

COMMISSIONERS RECORD 49
FRANKLIN COUNTY
Commissioners' Proceeding for December 15, 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 15, 2008, as follows:

1. Approval of **Resolution 2008-548** for the Facilities Use Agreement between Franklin County, by and for the Washington State University (WSU) Extension Office, and the Washington State Migrant Council, for on-line curriculum to facilitate adult Spanish literacy development, effective November 17, 2008, through March 27, 2009.
2. Approval of **joint Resolution 2008-549** for the 2009 Juvenile Center Operations budget in the amount of \$5,533,316 and Facilities budget in the amount of \$266,205.
3. Approval of **joint Resolution 2008-550** in the matter of flat monthly payments for the 2009 Juvenile Center Operations budget and Facilities budget.
4. Approval of **joint Resolution 2008-551** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the Personal Service Contract Amendment between the Juvenile Justice Center and J&J Security, effective January 1, 2009, through December 31, 2009, thus amending Benton County Resolution 06-682 and Franklin County Resolution 2006-609. (Exhibit 1: Information sheet.)
5. Approval of **joint Resolution 2008-552** in the matter of adopting the percentage rates for salaries for Benton-Franklin Superior Court.
6. Approval of **Resolution 2008-553** authorizing Information Services to accept the quote from Numara Software for the purchase of two additional Track-It Named Technician Tier 1 software licenses in an amount not to exceed \$1,415, utilizing funds from the 2008 Current Expense Information Services Budget #001-000-350, line item 518.80.48.0002 (R&M – Miscellaneous Computer Repairs). (Exhibit 2: Information sheet.)

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7. Approval of **joint Resolution 2008-554** in the matter of the request for signature from the Boards of Benton and Franklin County Commissioners on the Professional Services Agreement in Benton and Franklin Counties Superior Court, Juvenile Division, between the Juvenile Justice Center and Laurie L. Magan, effective January 1, 2009, through December 31, 2009. (Exhibit 3: Information sheet.)
8. Approval of **joint Resolution 2008-555** in the matter of the request for signature from the Boards of Benton and Franklin County Commissioners on the Professional Services Agreement for legal representation of indigent individuals in Benton and Franklin Counties Superior Court, Juvenile Division, between the Juvenile Justice Center and Daniel Stovern, effective January 1, 2009, through December 31, 2009. (Exhibit 4: Information sheet.)
9. Approval of County Road Fund payroll in the amount of \$70,440.14 and Motor Vehicle Fund payroll in the amount of \$10,178.35 for pay period ending December 11, 2008.

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

FACILITIES

Facilities Director Chris Giles and Public Works Accountant Dennis Houston met with the Board.

Maintenance Contracts

Mr. Giles asked for approval of two three-year maintenance contracts with American Building Maintenance, one for the Courthouse and one for Public Works.

Motion – Mr. Miller: I move that we approve the Professional Services Contract between Franklin County and American Building Maintenance (ABM) in an amount not to exceed \$120,765 per year for janitorial service for Franklin County Facilities from January 1, 2009, through December 31, 2011. Second by Mr. Koch. 2:0 vote in favor. This is Resolution 2008-556.

Motion – Mr. Miller: I move we accept the Professional Services Contract between Franklin County and American Building Maintenance (ABM) in an amount not to exceed \$14,348.80 per year for janitorial services at Franklin County Public Works Facilities,

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effective January 1, 2009, through December 31, 2011. Second by Mr. Koch. 2:0 vote in favor. This is Resolution 2008-557.

MINUTES

Motion – Mr. Miller: I move we accept the Commissioners Proceedings for December 10, 2008. Second by Mr. Koch. 2:0 vote in favor.

TRAC

TRAC Manager Troy Woody met with the Board.

Holiday Party Recap

Mr. Woody said the holiday parties at TRAC have gone well. Many have already rebooked for next year. He will prepare a recap of Christmas revenue information and give it to the Board next month.

Mr. Koch and Mr. Miller complimented TRAC staff on the work done for the county Awards Banquet.

Naming Rights at Pavilion

Pepsi is reviewing a draft agreement for naming rights that was prepared by the Prosecutor's Office.

IAAM Conference

Mr. Woody plans to attend the IAAM conference in Boston, Massachusetts, July 24 through 28.

Emergency Planning Map

Mr. Woody showed the Board a draft of an emergency planning map that has been prepared in conjunction with the Red Cross and Emergency Management. Emergency planning is being done to determine who would go where and what would go where in the event we were an evacuation center. The next meeting is scheduled with the City of Pasco to discuss the use of the softball complex. One issue Mr. Woody is concerned about during emergency use is overcrowding. He told the Board why it is important to have the emergency plan in place. He will continue to bring updates of the plan to the Board. He hopes to complete the plan in 2009. He wants to be able to implement it in an hour or two.

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Upcoming events

The Best of the West Wrestling tournament is scheduled this week. The weather will probably affect attendance, particularly for out-of-town teams. A Bull Bash is scheduled for December 27.

TRAC office

Mr. Koch commented about the condition of the drapes in the TRAC office. Mr. Woody said we did not have money to put in better drapes so we spent \$35 to put in drapes just for the holiday season.

Recessed at 9:42 am.

Reconvened at 9:45 am.

PUBLIC WORKS

Engineer Tim Fife met with the Board.

Vouchers

Motion – Mr. Miller: I move that we approve payment of vouchers as listed: County Road Fund for \$299,936.40; MV & PW Equipment Fund for \$16,503.39; Solid Waste for \$1430.06; and Solid Waste for \$1733.95. Second by Mr. Koch. 2:0 vote in favor.

(Exhibit 4)

Franklin County Request for Reimbursement of Work – City of Connell

The City of Connell has asked the county to apply liquid de-icer for them this winter. The document allows Connell to pay Franklin County for the work.

Motion – Mr. Miller: I move that we approve the agreement between City of Connell and Franklin County. This is for de-icing in the city to be done by Franklin County. Second by Mr. Koch. 2:0 vote in favor. (Exhibit 5)

Standard Consultant Agreement, Supplement #10, between Franklin County and J-U-B Engineers, Inc., amending Resolution 2000-236

Mr. Fife said the only change is the date. We are waiting for one parcel to go through the complete short plat process so we can sign the agreement to trade it to the Bureau of Reclamation so they can give us the right of way.

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Motion – Mr. Miller: I move for approval of the Standard Consultant Agreement, Supplement #10, between J-U-B Engineers and Franklin County, amending Resolution 2000-236. Second by Mr. Koch. 2:0 vote in favor. This is Resolution 2008-558.

Cattle Guard Policy

After reviewing the draft cattle guard policy, citizens have asked that the county clean rock from underneath cattle guards. Mr. Fife does not think that is a big point and is glad they are bringing it up. We can make a change to the policy. It will be an internal policy.

Tri-City Herald Reporter Joe Chapman joined the audience.

Mr. Koch said he understands one of Mr. Fife's concerns is if you lift one of the cattle guards and it falls apart, it's not the county's responsibility to pay for replacing it. Mr. Fife agreed. He said we don't have a problem lifting the guards and cleaning them but if it's not in any condition to clean, the owner needs to take care of it or replace it. Mr. Fife said a lot of the cattle guards are homemade. They need to be safe.

Recessed at 10:04 am.

Reconvened at 10:16 am.

FARM BUREAU

Farm Bureau members David Manterola and Steve Cooper met with the Board.
Present in audience: Joe Chapman.

Presentation of award for Commissioner Neva J. Corkrum

Mr. Cooper and Mr. Manterola present an appreciation award to Neva Corkrum for all of her years of service as a county commissioner. Mr. Cooper said we really do appreciate all the work she has done for the county and we wish her well. He asked the Board to forward it on to her and let her know of our gratitude and appreciation.

Mr. Koch and Mr. Miller thanked the Farm Bureau. Mr. Koch explained that Mrs. Corkrum has had knee surgery and was unable to be at the meeting.

DISTRICT COURT

District Court Clerk Kelly Martin met with the Board. Present in audience: Joe Chapman.

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Request to approve hiring of temporary High School worker

Ms. Martin asked for approval to hire a temporary high school worker from December 16 through January 25 to work 20 hours a week helping with filing and scanning. There is money in the District Court budget to cover the cost. The Board **gave approval.**

COUNTY ADMINISTRATOR

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

District Court Indigent Defense Contract Extension: Patrick D. McBurney, Jr.

Mr. Bowen gave an update on the status of the indigent defense contracts. The contracts have a case cap of 200 but some are running close to 400. Mr. Bowen thinks a third district court indigent defense attorney should be started next year. He asked for a 60-day extension to the contract with Mr. McBurney while negotiations continue.

Motion – Mr. Miller: I move that we, the Board of Franklin County Commissioners, sign the Independent Contractor Agreement Amendment for indigent defense services in Franklin County District Court between Franklin County and Patrick D. McBurney, Jr., amending Franklin County Resolution 2006-172, for a 60-day extension. Second by Mr. Koch. 2:0 vote in favor. This is Resolution 2008-559.

PROSECUTOR

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

Conditional Use Permit: Flower Farm (Tom Kay)

Mr. Verhulp asked for approval of a voucher for \$1333.35 payable to Janet Johnson and her attorney John Ziobro related to Flower Farm's conditional use permit that was appealed by Ms. Johnson to the Superior Court. The court reviewed the petition and found as to a couple of the issues and findings that there was insufficient evidence in the court's opinion and therefore remanded the permit back to the Board of County Commissioners for further consideration. The matter will be before the Board on December 17 for reconsideration. As a result of the judge's ruling and according to

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RCW, Ms. Johnson is considered a prevailing party and is entitled to her costs. The judge has ordered \$1333.35 be paid to her.

Motion – Mr. Miller: I move that we issue a warrant in the amount of \$1333.35 per Franklin County Superior Court Order in re Janet Johnson v Franklin County, Superior Court Cause #08-2-50014-7. Second by Mr. Koch. 2:0 vote in favor. This is Resolution 2008-560.

AUDITOR

Chief Accountant Tom Westerman and Robin Stanco met with the Board. Present in audience: Chief Civil Deputy Prosecutor Ryan Verhulp and Joe Chapman.

Financial Information Management RFP

Mr. Westerman gave the Board a breakdown of the proposal costs from the bids that were opened on December 10. The breakdown is included as Exhibit 11 in the December 10 minutes. The seven proposals that arrived on time are included in the breakdown. He said we met Thursday in a conference call with our consultant. We have a formula to grade the vendors.

A bid was received from Cogsdale after the deadline. They have requested an extension. The RFP does not include the ability to do that. Mr. Westerman showed the Board a letter that FedEx sent to Cogsdale apologizing for the late shipment. He has also attached a copy of the bidding document stating the county is not responsible for late delivery. Mr. Westerman said Mr. Verhulp has told him that the Board should make the official decision about whether or not to accept the bid.

Mr. Koch said he has received a notification from FedEx as to when the package was picked up and delivered. It was not picked up from the Cogsdale until 5:00 pm on December 9. It reached Memphis at 3:07 am on December 10. It was received in Spokane at 8:25 pm on December 10. It was delivered the county on December 11 at 12 o'clock pm. He does not see where the delay occurred since it was not even sent until late in the day before the bids were due. They claimed it was a delay due to weather. It was received over 24 hours late. Mr. Koch said according to what the RFP stated, he doesn't don't know how we can accept it.

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Mr. Verhulp said he agrees. He said this is a bidding irregularity and it would be more of a substantial irregularity. Our general recommendation would be to not allow such. He recommends sending the bid back to the company.

Mr. Koch said his recommendation is not to accept it. Mr. Miller said I would feel the same way. The Board **gave approval** for Mr. Westerman to contact the vendor and let them know of the Board's decision.

COUNTY ADMINISTRATOR (continuing)

District Court: Contract with Nicole Preszler

Motion – Mr. Miller: I move we approve the resolution to amend Franklin County Resolutions 2006-175 and 2007-264 for Nicole Preszler to represent indigent persons in Franklin County District Court, extending the term of the contract to February 28, 2009. Second by Mr. Koch. 2:0 vote in favor. This is Resolution 2008-561.

Superior Court: Contract with Matthew Rutt

Motion – Mr. Miller: I move that we approve the Independent Contractor Agreement between Franklin County and Matthew Rutt to provide legal representation to indigent persons charged with crimes in the Superior Court of Franklin County, Washington, effective January 1, 2009, through December 31, 2011. Second by Mr. Koch. 2:0 vote in favor. This is Resolution 2008-562.

Adjourned at 10:46 am.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until December 17, 2008.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chairman

Chairman Pro Tem

Member

Attest:

Clerk to the Board

Approved and signed December 17, 2008.