

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for August 18, 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.

OFFICE BUSINESS

Present in audience: Tri-City Herald Reporter Joe Chapman.

Consent Agenda

Motion - Mr. Miller: I move we approve the consent agenda for August 18, 2008, as listed:

1. Approval of **joint Resolution 2008-335** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the Fee for Services Contract between the Benton-Franklin Juvenile Justice Center and Kiona-Benton School District, for a term commencing September 1, 2008 through July 31, 2009. (Exhibit 1: Information sheet.)
2. Approval of **joint Resolution 2008-336** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the Fee for Services Contract between the Benton-Franklin Juvenile Justice Center and Richland School District, for a term commencing September 1, 2008 through July 31, 2009. (Exhibit 2: Information sheet.)

Second by Mrs. Corkrum. 3:0 vote in favor.

Public Hearing: To take testimony for and against creating and increasing the revenue and expenditure bottom lines of the 2008 Miscellaneous Expense L&I Reserve Fund Budget, Number 110-000-001 as follows:

- Create the 2008 Miscellaneous Expense L&I Reserve Fund Budget, Number 110-000-001
- Increase the revenue bottom line by \$21,000 from \$0 to \$21,000
- Increase the expenditure bottom line by \$21,000 from \$0 to \$21,000

Additional revenues were received from the Department of Labor and Industries for surplus workers' compensation funds and from Washington State Association of Counties for the Labor and Industries Retro Refund.

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Public Hearing convened at 9:01 am. Present: Commissioners Koch, Corkrum and Miller; County Administrator Fred Bowen; and Pro Tem Clerk to the Board Patricia Shults. Present in audience: Tri-City Herald Reporter Joe Chapman.

Mrs. Corkrum said the County received a refund from the state and a refund from the Retro Pool. They wait three years before they settle up. Mr. Koch said that we've been out of the Retro Pool for a few years. Mrs. Corkrum said we used to have the L&I fund, in which we carried about \$30. The fund was closed in 2007 but now that we have some money to put in, we need to create the fund again.

Mr. Koch said unless Mr. Chapman has testimony for or against, we will dispense with the audience participation. Mr. Chapman did not wish to comment.

Motion – Mrs. Corkrum: I move we create the Miscellaneous L&I Reserve Fund, Number 110-000-001, increasing the revenue and expenditure bottom lines by \$21,000. Second by Mr. Miller. 3:0 vote in favor. This is Resolution 2008-337.

Minutes

Motion – Mrs. Corkrum: I move for approval of Commissioners' Proceeding for August 4, 2008. Second by Mr. Miller. 3:0 vote in favor.

Vouchers/Warrants

Motion – Mr. Miller: I move that we approve the vouchers for August 18, 2008 as certified, as listed in the amount of \$209,026.94: Current Expense warrant 3133 for \$1,700.47; Election Equipment Revolving warrant 3168 for \$259.38; Grand Old 4th warrants 3169 through 3170 for \$3,783.99; Clerk LFO Collection Fund warrants 3171 through 3173 for \$1,329.54; CE Cumulative Reserve warrant 3174 for \$136.00; Liability Reserve Fund warrant 3175 for \$264.20; Franklin County Capital Projects Fund warrants 3176 through 3178 for \$203.56; Current Expense warrants 3179 through 3231 for \$172,117.55; Auditor O&M warrants 3232 through 3233 for \$25,102.89; and Franklin County Unemployment Trust warrant 3234 for \$4,129.36; for a total of \$209,026.94. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 3)

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Final Approval Short Plat SP 2008-09, Tom Bailie

Motion – Mrs. Corkrum: I move for final approval of Short Plat 2008-09 for Tom Bailie. Second by Mr. Miller. 3:0 vote in favor. This is Resolution 2008-338.

TRAC

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

Profit & Loss

Mr. Woody said he left June 2008 profit and loss and the year-to-date profit and loss information with the Board last week. June is a terrible month. Our busy season bills are still coming in and our revenue plummets. That's no great surprise. Year-to-date, we are right on track with our budget; in fact, a little better than budget.

Pavilion Project

Mr. Woody said they have talked about the naming rights for the TRAC pavilion. He should be able to bring a draft to the Board next week for the RFP (request for proposal) on how they propose to advertise. He had a couple of companies contact him in regards to naming the Pavilion.

Mr. Woody presented the Board with a draft letter he would like to send to four companies, if the Board agrees. We could go to an RFP process similar to the arena but he is hesitant to do that for a couple of reasons. First, the dollar value is substantially less and the money to do that process he's not sure you gain anything. Secondly, he does not want to confuse the issue. He doesn't want people to wonder which buildings are being named. The draft letter says the proposal is for a three-year deal at \$15,000 a year plus signage. They (the company) would pay for signage upgrades. The company would decide but presumably we would have a sign up above on top where the Pavilion sign currently exists. We would still do the floor mats, we would still do a hockey rink board, we would do a lot of things we already do. It would be just one focused brand.

Mr. Miller asked if this was our proposal. Mr. Woody said yes, this would be our offer. If someone is interested, whoever signs first, it's done. Mr. Miller said, most likely you have checked with other pavilions and places around to see that that is a

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competitive price. Mr. Woody said yes and no. It's all over the board but there is no one that does this small of a project that he can find. It's only for one small building and it's really for hockey season, seven months of the year. It's a little more challenging to do comparables. For the arena, it's very easy to do comparables. It's not a huge chunk of money and he would recommend we dedicate that money to go right back into the building as capitol improvement. The Board gave **consensus approval** to carry forward.

Hockey Update

The Titans, unbeknown to everyone, negotiated a deal with the Coliseum and are officially moved. Mr. Woody received a telephone call on a Sunday afternoon that they were starting there a week from Sunday. The move has zero net impact on us. A couple of things to remember: The Titans were a small portion of our hockey rental. TRAC sold the Titans contract last year to TCAHA so TCAHA's rent went up that amount. So if the Titans play or don't play, our rent is the same.

Mrs. Corkrum said the youth hockey will probably use their ice time. Mr. Woody said absolutely. In the long run they (youth hockey) will save money out of this deal too. Those are prime time hours, nights and weekends. If the Titans think it is a better move for them, then Mr. Woody wishes them all the best. The only revenue loss we will see is minor for beer sales during Titan's games. That is insignificant.

Mr. Koch asked if the ice is up and running. Mr. Woody said yes, skating will start Friday.

Tri-Cities Convention Bureau (TCVCB) Dues

Mr. Woody said we currently pay about \$1500 - \$2000 to the Bureau in dues. The Bureau is requesting that number go up to the \$5000 range. They are requesting that primarily, in his opinion, based on the disparity between what we pay and what the Convention Center pays. The Convention Center pays \$25,000 a year in dues. He thinks there are a number of reasons for that, the least of which was when the Convention Center was built, the TCVCB staff was paid to specifically market it, which he opposed at the time and still does oppose.

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Mr. Woody gave an example of when he asked the Bureau about booking more trade shows. He asked who can they assign from the staff to help in soliciting trade shows for the market. The response he got was, unless the trade show produces a significant amount of guest rooms, that's not their business. He thinks that is perfectly valid, but then why would he pay a significant amount of dues if their business is to book guest rooms. Then shouldn't the hotels be supporting the Bureau (which they are) and shouldn't the Tourism Promotion Area (TPA) tax, which he personally helped get through, which doubled the budget, now be their primary funding source. He's not sure how much we really should be expected to pay. He doesn't think \$5000 is completely out of the realm but \$25,000 is ridiculous. It can become political to some degree. You can always ask the age-old question: if I don't pay it will I lose any business? He would say no. If I do pay it will I get more business than I'm getting now? He would say no.

Mr. Woody said it's a great organization. He thinks the Bureau does a fabulous job. Their productivity is tremendous so there is no question that there is not value there. It is more for somebody to decide what that value is.

Mrs. Corkrum said in relation to what the Convention Center pays, she didn't think \$5000 was unreasonable. She asked Mr. Woody if he planned to run it by the TRAC Advisory Committee. Mr. Woody said yes.

Mrs. Corkrum asked if this was a board (TCVCB Board) decision. Mr. Woody said it has not gone before the board. This was the leadership. He will run this by the TRAC Advisory Committee and come back with recommendation.

Operations Manager Position

Dwayne McDonald will take the Operations Manager position starting next Monday, August 25, 2008.

Signage

Commissioner Miller asked if TRAC could have a lighted sign outside Cousins Restaurant. He questioned if the signage previously discussed would have a place on there. Mr. Woody said no. The sign that Cousins is talking about putting up is their sign. However, he will go to the TRAC Advisory Board meeting tomorrow to talk about the

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bigger question, whether or not we should have signage on Road 68. Clearly, us having an additional sign on Road 68 increases the value of the naming rights, maybe substantially. That will require us going through a lot of processes.

COUNTY ADMINISTRATOR

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

Agreement to Purchase and Sell Real Estate (Soccer Field) to Pasco School District No. 1

Mr. Bowen presented an agreement to sell the Road 48 soccer field property to the Pasco School District. The purchase price is \$177,700 and the County does have to pay half of the cost for escrow.

Mrs. Corkrum asked, because they sold it to us in the first place, is that why we're selling it back to them? Mr. Bowen said yes.

Mrs. Corkrum asked if it needed to go through a public sale. Mr. Bowen said no, because they are another government entity.

Motion – Mr. Miller: I move that we accept the agreement to purchase and sell real estate by and between Franklin County and Pasco School District Number 1, Road 48 soccer fields. Second by Mrs. Corkrum. 3:0 vote in favor. Mr. Miller added that the amount was \$177,700, to be added to the motion. This is Resolution 2008-339.

Mr. Miller asked what date that would be done. Mr. Bowen said he thought it would be October 15, 2008.

Rename the Miscellaneous Grand Old 4th Budget to TRAC Promotions Budget

Mr. Bowen presented a resolution to the Board asking to change the name from Grand Old 4th to TRAC Promotions.

Mrs. Corkrum asked if the County would have an Independence Day car show and then in October have Rocktoberfest. Mr. Bowen said yes. We will contract with TRAC and TRAC will partner up with Radio station 97.3. This is our attempt to bring revenues in to offset our subsidy payments.

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Motion – Mrs. Corkrum: I move approval of changing Miscellaneous Fund 425 from Grand Old 4th to TRAC Promotions. Second by Mr. Miller. 3:0 vote in favor. This is Resolution 2008-340.

Inter Budget Transfer

Mr. Bowen presented a resolution for an inter budget transfer in the amount of \$52,295 within the 2008 Miscellaneous Capital Projects Fund, Number 300. This is for the purchase of the Clerk's furniture.

Motion – Mr. Miller: Mr. Chairman, I move that we approve a resolution to create a line item.

Mr. Bowen said actually what we're doing is transferring money out of Capital Projects to Capital Outlay.

Mr. Miller said he would move that motion and all the writings on the resolution.

Mr. Koch asked in what amount. Mr. Miller said in the amount of \$52,295, and that's including sales tax. That's authorization to purchase furniture for the Superior Court Clerk's Office. Second by Mrs. Corkrum. 2:0 vote in favor. Mrs. Corkrum abstained. This is Resolution 2008-341.

PROSECUTOR

Chief Civil Deputy Prosecutor Ryan Verhulp met with the Board. Present in audience: Joe Chapman.

Mr. Verhulp asked for up to fifteen minutes for executive session to discuss two pending claims, based on potential litigation, pursuant to RCW 42.30.110(1)(i).

Mr. Chapman left the audience.

Executive Session began at 9:44 am.

Open session at 9:55 am.

No decision was made by the Board.

Property Insurance

Mr. Chapman joined the audience.

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Mr. Bowen asked Mr. Verhulp when the deadline was for the Risk Pool insurance. Mr. Verhulp said it was last Friday. Mr. Bowen asked if it had been turned in. Mr. Verhulp said it had.

Mr. Koch asked Mr. Verhulp, since our Facilities building on Stearman and Public Works facility is on Port of Pasco property, are we covering one of the buildings and not the other? Ms. Bridgette Scott informed Mr. Koch that the Facilities Department was part of the contract with the Port. Mr. Verhulp said that would make sense. Mr. Koch said we've had Public Works for so long he doesn't know why one and not the other. Mr. Verhulp asked if both were listed on the schedule of values. Mr. Koch said they are both listed. Facilities is listed for property and contents. The Public Works building is listed for contents only, not the property side. It could be just the way the contracts are written with the Port between the two.

Mr. Bowen said the Public Works building was built in 1986 or 1987. Mr. Verhulp asked if the office where Engineer Tim Fife's office is located is the one that's only listed for contents. Mr. Koch said that was correct, from what he read by looking at the list.

Mr. Verhulp said that Mr. Fife and Public Works Accountant Dennis Huston reviewed the list, so he can follow up. Mr. Verhulp said it would not affect the premium Franklin County pays. He received a response from the Risk Pool in regards to a question about removing TRAC from the schedule of values, would it affect the rate or the premium. The answer is no. You're talking a huge value there, \$25 million or so.

Copier Acquisition for Prosecutor's Office

Mrs. Corkrum asked Mr. Verhulp about an email received from the Prosecutor's Office regarding a contract with King County for acquisition of a copier. Mr. Verhulp said that back five or ten years ago copy machines weren't used for faxing or scanning. They weren't used for communicating data. You had to go out for formal bid. Now that they do process data, Mr. Verhulp said the Information Services Director, Kevin Scott, was correct in his response regarding following the statute (RCW 39.04.270) that allows rather than by formal bid you can go through competitive negotiations to purchase them.

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Mr. Lowe's point was that even though it is competitive negotiations, you still have to go through the steps of obtaining quotes and documenting such, just as you would a normal bid process. Mr. Lowe wants to make sure that is done for his office. As Mr. Verhulp understands it, the entity that they are considering purchasing through may have a cooperative purchasing agreement through King County and subsequently King County and this entity have gone through the competitive negotiation process. Then each of the other counties who become part of the agreement can share in that.

Mrs. Corkrum said, so King County has gone through the process and if we want to take advantage of their low bid, we would have to have an agreement with King County on file. Mr. Verhulp said not necessarily. What needs to be confirmed is the agreement between Abadan and King County to see what type of agreement they have. If it is a cooperative purchase agreement and essentially requires that they have gone through the competitive process, then we can become part of it.

Recessed at 10:04 am.

Reconvened at 10:12 am.

PUBLIC WORKS

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

Vouchers

Motion – Mr. Miller: Mr. Chairman, I move that we accept the vouchers for County Road Fund, Motor Vehicle and Public Works Fund, and Solid Waste Fund for the amounts as listed. Second by Mrs. Corkrum. 3:0 vote in favor.

County Road Fund for \$273,798.34; Motor Vehicle & Public Works Equipment Fund for \$13,380.36; Solid Waste Fund for \$282.84; and Solid Waste Fund for \$3,262.50. (Exhibit 4)

Bid Award CRP 591 / Countywide Safety Improvements – Flashing Lights Project

Mr. Fife recommends the bid be award to Sierra Electric, Inc., for the flashing lights project along with alternate "A", which is the illumination.

Motion – Mr. Miller: Mr. Chairman, I move that we accept the contract between Franklin County Public Works and Sierra Electric Inc., CRP 591 Countywide Safety

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Improvements – Flashing Lights Project. Second by Mrs. Corkrum. 3:0 vote in favor. This is Resolution 2008-342. (Exhibit 5 – CRP 591 bid award letter TF-08-043 and bid tabulation) (Clerk's Note: Resolution 2008-342 was determined to be unnecessary so it was not used.)

Bid Award – CRP 592/2006 Gravel Road Paving Upgrade, Group 4

Mr. Fife said he does not want to do the asphalt portion of the gravel road paving project at this time, due to the high prices he received. When they put their estimate together on the alternate, the asphalt price was much lower. They estimated \$337,000 and the lowest bid, which was not necessarily the best, was \$543,000. It's almost 80% more. We were surprised that anyone bid it, because when they first put it out for bid we couldn't even get quotes, or if we did get a quote, they weren't very good. He's suggesting they wait until the climate is better for the asphalt, whether we do it ourselves or go back out to bid.

The Board reviewed the bid tabulations. Mr. Fife recommends the Board award the base portion of the bid to DeAtley and they (Public Works) will do the alternate next year if they can afford to do it.

Motion – Mrs. Corkrum: I move for approval of CRP 592, the 2006 gravel road paving upgrade, Group 4, Millwood Road, Garfield Road, Palmer Road and Juniper Road, between Franklin County and M.A. DeAtley. Second by Mr. Miller. 3:0 vote in favor. This is Resolution 2008-343. (Exhibit 6 - CRP 592 bid award letter TF-08-042 and bid tabulation) (Clerk's Note: Resolution 2008-343 was determined to be unnecessary so it was not used.)

Remodel Project

Mr. Fife informed the Board they are going through a furniture upgrade in the engineering and accounting department. The bulk of the cost will be for the desk units. They are painting, replacing some of the carpet, and having the tile floors refinished. Most of the money will come from the Solid Waste budget in lieu of them paying rent.

Mrs. Corkrum asked how the funding was for Solid Waste, as there was a question as to whether or not they could keep the program going. Mr. Fife said it was

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good so far. Since the population is going up so is the funding, because part of it is based on population.

Motion – Mr. Miller: I move that we authorize the Public Works Contract with Benjamin's Carpet One to provide and install new carpet/tile and rubber base in the Public Works reception and accounting area, in an amount not to exceed \$3,162, including sales tax, to be paid from the Miscellaneous County Roads Fund, Number 150-000-001. Second by Mrs. Corkrum. 3:0 vote in favor. This is Resolution 2008-344.

PROSECUTOR (continued)

Property Insurance (continued)

Chief Civil Deputy Prosecutor Ryan Verhulp informed the Board that all the corrections were made for the property insurance regarding Public Works. Public Works is listed for property and contents. They were included in the final version he sent to the Risk Pool last Friday.

FACILITIES

Facilities Director Chris Giles met with the Board. Present in audience: Joe Chapman.

Janitorial Services Bid Award

Mr. Giles said they carefully reviewed both bids and both candidates did meet the qualifications for a three-year contract. He recommends that the bid award go to American Building Maintenance (ABM) at \$392,450.

Mrs. Corkrum asked if that price was per year. Mr. Giles said it was for the total three-year contract. The breakdown is about \$130,000 a year. ABM is our current contractor for janitorial services. Because they are including Public Works in the new contract, the contract decreased about \$12,000 a year.

Mr. Koch asked if Mr. Giles had a contract and resolution ready for the Commissioners to sign. Mr. Giles said Mr. Verhulp wants to review the contract first before it is presented to the Board. The contract will start January 1, 2009.

Adjourned at 10:43 am.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until August 27, 2008.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chairman

Chairman Pro Tem

Member

Attest:

Pro Tem Clerk to the Board