate contract that we would use our county funds to pay for illumination if we so choose.

Motion – Mrs. Corkrum: I move that we approve the invitation to bid until 11:00 am, Wednesday, August 6, and then be opened for construction of public improvements. This is for CRP 591/Countywide Safety Improvements – Flashing lights. The bids will be

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

opened in the Franklin County Commissioners Office Meeting Room. Second by Mr. Koch. 2:0 vote in favor. (Exhibit 3)

Franklin County Request for Reimbursement of Work: City of Connell

Mr. Fife asked for approval of a request for reimbursement of work for chip sealing with the City of Connell. We already have an interlocal agreement with Connell. This paperwork just formalizes the request.

In response to Mr. Koch's question, Mr. Fife said the City of Connell has taken over the last quarter mile of Clark Street.

Motion – Mrs. Corkrum: I move we approve an agreement for reimbursement of work between the City of Connell and Franklin County to do some chip sealing in the amount of \$38,832.03. Second by Mr. Koch. 2:0 vote in favor. (Exhibit 4)

Amendment #1 to Agreement for Operation of Water Follies Event 2007-2009

The Water Follies would like to do an amendment to the agreement. When originally drafted and approved three years ago, the agreement required \$5 million insurance for boat races and Margaritaville Place or an area to serve hard liquor. Margaritaville Place said that would be an excessive cost and would probably shut the place down. They currently operate under their own license for the place they have with \$2 million insurance coverage. Stan Strebel from the City of Pasco negotiated with Margaritaville. SeaFair only requires this. Mr. Fife said the contract is being amended to show a \$2 million insurance requirement for Margaritaville or for spirit liquor services. Since Franklin County is a party to the agreement, they have asked that we sign it. It has been sent to Chief Civil Deputy Prosecutor Ryan Verhulp for review. The City of Pasco plans to sign it on Monday. Mr. Fife said it's up to the Board to decide whether to sign it. As long as it is done before the Water Follies, there will be no issue. The Water Follies is a week away. Mr. Fife does not see any problems with it. The City of Pasco is recommending signing.

The Board wants to wait until review by the Prosecutor's Office is complete. Mr. Fife will check with Mr. Verhulp.

Columbia River Crossing Study

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

Mr. Fife will be attending a meeting on Monday regarding the scope of a proposed Columbia River Crossing study. He feels the county should not participate unless the whole area is included in the study. He expects Benton County, Richland, and other areas will participate if it is the whole area. Mr. Fife thinks that's the best solution that would include the area of a previously proposed North Franklin toll bridge.

Mrs. Corkrum said when the controversy came up with some of the residents from the City of Pasco, she called Mr. Fife, because she thought we were all under the impression it was going to be studying the whole river corridor, not just Road 68. Mrs. Corkrum said her view personally is she is uncomfortable in not doing the full scope. Mr. Fife said from his perspective and from having done some new routes like East Foster Wells and Road 170, it wouldn't have a lot of value unless you did the whole thing, including the Finley area of Benton County. The City of Pasco wants to limit the scope to Road 68 and the Blue Bridge areas.

Mrs. Corkrum said the North Franklin toll bridge was already approved in the RCW.

Mrs. Corkrum asked about waiting to decide until Mr. Miller is present but the meeting is on Monday before another Board meeting is scheduled. Currently the county has committed \$10,000.

Tiffany Coffland and Gene Batey joined the audience.

Ione Road

Mrs. Corkrum has received a request from Dave MacHugh to pave Ione Road. Mr. Fife said the priority array for paving gravel roads can be re-evaluated after the initial paving of roads is completed. Mrs. Corkrum said she told Mr. MacHugh that it's going to be hard to finish the first 30 miles that were intended to be paved because of costs. Mr. MacHugh told her he appreciated a fast response to get Ione Road bladed and sprayed with water.

Cattle guards

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

In response to Mr. Koch's question about maintenance of a cattle guard on Blackman Ridge Road, Mr. Fife said it will get done. We need to take care of water coming off a field so the cattle guard area doesn't get filled up.

Mr. Fife has done some research regarding what other counties do regarding cattle guards. He will bring the information to the Board at a future meeting.

TREASURER

Treasurer Tiffany Coffland met with the Board. Present in audience: Joe Chapman and Gene Batey.

Interest in purchasing county-owned property

Parcel #109-851-109 is currently being used at the Connell Community Center parking lot. Two people have expressed interest in buying the property. One person filled out an application for resale of tax title property. The Board told Ms. Coffland it is not tax title property. It was received through the State of Washington. Ms. Coffland gave the Board all the information she had regarding the parcel.

Mr. Bowen showed Ms. Coffland on the map where the boundaries of the county property actually are and explained some history of the property boundaries. Mr. Koch and Mr. Bowen said the parcel number was initially used for a larger piece of land that has since been divided. It is unclear which portion the people are interested in buying.

Terra Scan Computer System

Ms. Coffland said we're the first county to use Terra Scan's new software so some parts of it are in development stages. We're working in two systems to make sure we get the results we need. We're using the old system to back it up.

Foreclosure Sale

The foreclosure sale is tentatively scheduled for November 21 at 10:00 am. We started with 32 parcels on the Certificate of Delinquency filed June 5, 2008. After the certificate is filed, owners have to pay all three years back taxes. We try to change the dates each year as suggested by the state. We currently have 24 parcels left. Normally we have five to seven parcels that we sell. One parcel may not be sold because of unusual circumstances.

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

We initiated a \$100 fee in May. They can pay just the last year. Starting in June after the certificate is filed, another \$100 fee is added, plus the title search fee that we incur. We are trying to collect some of the costs back.

Distrain Sale (Mobile Homes)

The first Distrain Sale we ever have had in our county is also scheduled for November 21. Ms. Coffland told the Board about the number of parcels. Owners have paid for 148 parcels. There were 19 very delinquent mobile homes going back to 1999. Of those, 129 were only delinquent for 2008. We also added a \$20 fee that we've been collecting on every parcel. So far 7 parcels have been put on a payment plan for payment by November 1.

We can recoup our costs of destroying and foreclosure. Then we can use those funds next year in our distrain and foreclosure budget. We can't do anything above costs.

Ms. Coffland said it is possible that 127 outstanding mobile homes may go to sale. We started with 457 possible.

An amended certificate of delinquency will be filed. Then a judgment will be filed which will have all the lien holders on it.

Financial Software for the County

We've started the process of speaking to the consultant through interviews about what the needs of our office are and the needs of the county. The Board previously agreed to use the consultant. The first meeting was held yesterday.

OFFICE BUSINESS

Secretary Patricia Shults met with the Board. Present in audience: Joe Chapman and Gene Batey.

Consent Agenda

Motion - Mrs. Corkrum: I move for approval of the consent agenda for July 17, 2008, for the ten items as listed:

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

1. Approval of **Resolution 2008-285** closing account number *****6594 and opening a new account, number *****6872, with US Bank for the Franklin County Prisoner Fund.
2. Approval of **joint Resolution 2008-286** in the matter of authorizing the Chairman of the Board to sign the Essential Learning Membership Agreement for Benton Franklin Human Services to receive customized staff training beginning August 1, 2008.
3. Approval of **joint Resolution 2008-287** in the matter of authorizing the Chairman of the Board to sign the 2007 Shelter Plus Care Renewal Agreement between Benton and Franklin Counties Human Services and the United States Department of Housing and Urban Development, Grant No. WA01C701033, effective November 1, 2008 through October 31, 2009. (Exhibit 5: Information sheet.)
4. Approval of ***Out-Of-State Travel Request*** for Steve Lowe to attend the NDAA (National District Attorneys Association) summer conference in Tucson, Arizona, July 10-14, 2008, for an estimated cost of \$245 for meals. (Exhibit 6)
5. Approval of **Resolution 2008-288** authorizing Information Services to purchase a Dell computer for TRAC as identified on the attached quote, number 438240718, in the amount of \$628.79.
6. Approval of **Resolution 2008-289** to purchase TRAC electronic freeway sign from Franklin PUD and authorizing the Chairman to sign the letter accepting the terms of the purchase on behalf of the Board.
7. Approval of **Resolution 2008-290** for the Personal Services Contract to provide Spanish interpreting services for Franklin County District Court between Franklin County and Altagracia L. Mendoza, effective July 1, 2008 through December 31, 2008.
8. Approval of **joint Resolution 2008-291** in the matter of the request for signature from the Boards of Benton and Franklin County Commissioners on the contract between the Juvenile Justice Center and the Pasco School District to provide a probation counselor in Pasco High School, effective July 1, 2008 through June 30, 2009.
9. Approval of **Resolution 2008-292** for the Public Works Contract with Hayles and Howe, Inc., to repair the scagliola niche in the rotunda in an amount not to exceed \$8,961.82, including travel costs and sales tax, to be paid from the Courthouse Renovation Fund, Number 310-000-001. (Exhibit 7: Information sheet.)

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

10. Approval of County Road Fund payroll in the amount of \$77,933.27 and Motor Vehicle Fund payroll in the amount of \$11,428.62 for pay period ending July 10, 2008.

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

Vouchers/Warrants

Motion – Mrs. Corkrum: I move for approval of the payroll as follows: Salary Clearing payroll warrants 46127 through 46238 for \$189,227.65; warrants 46239 through 46245 for \$82,304.87; and Direct Deposit for \$297,086.26; for a total amount of \$568,618.78.

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

The cover sheet also includes the following:

Emergency Management payroll warrants 983 through 989 for \$3,448.66; warrants 990 through 993 for \$1,808.52; and Direct Deposit for \$7,752.34; for a total amount of \$13,009.52; and

Irrigation payroll warrants 994 through 1010 for \$9,008.61; and warrants 1011 through 1014 for \$1,674.65; for a total amount of \$10,683.26. (Exhibit 8)

Motion – Mrs. Corkrum: I move for approval of Current Expense claims as listed in the amount of \$416,634.97: Current Expense warrants 1015 through 1048 for \$42,009.34; Auditor O&M warrant 1049 for \$21,165.15; Clerk LFO Collection Fund warrants 1050 and 1051 for \$1667.34; Crime Victims/Witness warrants 1052 through 1054 for \$2683.92; Treasurer O&M warrant 1055 for \$445.90; FC Public Facilities Construction Fund warrants 1056 through 1062 for \$5954.83; TRAC Operations Fund warrants 1063 through 1130 for \$54,156.91; Courthouse Renovation Fund warrant 1167 for \$85.00; Treasurer O&M warrant 1168 for \$122.50; Grand Old 4th warrants 1169 and 1170 for \$1698.18; Ending Homelessness Fund warrant 1171 for \$28,437.86; FC Capital Projects Fund warrant 1172 for \$4032.51; FC Capital Projects Fund warrants 1173 through 1180 for \$9669.88; Current Expense warrants 1181 through 1385 for \$200,215.31; Current Expense warrant 1386 for \$570.00; Election Equipment Revolving warrants 1387 through 1390 for \$2057.87; DOC Building Inspection warrants 1391 and 1392 for

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

\$45.23; Jail Commissary warrants 1393 through 1400 for \$14,006.11; Enhanced 911 warrants 1401 through 1403 for \$24,190.69; and Law Library warrants 1404 through 1406 for \$3420.44. Second by Mr. Koch. 2:0 vote in favor. (Exhibit 9)

AUDITOR

Auditor Zona Lenhart met with the Board. Present in audience: Joe Chapman and Gene Batey.

Election Remodel Contracts

Ms. Lenhart said the contract for the HVAC system is not ready for signature today.

She expects the contract with Sun River Electric will be ready for next Wednesday's consent agenda. The initial proposal from Sun River Electric was for \$9870 which does not include sales tax. The proposal for the additional work that was requested is \$4980. The total amount is \$16,082.55.

Ms. Lenhart would like to have the Sun River Electric contract approved and placed on the consent agenda for Wednesday, July 23. They are the lowest proposals of those submitted. She said three proposals were received: Brashear's, Power City, and Sun River. When tax is added to the first proposal for \$9870, the cost is over the \$10,000 mark.

Ms. Lenhart said the contractor will reuse existing wiring. When the wall comes out, there will be wires that are cut going to that wall for the data lines as well as electrical lines. The contractor will work around that and reuse some of that equipment. She told all the contractors that we need to come in around \$10,000 for the electrical work.

Mr. Koch asked do you have what he's going to do for that amount of money? Ms. Lenhart said she gave all of the contractors what the architect gave us outlining what they needed to do. She said the contractors based everything on that. She said the architect's drawing is being attached to the contract, too.

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

Mr. Koch asked what's the disclaimer? Ms. Lenhart said it does not include tax. Mr. Koch asked does it include overtime work or shift work? Ms. Lenhart said we're not going to require them to do that. The building is empty so it shouldn't be any problem.

Ms. Lenhart said the contractor thinks it will all be done in three weeks.

Ms. Lenhart said I was short I think about \$20,000 so the majority of the money will come from HAVA money grant which is \$113,000. What we have now is enough to cover that but because I'm paying sales tax for the contractor and electrical contractor, I've held off on HVAC for one major reason: We're checking the stress load for the roof. Originally I was told the unit in place already was 5000 to 6000 pounds but now it looks like it's 3000 pounds which looks like half. I'm trying to find out for sure. The architect will be checking the roof trusses or steel I-beams. It's more of a truss. Ms. Lenhart is not sure how it's constructed. She restated that we already have one existing unit on the roof. She is not sure what size it is, whether it's a three-ton, two-ton or four-ton.

Mr. Koch asked Mr. Bowen is Facilities going to help financially at all in putting the other meter in? Mr. Bowen said he thought Ms. Lenhart had told the Board earlier that she thought she was going to be around \$13,000 short and the Board asked Mr. Bowen to see if he could find that money for her. He talked with Information Services (IS) Director Kevin Scott to find out if Ms. Lenhart didn't pay IS back for the IS work, would that impact his budget to the point he would have to be compensated for that. Mr. Bowen said Mr. Scott told him he thought the IS budget would be fine. Ms. Lenhart said the data lines will cost about \$8000.

Ms. Lenhart said the reason it went more was because of the additional line coming in, the electrical meter was an additional \$5000. Mr. Bowen said that was added on at the request of the Board. Mrs. Corkrum said the meter is needed so she could track the expense. Ms. Lenhart said we can track the actual cost so we can bill that out to the different districts.

Mr. Bowen said that would be something we would probably have to transfer out of Contingency into Capital Expense because he does not think the Facilities budget has it available. The Facilities budget has been impacted by some of the things that have

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

happened in Corrections. Mr. Koch said Facilities Director Chris Giles has asked for the separation of the meters. Mr. Bowen can he can give the bill to Mr. Giles. Ms. Lenhart said Mr. Giles told her he thought it would pay for itself within about two years. She is not sure what Mr. Giles meant. Mr. Bowen said it is necessary because we need to separate the Health Department from the county's bill.

Mrs. Corkrum asked is there anything we need to agree to do today? Ms. Lenhart said only to agree to put it on the consent agenda for Wednesday. The Board had **consensus agreement** to put it on the consent agenda for July 23.

Mrs. Corkrum asked you do have record of the other proposals? Ms. Lenhart said yes. She is missing the Brashear one but thinks she had given it to Mr. Giles. She will find it.

Voters Pamphlet

Ms. Lenhart gave the Board a copy of the Voters Pamphlet. She showed the Board where it should have said "Pasco Pride for Pools" instead of "Pasco Pride for Schools." A supplement will go into the ballot indicating the correction and replicating the voters pamphlet with that portion corrected at the bottom.

MINUTES

Motion – Mrs. Corkrum: I move we approve the Franklin County Commissioners Proceedings for July 7, 2008, and allow Rick Miller to sign upon his return. Second by Mr. Koch. 2:0 vote in favor.

COUNTY ADMINISTRATOR

County Administrator Fred Bowen met with the Board. Present in audience: Joe Chapman and Gene Batey.

LifeQuest

Mr. Bowen will be meeting with LifeQuest today regarding their request for a change in the requirements that the county imposed when they purchased land from the county. He will report back to the Board later.

OTHER BUSINESS

Auditor's Elections Remodel Project

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

Gene Batey with Apollo Sheet Metal met with the Board. Present in audience:
Zona Lenhart.

Mr. Batey said he is confused about the bidding process on the Elections Building project. We were all kind of asked to bid the process but there was no scope of work other than a floor print of the area and what we would want to put in as an air conditioning system. I'm kind of concerned.

Mr. Batey asked when you go out to bid on something like that, would that be through people on the Small Works Roster? Mr. Bowen said the Small Works Roster is only bid up to \$200,000. For projects over that amount, there is a formal bid. For projects of \$20,000 to \$200,000, you can go directly to the Small Works Roster and call them individually to submit their bid. They are each typically given a consistent sheet.

Mr. Batey asked can you go outside that roster to ask for proposals or do you? Is that common?

Mr. Bowen said if we have people on the Small Works Roster, no, we don't; that is not common practice that we do. Mrs. Corkrum asked is it prohibited? Mr. Bowen said he does not know. He can't legally answer that question. Usually we have enough people on the Small Works Roster that we can have them bid it. People can be put on the Small Works Roster at any time. We advertise two times a year to let them know we are accepting listings but that doesn't stop them from signing up any time of year.

Mr. Batey said I guess my biggest concern is when you bid something, it's nice to bid apples to apples. I can air condition a space numerous different ways for from \$5000 to \$10,000 and they will both do the same thing. In this situation we were just handed a print and asked for a price to air condition it. It wasn't a spec to use flexible ductwork or insulated ductwork. It was really difficult to bid. I was just kind of curious if they would consider putting out a spec so that we are bidding according to it. I still don't know who was awarded the project anyway or if it is going to be awarded. Is it an open bid?

Ms. Lenhart said it's not really a bid. I'd be happy to give you -- I didn't deal with you. I think Chris dealt with Apollo. If you'd like, I can give you what the architect gave us.

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

Mr. Batey said yes. He said I didn't get that. All we got was just a floor plan of the facility.

Ms. Lenhart said you're absolutely welcome to bid again.

Mr. Batey said we just wanted to make sure. We signed up on the roster. We like working with the county. I was really concerned. I could have given you three different prices. I didn't get what the engineer specified.

Mrs. Corkrum asked if you have a house you're building and have so many square feet, how do you do that once you know what kind of unit you have to have or you have to have two?

Mr. Batey you take a square foot and you do a heating/cooling load on it. You add up the windows and you come up with a three-ton air conditioner. I can put a three-ton air conditioner in that costs \$3000 or I can put in a three-ton air conditioner that costs \$7000. It's kind of like a car with all the options. There are different types of ductwork and different types of registers. You can buy registers for \$50 or you can buy them for \$200. I just wasn't presented the specification for the project other than just a square foot floor print. I just wanted to find out if it has been awarded yet, for one.

Ms. Lenhart said I'd be happy to give it to you. I can go over some of the things that I've become aware of as we've gone through this project. That might give you some information that we didn't have.

Mrs. Corkrum said we've got so much money to spend on this project and when that money is gone, we're going to cut it off. The auditor has agreed that maybe we can add it later on.

Mr. Batey said I just was kind of curious.

Mrs. Corkrum said this isn't space that is occupied absolutely year around but it's occupied for instance during the primary election in August so we need air conditioning for people working there and in November during the general election so we need heat. But we don't need it all the time. I think what we need is the bare minimum. That's just my side bar to you. I have no idea what we can cut and how narrow we can have it be. That's up to Zona.

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

Mr. Batey said, "I appreciate the information."

Mr. Bowen said he had a note that he was supposed to call you. Mr. Batey said this is what it was pertaining to. He hadn't heard back whether it had been awarded or not. His boss asked him to come and see the Board today to find out what the results were and maybe discuss what the specifications were. I bid a 7-1/2 ton unit on the facility and you called and wanted to go back to a five. I guess I should have asked you at that time what type of ductwork and registers and so on that you wanted to put in.

Ms. Lenhart said we can go down there and look at it right now.

Mr. Batey said do you have it on specifications? That's all I need.

Adjourned at 12:08 pm.

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for July 17, 2008

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

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chairman

Chairman Pro Tem

Member

Attest:

Clerk to the Board

Approved and signed July 30, 2008.