

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for December 10, 2008

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

OFFICE BUSINESS

Secretary Patricia Shults met with the Board.

Consent Agenda

Motion - Mr. Miller: I move that we accept the consent agenda for December 10, 2008, as listed:

1. Approval of **joint Resolution 2008-539** in the matter of contracting for the provision of janitorial services for the Department of Human Services Office located at 7207 West Deschutes, Kennewick, Washington, and Crisis Response Unit / Substance Abuse Assessment Center located at 2635 West Deschutes, Kennewick, Washington, effective December 15, 2008, through June 30, 2009, and authorizing the Chairman to sign Agreement #PSA-Janitorial-2008 on behalf of the Board. (Exhibit 1: Information sheet.)
2. Approval of **joint Resolution 2008-540** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners for an agreement #08/09-DD-AWI, between Ambitions of Washington, Inc., and Benton and Franklin Counties Department of Human Services for developmental disabilities services for clients in Benton and Franklin Counties, for a term commencing October 1, 2008, and terminating June 30, 2009. (Exhibit 2: Information sheet.)
3. Approval of **Resolution 2008-541** in the matter of the request for signature from the Board of Franklin County Commissioners on the Personal Services Contract amendment to provide Spanish interpreting services for Franklin County District Court, between Franklin County and Altagracia L. Mendoza, thus amending Franklin County Resolution Number 2008-290.
4. Approval of **Resolution 2008-542** reappointing Monti Cooper to the Franklin County Mosquito Control District Board of Trustees for a two-year term, representing Commissioner District 2, effective January 1, 2009, through December 31, 2010. (Exhibit 3: Information sheet.)
5. Approval of **Resolution 2008-543** reappointing Richard Britton to the Franklin County Mosquito Control District Board of Trustees for a two-year term,

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representing Commissioner District 1, effective January 1, 2009, through December 31, 2010. (Exhibit 4: Information sheet.)

6. Authorizing the Franklin County Assessor to levy \$55,000 generated from the property tax assessment for the Veteran's Assistance Fund for the 2009 budget year. (Exhibit 5)
7. Approval to submit a letter to the Franklin County Assessor declining to shift funds from the County Road Department for the year 2009. (Exhibit 6)

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

Vouchers/Warrants

Motion – Mr. Miller: I move for approval of payment of vouchers for December 10, 2008: Current Expense warrants 9549 through 9772 for \$31,035.83; Jail Commissary warrants 9773 through 9778 for \$10,428.72; Sheriff / Sex Offender Grant warrant 9779 for \$108.78; Auditor O&M warrant 9780 for \$131.18; Veteran's Assistance warrants 9781 through 9783 for \$300.00; Current Expense warrants 9816 through 9877 for \$49,830.24; Boating Safety warrant 9878 for \$287.64; Election Equipment Revolving warrants 9879 through 9882 for \$767.73; FC Capital Projects Fund warrants 9883 and 9884 for \$341,615.06; and Courthouse Renovation Fund warrant 9885 for \$75.78.

Second by Mr. Koch. 2:0 vote in favor. (Exhibit 7)

PLANNING AND BUILDING DEPARTMENT

Planning Director Jerrod MacPherson met with the Board.

Building Report

The November Building Report was reviewed.

Tri-City Herald Reporter Joe Chapman joined the audience.

Final Approval Short Plat SP 2008-10, Mark Guilbeau

Motion – Mr. Miller: I move that we accept final approval for SP 2008-10 for Mark Guilbeau. Second by Mr. Koch. 2:0 vote in favor. This is Resolution 2008-544.

VOUCHERS/WARRANTS

Motion – Mr. Miller: I move that we approve Salary Clearing Payroll and Emergency Management Payroll and Irrigation Payroll as listed: Salary Clearing payroll warrants

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47255 through 47353 for \$176,024.34; warrants 47354 through 47359 for \$81,591.83; and Direct Deposit for \$297,410.54; for a total amount of \$555,026.71. Second by Mr. Koch. 2:0 vote in favor.

The cover sheet also includes the following amounts:

Emergency Management Payroll warrants 9805 through 9811 for \$3592.23; warrants 9312 through 9815 for \$1854.49; and Direct Deposit for \$7903.77; for a total amount of \$13,350.49; and

Irrigation Payroll warrants 9784 through 9800 for \$7681.58; and warrants 9801 through 9804 for \$1431.46; for a total amount of \$9113.04. (Exhibit 8)

MINUTES

Motion – Mr. Miller: I move we approve the Commissioners Proceedings for December 8, 2008. Second by Mr. Koch. 2:0 vote in favor.

Recessed at 9:31 am.

Reconvened at 9:33 am.

PUBLIC WORKS

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

Resolution: Acceptance of a portion of Road 62, a portion of Marie Street, Victoria Court and Mercedes Court as shown in the final plat of Lamb Estates and declaring them county roads

Motion – Mr. Miller: I move we approve Resolution 2008-545 to accept a portion of Road 62, a portion of Marie Street, Victoria Court and Mercedes Street as shown in the final plat of Lamb Estates and declaring them county roads. Second by Mr. Koch. 2:0 vote in favor.

Argent and Road 84 TIB Walkway Project

The City of Pasco received a grant for the walkway project and would like the county to commit to the \$40,000 share it had agreed to in the grant application. Mr. Fife said the funds will be taken from the Paths and Trails Fund. There is not \$40,000 in the account now but there will be by the time it has to be paid out.

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Motion – Mr. Miller: I move that we approve the Argent and Road 84 TIB Walkway Project with matching funds of \$40,000 to come from the Paths and Trails Fund. Second by Mr. Koch. 2:0 vote in favor. (Exhibit 9)

Economic Stimulus Projects

Mr. Fife gave the Board a list titled Economic Stimulus Projects (Exhibit 10). He did not include Juniper Dunes on the list because any projects need to be started within 90 to 120 days. He is not saying don't submit Juniper Dunes but realistically it's not likely even if we did submit it that it would get funding because of the work required to acquire right of way and do environmental review.

R170 is the top project listed. The environmental work on the R170 project is done. The right of way is not completely acquired but Mr. Fife believes it will be done by the time needed. The construction could be started right away.

Mr. Fife said two of the projects on the list are almost ready to go to bid (East Foster Wells and Road 100). Road 100 is not a federal aid project but it would not take very much to get it upgraded to the federal standard. East Foster Wells is a federal project and we're working on acquiring one parcel and then we can start construction. The additional funding is to change from a bituminous surface to a hot mix asphalt surface. Mr. Koch asked would that be an all-weather road then? Mr. Fife said yes. Mr. Koch asked BST wouldn't be all-weather? Mr. Fife said with BST, we're putting down more base to compensate for what we lost in asphalt depth but it's not as durable. It should be able to handle the traffic but it's not going to last as long.

For the other two projects, we could get ready and meet the 90- to 120-day requirement. Once we finish the extension of Road 100, another project will be on Dent Road between Taylor Flats and Road 100, which will see a large increase in traffic. It will involve widening and improving the intersection at Taylor Flats and Dent Road. That should be where we target. Also, another project is a structural overlay on Glade North Road from Selph Landing Road to Sagemoor Road with some minor widening. We believe we can get those projects done fairly quickly and have them ready to bid.

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Mr. Fife asked if the Board has anything else that may affect the list. It is not limited to road projects. He read from the list of possible projects including roads, bridges, transit systems, water treatment, sewer treatment, park and recreation facilities, hospitals, broadband, rail, and ADA compliance.

The Board cannot think of other projects that are ready to go. The Board asked Mr. Fife to forward the list to the County Road Administration Board (CRAB) and the state and Eric Johnson with Washington State Association of Counties (WSAC).

Columbia River Crossing

Mr. Fife reported on the meeting he attended with the technical group. Some questions/discussion items are: how traffic patterns will be affected on the south end of the Blue Bridge; the current economic climate suggests it may not be the time to ask for funding of this magnitude; and is this the top regional priority at this time.

Mr. Fife said our group said we have to start sometime. Getting another bridge in place is a long-term process. The project at the south end of the Blue Bridge will help with the safety of the Blue Bridge. It is at or near capacity now. The project is not going to affect whether we need another bridge or not. We're going to need one. We're saying now is the time to start. As far as the current economic climate, it may not be the best time, but you've got to get in the queue. For the third question, the answer is yes, it is a top regional priority. We need to get it elevated in the Washington State Department of Transportation's list.

The project that is planned is going to take care of some safety issues on the south side of the Blue Bridge. The bridge will still be at capacity.

This is a study to start studying how many bridges we need and where they would be. It should be regional. There should be a 50-year look and also what do we do immediately. Franklin County has committed \$10,000 to the Benton Franklin Council of Governments (BFCoG) for a study. The combined study amount is \$125,000. The group wants the state to match the amount. So far the state is only putting \$10,000 in. We're asking them to put another \$115,000 in. Mr. Koch said some entities have jumped in or jumped out of the process.

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In response to Mr. Miller's question, Mr. Fife said it's a study to determine how many bridges we need in the long run and in the short run where the best location is for the first one. Mr. Koch said the area being considered is from north Richland to Dodd Road.

A Street Interchange

Mr. Fife said a draft document is being prepared for the A Street interchange area which involves Commercial Avenue and Tank Farm Road. The preliminary results for the whole area is a three-phase plan that includes putting up flashing lights on the highway, closing off left-turn lanes, having single-grade access, and right-in, right-out areas, and determining the location and configuration of the interchange. It has not been finalized yet. The plan is being reviewed with businesses in the area including Agri-Pack. We're waiting for comments. Some of the interim actions in the first phases would really affect their operations. Agri-Pack did see the urgency of it from an accident standpoint because once the interchange on the other side takes place, then there will not be openings to get across because of high speed traffic so the potential for an accident will be really high.

Once the report is complete, Mr. Fife will have the engineers make a report to the Board.

Other Business

Mr. Fife asked for approval to use county vehicles in the parade in Connell this week. Staff will do it on their own time. Mr. Koch and Mr. Miller **gave approval**.

New Bridge

Mr. Miller told Mr. Fife he would like to discuss the new bridge with Mr. Fife later when there is more time.

Asphalt Prices

In response to Mr. Miller's question, Mr. Fife said asphalt prices have not come down even though gas prices have come down. The state has an escalator clause regarding asphalt prices. Mr. Fife said the price is not based on speculation. It's a supply and demand thing plus a market thing. It involves profit margins.

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PROSECUTOR

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

Legal Issues

Mr. Verhulp asked the Board to let him know if they have any legal issues or projects that need to be completed before the end of the year.

Municipal Research and Services Center (MRSC)

Mr. Koch asked Mr. Verhulp do you have a problem with me sending off an inquiry to MRSC? Mr. Verhulp said no. Mr. Verhulp said he is aware that the general thinking on that practice from the prosecutor is while that's a good source to use, also we want to think about how often we use it, because there could be a circumstance where we could ask for legal advice, they could give it, and once we get that legal advice we're kind of on notice as to what the advice is and if all of a sudden our advice is contrary, since we're originally on notice of what the first advice was, there is a possibility we could be bound by that advice and then that can cause complications when our advice is contrary. He does not want to discourage using MRSC but to consider it in terms of the issue you bring to them.

Mr. Verhulp told the Board now we have a little more help in the Prosecutor's office with Intern Ben Zelen and also have an expenditure authorized in the 2009 budget for outside legal counsel services beginning in January.

Executive Session at 10:02 am regarding potential litigation based on RCW 42.30.110(1)(i) expected to last five minutes. Mr. Chapman left the meeting.

Open Session at 10:07 am. No decisions were made.

COUNTY ADMINISTRATOR

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

Independent Contractor Agreement with Carl Sonderman for Superior Court Indigent Defense

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Mr. Bowen asked for approval to reappoint Carl Sonderman. The contract remains the same.

Motion – Mr. Miller: I move that we approve the independent contactor agreement between Franklin County and Carl Sonderman to provide legal representation of indigent persons charged with crimes in the courts of Franklin County (Superior Court), effective January 1, 2009, through December 31, 2011. Second by Mr. Koch. 2:0 vote in favor. This is Resolution 2008-546.

Information Services Director Kevin Scott and Assessor Steve Marks joined the audience.

Memorandum of Agreement for Local 2658-F (Appraisers) for providing contribution to employee benefits and cost of living adjustment (COLA) for the year 2009

Mr. Bowen asked for approval of the Memorandum of Agreement. The only changes to the agreement are a 3% COLA adjustment and \$36 increase for medical for 2009. Assessor Steve Marks answered Mr. Miller's questions.

Motion – Mr. Miller: I'll make that motion that we approve the Memorandum of Agreement, Resolution 2008-547, for the 2009-2011 Collective Bargaining Agreement between Franklin County and Local 2658-F (Appraisers) of the American Federation of State, County and Local Employees and the Washington State Council of County and City Employees, WSCCCE AFSCME AFL-CIO, in the matter of providing contribution to employee benefits and cost of living adjustment for the year 2009. Second by Mr. Koch. 2:0 vote in favor.

INFORMATION SERVICES (IS)

IS Director Kevin Scott met with the Board. Present in audience: Assessor Steve Marks and Joe Chapman.

Computer for new commissioner

Mr. Scott said he needs Board direction to resolve the issue of providing a laptop computer or desktop computer for the new commissioner. At this point, his recommendation is to install a desktop computer. Mr. Miller said he would recommend

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installing a used desktop computer until the new commissioner is here. His understanding is the new commissioner wants a laptop computer.

Mr. Koch asked why would we give him a laptop? Mr. Miller said I see some other commissioners have them and they are efficient. He said Mike Largent from Whitman County has a county laptop computer.

Mr. Koch's concern is what's going to be on this computer if it's in the back seat of his car and it gets stolen? Mr. Scott said that's a countywide problem. Mr. Koch asked are we going to have privileged county information on it? Mr. Scott said that's not unique to this computer. We're looking at a lot of encryption security issues now. Maybe every laptop needs to be encrypted. Mr. Koch said that's my only concern.

Mr. Miller said that's a good point. He said the new commissioner knows it's not a personal computer. Mr. Miller said he likes to use his desktop computer instead of a laptop computer.

Mr. Scott said if county employees take work home, they probably should take a laptop so their personal computer is not exposed to disclosure. Mr. Koch said we need to ask why it is necessary to take work home.

Mr. Koch said my only concern is if it were stolen that there wouldn't be something on it that would jeopardize security. Mr. Scott said I think we need to look at a comprehensive approach to laptop computer security.

Mr. Scott will proceed with preparing a used desktop computer until the new commissioner gets here.

Mapping Software for Assessor's Office

Mr. Scott said Mr. Marks has asked about purchasing mapping software as a tool that would really help the Assessor's Office.

Mr. Marks explained how the software would allow publishing of maps. A software provider will be giving his staff a demonstration today. People outside the office who use the maps would not be able to change anything on the map but can take it with them and can load different layers of maps. It would save us from having to have

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more mapping packages on everyone's desk when we want to be able to move around a map and also be able to take it in the field. The cost is \$2000.

Mr. Koch asked if "publish" means making it available through the internet or a computer. Mr. Marks said it creates a document and then we're able to send it to anyone by email and/or download it onto appraisers' laptops to have in the field. It also gives us the ability to build layers specifically. He gave an example.

He said we only need one version. It has a concurrent license so only one person at a time would use it. It is a one-time cost with a yearly maintenance fee of perhaps \$150. The Assessor budget does not have money available but the Information Services budget does have money available. Mr. Scott said we have about \$12,000 as a lump sum amount available at this time.

Mr. Scott asked assuming the demonstration goes okay and Mr. Marks wants me to go forward, can I just order it? The Board **gave approval**.

Information Services staff member Toni Fulton and Security Director Rick Rochleau joined the audience. Mr. Marks left the meeting.

Track-It Licenses for IS

Mr. Scott asked for approval to purchase two Track-It licenses at a cost of about \$1100. The software does purchase orders, work orders, and other work. We need to add additional licenses because we have more staff now. My focus this year is on professionalism and efficiency. This is an efficiency issue. The Board gave **consensus approval**.

Blackberry Usage

Mr. Scott said we've set up a server to handle Blackberry devices. It allows us to set up 30 Blackberry units so you can calendar, notes, contact, etc. A lot of people have asked about it. In order for this to work there has to be one-time license which costs \$99. We recently purchased two. Mr. Scott said at one time the Prosecutor's office was considering preparing a policy on Blackberrys. Mr. Koch said we need to get a policy set up.

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Mr. Scott asked would it be okay to buy the \$99 license and get the Prosecutor going since he will be approved anyway? Mr. Bowen said the last he heard from the Board, the Board did not want to open up the policy. He is getting two messages. Mr. Koch said basically I don't want the county to pay for the data service. Mr. Bowen said the point of the employee having a Blackberry is to receive data away from work.

Mr. Scott asked until we have a policy worked out, is it okay to put Assessor Steve Marks and Prosecutor Steve Lowe on it? Mr. Koch said at this point until we get a policy figured out, maybe elected officials can be put on it. Mr. Miller said "and department heads."

Mr. Koch said the reason he uses a Blackberry is because he did not want to carry a laptop computer when he was away on county business. Mr. Scott gave an example of an employee using a Blackberry at home for work business.

BID OPENING: REQUEST FOR PROPOSALS (RFP) FOR FINANCIAL INFORMATION MANAGEMENT SOFTWARE AND SUPPORT SERVICES

Bid Opening convened at 10:34 am. Present: Commissioners Koch and Miller; County Administrator Fred Bowen; Information Services Director Kevin Scott; Chief Accountant Tom Westerman; and Clerk to the Board Mary Withers. Present in audience: Joe Chapman, Robin Stanco, Toni Fulton, and Rick Rochleau.

The following seven bids were received:

Congruent Software from Bellevue, Washington

(During the Bid Opening, it was determined that the bid evidently does not include a total amount. It has individual subtotals.)

Tyler Technologies, Inc., from Philmouth, Maine \$630,716.00

Cayenta from Burnaby, British Columbia \$850,522.00

Springbrook Software from Portland, Oregon \$237,400.00

Sunguard Public Sector from Chico, California \$339,150.00

Diamond Municipal from Kelowna, British Columbia

(During the Bid Opening, it was determined that the bid evidently does not include a total amount.)

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AMX International, Inc., from Rexburg, Idaho \$923,017.80

Each bid included a demonstration disk.

Mr. Miller asked if we had an estimate. Mr. Scott and Mr. Westerman said the cost was estimated between \$500,000 and \$800,000.

The bid opening was concluded.

Mr. Scott said when we're buying software, we're not required to use the lowest bidder. RCW 39.04.270 allows us to do competitive negotiation. That's the process we'll be using. We'll select the solution that is best for the county. We have an extensive review process set up.

Mr. Koch asked that a summary of the bid numbers be prepared. It will be included in the minutes (Exhibit 11)

Adjourned at 10:55 am.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until December 15, 2008.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chairman

Chairman Pro Tem

Member

Attest:

Clerk to the Board

Approved and signed December 15, 2008.