

COMMISSIONERS RECORD 49  
FRANKLIN COUNTY  
Commissioners' Proceeding for October 6, 2008

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Rick Miller, Chair Pro Tem; Neva J. Corkrum, Member; Fred Bowen, County Administrator; and Mary Withers, Clerk to the Board. Bob Koch, Chairman, was absent attending an American Public Transportation Association (APTA) meeting in San Diego, California.

**OFFICE BUSINESS**

Secretary Patricia Shults met with the Board. Present in audience: Sharon Paradis.

Consent Agenda

**Motion** - Mrs. Corkrum: I move for approval of the consent agenda as follows:

1. Approval of **Resolution 2008-412** authorizing disposal of property as requested by the Sheriff's Department: two boxes of law books, one white cabinet, one gray two-drawer file cabinet, and two four-drawer file cabinets.
2. Approval of **Resolution 2008-413** declaring as surplus property 12 black pleather chairs in Clerk's old break room and authorizing donation of the chairs to Garfield County.
3. Approval of **joint Resolution 2008-414** in the matter of the request for signature from the Boards of Benton and Franklin County Commissioners on the Professional Service Agreement for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court, Juvenile Division, between the Juvenile Justice Center and Laurie L. Magan, effective October 15, 2008, through December 31, 2009. (Exhibit 1: Information sheet.)
4. Approval of **joint Resolution 2008-415** in the matter of the request for signature from the Chairmen of the Boards of Benton and Franklin County Commissioners on the amended Professional Service Agreement to provide Legal Representation of Indigent Individuals in Benton and Franklin Counties Juvenile Court Division, between the Juvenile Justice Center and Susan Darden Henwood, thus, amending Benton County Resolution 07 325 and Franklin County Resolution 2007-250. (Exhibit 2: Information sheet.)
5. Approval of **joint Resolution 2008-416** in the matter of the request for signature from the Chairmen of the Boards of Benton and Franklin County Commissioners on the amended Professional Service Agreement to provide Legal Representation of Indigent Individuals in Benton and Franklin Counties Juvenile Court Division, between the Juvenile Justice Center and Keith Hilde, thus, amending Benton

COMMISSIONERS RECORD 49  
FRANKLIN COUNTY  
Commissioners' Proceeding for October 6, 2008

- County Resolution 07 510 and Franklin County Resolution 2007-362. (Exhibit 3: Information sheet.)
6. Approval of **joint Resolution 2008-417** in the matter of the request for signature from the Chairmen of the Boards of Benton and Franklin County Commissioners on the amended Professional Service Agreement to provide Legal Representation of Indigent Individuals in Benton and Franklin Counties Juvenile Court Division, between the Juvenile Justice Center and Julie A. Ovens, thus, amending Benton County Resolution 07 671 and Franklin County Resolution 2007-498. (Exhibit 4: Information sheet.)
  7. Approval of **Resolution 2008-418** for the Professional Services Contract between Franklin County and J&J Security & Transport, Inc., for Courthouse Security Services effective January 1, 2009, through December 31, 2009.
  8. Approval of **Resolution 2008-419** for a Service Provider Contract between Benton-Franklin Workforce Development Council and Employment Security Department for Program Year 2008/09 in the amount of \$510,104 for Dislocated Worker Services, CFDA #17.260, effective July 1, 2008, through June 30, 2009, and authorizing the Chairman Pro Tem to sign said contract on behalf of the Board.
  9. Approval of **Resolution 2008-420** for a Service Provider Contract between Benton-Franklin Workforce Development Council and Columbia Industries for Program Year 2008/09 in the amount of \$432,752 for Adult Services, CFDA #17.258, effective July 1, 2008, through June 30, 2009, and authorizing the Chairman Pro Tem to sign said contract on behalf of the Board.
  10. Approval of **Resolution 2008-421** for a Service Provider Contract between Benton-Franklin Workforce Development Council and Career Path Services Employment & Training for Program Year 2008/09 in the amount of \$228,601 for In-School Youth Services, CFDA #17.259, effective July 1, 2008, through June 30, 2009, and authorizing the Chairman Pro Tem to sign said contract on behalf of the Board.
  11. Approval of **Resolution 2008-422** for a Service Provider Contract between Benton-Franklin Workforce Development Council and Career Path Services Employment & Training for Program Year 2008/09 in the amount of \$43,970 for Dropout Prevention & Intervention Services, CFDA #17.258, effective July 1, 2008, through June 30, 2009, and authorizing the Chairman Pro Tem to sign said contract on behalf of the Board.

COMMISSIONERS RECORD 49  
FRANKLIN COUNTY  
Commissioners' Proceeding for October 6, 2008

12. Approval of **Resolution 2008-423** for a Service Provider Contract between Benton-Franklin Workforce Development Council and Career Path Services Employment & Training for Program Year 2008/09 in the amount of \$59,500 for Integrated Basic Education and Skills Training Services, CFDA #17.258, effective July 1, 2008 through June 30, 2009, and authorizing the Chairman Pro Tem to sign said contract on behalf of the Board.

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

Employee Awards Banquet

Mrs. Corkrum would like to discuss cancelling the Employee Awards Banquet due to budget concerns when the full Board is present.

Vouchers/Warrants

**Motion** – Mrs. Corkrum: I move for approval of payment of Current Expense warrants 5766 through 5862 for \$656,088.85. Second by Mr. Miller. 2:0 vote in favor. (Exhibit 5)

**JUVENILE JUSTICE CENTER (JJC)**

JJC Director Sharon Paradis met with the Board.

Victim/Offender Mediation

Ms. Paradis has been contacted by Darrel Puls from the Dispute Resolution Center regarding victim/offender mediation as part of a Restorative Justice program. Last year, Washington State funded some additional evidence-based practices. The JJC expanded the Functional Family Therapy but did not enter the Restorative Justice program. Mr. Puls told her there is some money available for victim/offender mediation. It would involve victims who are willing participants who want to sit down and mediate what happened, what they get back, and what are the consequences. We would only work with youth in the Diversion program. It looks like it could be a good program and has good statistics but we need to do it within the confines of our current resources and budget. Ms. Paradis said she told Mr. Puls about the budget concerns when she met with him several months ago. She recently received an email from Mr. Puls that he had had a meeting with Benton County Commissioner Claude Oliver and that he wanted to approach the counties regarding funding for the program for sustainability and suggested she do the same thing. She responded and said I have no intention of approaching the

COMMISSIONERS RECORD 49  
FRANKLIN COUNTY  
Commissioners' Proceeding for October 6, 2008

counties about funding. We have higher priorities and critical needs that are probably not going to be able to be met. She told him it was not her understanding he would need additional dollars.

Mr. Miller and Mrs. Corkrum have not been approached about the program. She asked the Board members to let her know if they receive a call about it.

Probation Violation process

The probation violation process is being modified. She explained what has happened historically. The probation manager has been working with the prosecutors, defense attorneys and clerks to modify the process so a juvenile probation counselor can draw up the papers and serve the youth immediately so there is a timely following of a probation violation. One benefit is it will get us closer to the time of violation with some kind of more immediate sanction, which is always much more impressive to kids than something three or four weeks down the road. It will also eliminate some clerk work for the kids we can serve personally instead of mailing. We have also found out that we do not need to have all the signatures on the documents that we were collecting. We're just starting this change and we'll see how it works. Mrs. Corkrum asked you're thinking it will get them back into court much sooner? Ms. Paradis said yes. Ms. Paradis said we're also going to try to work with the people involved to get agreed orders in most cases that will eliminate some court time.

Juvenile Court attorney contracts

The numbers of cases in Franklin County is up significantly so the two attorneys assigned to Franklin County are not going to be enough. Ms. Paradis told the Board about the efforts that have been made to contract with additional attorneys. There are no attorneys currently available who are qualified.

Other Updates

The daily average number in detention is down to about 46 right now.

The JJC is considering turning some of the unused portion of the facility into a day-reporting area that can be used for schooling. The state would reimburse for educational costs.

COMMISSIONERS RECORD 49  
FRANKLIN COUNTY  
Commissioners' Proceeding for October 6, 2008

Budget

Mrs. Corkrum asked Ms. Paradis to try to reduce her budget request for 2009. Ms. Paradis said she is aware of the Franklin County budget concerns but does not think the items she presented can be cut. Mrs. Corkrum commented that the state's funding of programs which leaves the cities out of providing any funding on juvenile matters is ludicrous. Ms. Paradis said when the counties lost the funding for the Selective Aggressive Probation program about five years ago, the cities were asked to support the program. Only the Kennewick police chief was willing to support it. The other police chiefs would not even go to their city councils to ask.

Mrs. Corkrum said the cities are not responsible for juvenile or Health District costs. She thinks the legislature could fix that problem.

Ms. Paradis will be involved in a budget workshop with Benton County on October 21.

Mrs. Corkrum said she has appreciated Ms. Paradis doing without an assistant administrator since she has been the director.

**PLANNING AND BUILDING DEPARTMENT**

Planning Director Jerrod MacPherson met with the Board.

Public Hearing: Short Plat SP 2008-17 to consider an application by Jorge Torres to short plat approximately 10.22 acres (gross) into two lots. As proposed, Lot #1 and Lot #2 are each approximately 5.11 acres in size. The property is located in the Rural Residential 1 (RR-1) Zoning District.

Public Hearing convened at 9:39 am. Present: Commissioners Corkrum and Miller; County Administrator Fred Bowen; Planning Director Jerrod MacPherson; and Clerk to the Board Mary Withers.

Mr. MacPherson said we have a request for continuance for Short Plat 2008-17 for Jorge Torres to October 27, 2008, at 9:15 am. The applicant was unable to provide us with the information we need to continue.

COMMISSIONERS RECORD 49  
FRANKLIN COUNTY  
Commissioners' Proceeding for October 6, 2008

**Motion** – Mrs. Corkrum: I move at the request of the applicant Jorge Torres to continue his Short Plat 2008-17 to October 27 at 9:15 am in the Commissioners meeting room as advertised. Second by Mr. Miller. 2:0 vote in favor.

**2009 BUDGET**

The Board had general discussion about the 2009 budget.

**TRAC**

TRAC Manager Troy Woody met with the Board. Present in audience: Bridgette Scott.

Recent events

Attendance at Rocktoberfest was 1008 people not counting vendors. Mr. Woody said a few hundred of the people came with comp tickets from the radio station. The budget figures from the event are being computed this week.

A Child Care Conference was held on Saturday during the day. A wedding was held in the Expo Hall Saturday evening at the same time Rocktoberfest was going on.

Pavilion Naming Rights

Pepsi has sent TRAC a proposal for naming rights on the Pavilion for \$15,000 a year. Legal documents are being prepared. It will be called Pepsi Pavilion.

Security

Mr. Woody answered Mr. Miller's question about handling of security matters during events. Mr. Woody said we have an obligation to protect the public. If we can reasonably control the situation, there's some expectation that we will do it.

Tri-City Herald Reporter Joe Chapman joined the audience.

**Recessed** at 10:01 am.

**Reconvened** at 10:11 am.

**HUMAN RESOURCES (HR)**

HR Director Rosie H. Rumsey and District Court Administrator/Probation Supervisor Kelly Martin met with the Board. Present in audience: Joe Chapman.

Position Reclassification

COMMISSIONERS RECORD 49  
FRANKLIN COUNTY  
Commissioners' Proceeding for October 6, 2008

Ms. Rumsey said District Court Judge Jerry Roach has requested that Kelly Martin start at Grade 18 Step 4, not only because of experience, but currently she is at Grade 17 Step 4 and scheduled to go to Grade 17 Step 5 in January which is basically the same as where we would move her to in January at Grade 18 Step 4. The normal process with a promotion is the person is supposed to go up a grade and not get paid any less. If the Board approves the request, Ms. Martin would not move to Grade 18 Step 5 until October 1, 2009.

Mrs. Corkrum said she is not opposed to it but wants to make sure she understands it. Ms. Rumsey answered her questions. She said the anniversary date changes when an employee gets promoted and changes to the promotion date. The amount is less than what the outgoing administrator made who was at Step 7. Mrs. Corkrum asked if the probation officer who will take Ms. Martin's place in Probation will be making less. Ms. Rumsey said yes. She said we're going to try to reclassify that position. The position has not yet been filled. We have to wait for the reclassification to occur.

Mrs. Corkrum said Mr. Koch will not be back until Thursday. She would like to have him be a part of this decision. She does not think she or Mr. Miller have a quarrel with it. She said the decision can be retroactive. Mr. Miller said he will be gone on October 13. Mr. Miller said he's for whatever's correct and whatever's fair; "if that's the standard, I agree."

Ms. Rumsey said she doesn't have a problem with that, other than that our payroll needs to be turned in this week for the October 15 payroll. She did talk to Mr. Koch about this a little bit. He had no concerns.

**Motion** – Mrs. Corkrum: I move approval of moving Kelly Martin from Grade 17 Step 4 to Grade 18 Step 4 as the District Court Administrator/Probation Department. Second by Mr. Miller. 2:0 vote in favor. (Exhibit 6)

**MINUTES**

COMMISSIONERS RECORD 49  
FRANKLIN COUNTY  
Commissioners' Proceeding for October 6, 2008

**Motion** – Mrs. Corkrum: I move for approval of Commissioner Proceedings for September 17, 2008, and allow Mr. Koch to sign said minutes because he was here during that date. Second by Mr. Miller. 2:0 vote in favor.

**Recessed** at 10:22 am.

**Reconvened** at 10:28 am.

**PUBLIC WORKS**

Engineer Tim Fife met with the Board.

**Vouchers**

**Motion** – Mrs. Corkrum: I move for approval of vouchers: County Road Fund for \$276,111.66; MV & PW Equipment Fund for \$120,684.03; Solid Waste for \$118.36; and Solid Waste for \$5498.59. Second by Mr. Miller. 2:0 vote in favor. (Exhibit 7)

**Public Hearing: To consider a franchise agreement between Franklin County and Sterling Realty Organization**

Public Hearing convened at 10:30 am. Present: Commissioners Corkrum and Miller; County Administrator Fred Bowen; Engineer Tim Fife; and Clerk to the Board Mary Withers. Present in audience: Joe Chapman.

Mr. Fife said there are radio towers at Road 68 and Court Street that have grounding wires that go underneath our right of way and underneath the roadway and when we rebuilt Court Street at Road 68 in the mid-1980s, we had to acquire some right of way from them. It was at that time that we discovered these grounding wires which are required for lightning suppression. The wires go into the right of way and actually are under the existing road. Part of the right of way negotiations is that we would acquire the property and sign a franchise with them. That was in the mid-1980s. We have finally agreed on the language and this is the public hearing to adopt that.

Mr. Bowen asked it took that long? Mr. Fife said the negotiations were done by Prosecutor Rabideau at the time but for some reason it was forgotten. Then we granted a permit for a utility to place irrigation. Mr. Fife thinks they dug through the wires and that's what resurrected it about six years ago. They wanted all sorts of language that made us liable for all that. We said we're granting you a franchise; it's not the other way

COMMISSIONERS RECORD 49  
FRANKLIN COUNTY  
Commissioners' Proceeding for October 6, 2008

around. Mr. Fife said that is the history. Everything is in order. Sterling Realty Organization has already signed and accepted it.

Mr. Fife said this is a new franchise for Sterling Realty Organization to have grounding cables in our right of way. The franchise agreement has been negotiated by Chief Civil Deputy Prosecutor Ryan Verhulp. It is acceptable to both parties.

Mr. Fife gave the Board members a map showing the location of the cables, to the best of our knowledge.

Chief Civil Deputy Prosecutor Ryan Verhulp joined the meeting. Mr. Verhulp said he has reviewed the franchise agreement, as well as Intern Ben Zelen in our office, and it's approved as to form.

Will Daniels joined the audience.

Mr. Miller asked three times if anyone in the audience would like to comment against the proposal. There was no response.

Mr. Miller asked if anyone in the audience would like to speak in favor.

Will Daniels, property manager for Sterling Realty Organization, 600 106<sup>th</sup> Avenue N.E., Suite 200, Bellevue, Washington. I am the property manager. We have a radio tower on the site that has a copper lead in the ground. I believe they existed prior to the road being built. The road is now built over the top of it. It's got to be 20 to 25 years now that we've been operating there without a license to have our property underneath the roadway so the franchise agreement is pretty important to us.

No one else wished to comment.

**Motion** – Mrs. Corkrum: I will move for approval of the franchise agreement between Franklin County and Sterling Realty Organization as specified. Second by Mr. Miller. 2:0 vote in favor. This is Resolution 2008-424.

Mr. Verhulp commented that Mr. Daniels has been more than patient. He has waited for me and our office to review this for three or four years now and it's been an agonizingly slow process for him. Credit is due to him during this process. At least it's finally resolved.

Pilot Program: Weed Control

COMMISSIONERS RECORD 49  
FRANKLIN COUNTY  
Commissioners' Proceeding for October 6, 2008

Mr. Fife gave an update on the discussions regarding implementing a pilot program for weed control. There is a dryland area that may be used at first. The Prosecutor's Office will need to be involved to prepare the paperwork that will be needed. Mr. Fife thinks it will need to be an agreement or contract.

Initiative I-985

Mr. Fife gave the Board a copy of a newspaper article regarding Initiative I-985 that is sponsored by Tim Eyman stating some funds that would have been spent in eastern Washington would be directed to one area, primarily Seattle.

**PROSECUTOR**

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

Claim

Mr. Verhulp asked for Board approval of a settlement of approximately \$162 to compensate a property owner for replacement of his extension cords and to resolve the incident.

**Motion** – Mrs. Corkrum: I move for approval of paying David Sturgeon \$162.35 to replace his extension cords damaged in a collision. Second by Mr. Miller. 2:0 vote in favor. This is Resolution 2008-425.

**Recessed** at 10:51 am.

**Reconvened** at 10:53 am.

**COUNTY ADMINISTRATOR**

County Administrator Fred Bowen and Human Resources Director Rosie H. Rumsey met with the Board. Present in audience: Joe Chapman.

**Executive Session** at 10:54 am regarding union negotiations based on RCW 42.30.140(4) for contract negotiations expected to last 20 minutes. Mr. Chapman left the meeting.

**Executive Session** continued at 11:16 am expected to last five more minutes. Those waiting outside the room were notified.

**Open Session** at 11:21 am.

**Adjourned** at 11:21 am.

COMMISSIONERS RECORD 49  
FRANKLIN COUNTY  
Commissioners' Proceeding for October 6, 2008

There being no further business, the Franklin County Board of Commissioners meeting was adjourned until October 8, 2008.

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

---

Chairman

---

Chairman Pro Tem

---

Member

Attest:

---

Clerk to the Board

Approved and signed October 20, 2008.