

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

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

OFFICE BUSINESS

Secretary Patricia Shults met with the Board.

Consent Agenda

Motion - Mr. Koch: I would move that we accept the consent agenda for January 7, 2009, as presented:

1. Approval of **joint Resolution 2009-014** in the matter of execution of amendment #01 between the Provident Horizon Group and Benton and Franklin Counties' Department of Human Services, Agreement #07/09-DD-PHG, effective November 1, 2008, and authorizing the Chairman to sign said amendment on behalf of the Board. (Exhibit 1: Information sheet.)
2. Approval for the Board to sign a Certificate of Appreciation recognizing Linda Dunnington for her dedicated service to the Franklin County Assessor's Office. (Exhibit 2)
3. Approval of **Out-of-State Travel Request** for Tim Waters to attend the PNW Insect Management Conference January 11-13, 2009, in Portland, Oregon for an estimated cost of \$320. (Exhibit 3)

Second by Mr. Peck. 3:0 vote in favor.

State Legislative Appointment

Mr. Miller asked if the other Board members would like to have any discussion about the replacement for Representative Steve Hailey. Mr. Peck is willing to discuss or not. Either is okay. Mr. Koch would like to wait for any discussion until hearing the candidates for the position speak. Mr. Peck said it appears that Whitman County is taking the lead to set a meeting for us to meet the nominees on January 19 in Colfax.

Vouchers/Warrants

In reviewing vouchers, Ms. Shults noticed warrant 10940 paid an *Out-of-County Travel Request* in the amount of \$140, which should have been approved by the Franklin

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

County Board of Commissioners on an *Out-of-State Travel Request* form. The appropriate office was notified for future travel authorization.

Motion – Mr. Koch: I move that we accept the 2008 vouchers as listed, for a total amount of \$12,780.30: Landfill Closure Trust Fund warrant 10833 for \$2,535.40; and Current Expense warrants 10834 through 10944 for \$10,244.90. Second by Mr. Miller. 2:0 vote in favor. (Exhibit 4)

Minutes

Motion – Mr. Miller: I move that we approve the Commissioners Proceedings for December 29, 2008. Second by Mr. Koch. 2:0 vote in favor.

HUMAN SERVICES (HS)

HS Director Carrie Huie Pascua met with the Board.

Department Update

State budget cuts are expected to impact all of the HS program areas.

A joint Advisory Board meeting was held last month.

Developmental Disabilities

Ambitions of Washington is a new provider for Developmental Disabilities services.

Vendors are receiving a modest rate increase for employment services.

The second annual Transition Work Fair will be held in March to help high school students with disabilities who will be graduating soon obtain jobs.

Ms. Huie Pascua said state-only budget funds are being cut. It will affect clients who do not qualify for Medicaid. The cuts will impact 39 people in the two-county area. She told the Board how the state funding works involving both the Developmental Disabilities office and the Department of Vocational Rehabilitation. She explained some of the employment services criteria for clients.

In response to Mr. Bowen's question about the vendor rate increase, Ms. Huie Pascua said we modified the rates slightly as an increase to providers but only on the Medicaid side, not the state-only side. Mr. Koch gave an example: If I'm the provider and the HS office offers me a dollar an hour to provide services to these people

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

and the HS office ends up with an extra \$100, maybe next year HS can offer me \$1.25 to do the services so no money is going back.

Mr. Peck asked if the only reason for the vendor rate increase is because we had dollars left over. Ms. Huie Pascua said no. We had not given providers a vendor rate increase recently so we compared to other parts of the state to look at the rate so that we weren't overpaying. In part, it was due to the fact that we ended up turning back dollars in the past. Mr. Peck said it sounds like we were under the market in terms of what we were paying people and we had the dollars available so you took advantage of it? Ms. Huie Pascua said yes. Mr. Peck asked presumably that's not something we can move back on in the future if state dollars become available, or is it? Ms. Huie Pascua said we try not to go backwards. We did increase on Medicaid (Federal) dollars, not state dollars. There are basically two funding streams for all of our programs. The Federal funding comes down through state agencies.

Mr. Bowen asked if the increase to the vendors provides more services for clients or more dollars in their pocket. Ms. Huie Pascua said it is more dollars. It is somewhat like a cost of living increase. We have done an analysis of the state average. The amount depends on what the service is. For instance, the Person-to-Person program is a one-on-one service so the rate is higher, maybe \$50 an hour. A group rate might be \$12 an hour. Ms. Huie Pascua said most of the contracts are for two years. Mr. Koch said it's a contracted period of time and if we lose the Federal money, then the next contract would reflect the lower rate.

Tri-City Herald Reporter Joe Chapman joined the audience.

Ms. Huie Pascua said some dollars can be rolled over and some cannot. We are keeping the dollars and providing the services in our community to get the most service for the dollars that come to us from the state.

Housing Services

Homeless Housing: We completed the 2008 service contract with the Community Action Committee (CAC). We were not able to meet the deadline for the 2009 contract starting this year so we're still in contract negotiations.

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

Homeless Grant Assistance Program (HGAP): We are working on an amendment to the HGAP contract. It is a bi-county program.

Ringold Workgroup: The Ringold Workgroup did not meet in December.

Affordable Housing (2060 Fund): We are in the throes of completing the interlocal agreement for Affordable Housing for Benton County. The Community Action Committee (CAC) has the contract for the Franklin County 2060 Fund.

Because we are bi-county and oftentimes the service providers are in both counties, it would not surprise her if there was a project that ended up coming out of the Benton County 2060 funds that ended up benefiting Franklin County because of the Tri-Cities nature. We are looking at releasing in the next three years about \$1.5 million that has accumulated in the fund over the last 6-1/2 years.

State Budget Cuts: The Housing Trust Fund has been reduced by 50% in the state budget. The funding opportunities have been reduced from twice a year to once a year. It has a far-reaching effect because what happens today will have an impact for up to 10 years.

Mental Health Services

Julie LaPierre is the interim manager of Greater Columbia Behavioral Health (GCBH). It is an 11-county and Yakama Indian Nation region, the largest geographic region in the state. Mr. Koch is the chair of the GCBH board.

Mental Health Outpatient Services: We have been working with Lourdes Counseling Center to implement a "Rapid Enrollment Clinic" to quickly engage individuals that are eligible for services so they don't fall through the cracks. It will include medication management.

Crisis Response Unit (CRU): Ed Thornbrugh is the interim CRU and Substance Abuse Assessment manager. The Board reviewed some statistics showing the number of evaluations, number of detentions, and percentages of people detained or diverted. The greater the number of diverted cases means lower costs to our community in our service system. We want to see a high percentage of diverted cases.

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

Mr. Peck asked if there are seasonal implications in the statistics.

Ms. Huie Pascua said her staff is trying to determine if there is a trend. Some of the data is being revised because some of the early data included things that perhaps should not have been included.

Ms. Huie Pascua said some people will not meet the criteria for Medicaid usage so she thinks there will be an increase in those served. Mr. Peck said it may shift people to a different system so the gains will be skewed.

Mr. Koch said he thinks the economic situation will lead to more observations in the unit because of unemployment, higher stress and other reasons.

Consolidated Crisis Response Center (CCRC) Feasibility Report: We have seen the draft report and hope to see the final report soon.

State Budget Cuts: Ms. Huie Pascua said we do not know exact numbers yet but we do know some state funding will be cut. The core priority services for state-only funds are the Crisis Response services. We will see a reduction on the outpatient side.

Substance Abuse and Prevention Services (SAPC)

Substance Abuse Assessment Center (SAAC) is the other direct service program that HS handles. (The other direct service program is Crisis Response.) Everything else is subcontracted. We had to restructure the chemical dependency professionals staff in July because of budget cuts.

Sub-Acute Detoxification Center: There will be a budget cut for Detox services. The Detox center in Franklin County is a bi-county service but also serves Walla Walla, Grant, and Columbia Counties. That is how the subcontractor is able to make up some of the shortfall. Since we're going to have to cut further on a bi-county basis, we are very, very concerned about being able to keep the doors open.

She answered Mr. Miller's question about the use of the Detox Center by other counties. The state's term is Sub-Acute. There are other terms that also describe it.

State budget cuts: The Department of Alcohol and Substance Abuse (DASA) has listed positions and programs that will be eliminated and/or may be affected by state budget cuts.

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

The ADATSA alcohol and drug treatment program will be eliminated July 1, 2009. Ms. Huie Pascua is not concerned about the loss of this particular program.

Request to visit HS

Mr. Peck asked to visit at HS. Ms. Huie Pascua said we can schedule some time.

Goals and Objectives

HS has updated the goals and objectives for 2009-2013, a five-year span. The advisory boards are reviewing it. It will also come to the Board for review and comment.

PROSECUTOR

Chief Civil Deputy Prosecutor Ryan Verhulp and Deputy Prosecutor Ben Zelen met with the Board.

Public Hearing: To take testimony for and against adopting an ordinance establishing the procedure by which public records requests are administered, adding a new chapter to the Franklin County Code.

Public Hearing convened at 9:45 am. Present: Commissioners Miller, Peck and Koch; County Administrator Fred Bowen; Chief Civil Deputy Prosecutor Ryan Verhulp; Deputy Prosecutor Ben Zelen; and Clerk to the Board Mary Withers. Present in audience: Joe Chapman, Auditor Zona Lenhart, Auditor's staff member Connie Curiel, Planning Director Jerrod MacPherson, Information Services staff member Dann Borden, Information Services Director Kevin Scott, County Engineer Tim Fife and Prosecutor Steve Lowe.

Mr. Miller said a written statement was received from Donna Zink (Exhibit 5). Mr. Verhulp and Mr. Zelen were provided with a copy.

Mr. Verhulp suggested that the Board take comment for and against the proposed ordinance at this time. If necessary, he would provide legal advice to the Board in an executive session later.

Mr. Peck said he has read through the draft of the ordinance. He would not be prepared to take any action today because he has some questions.

Mr. Koch said because of the written comments by Ms. Zink, he feels the Board should hold off from making a decision today.

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

Mr. Miller asked if anybody would like to make comments.

Auditor Zona Lenhart thanked Mr. Zelen for all the work he has done. I agree with the Board that we should do a little more research before we adopt anything. I do have some questions in terms of specifics. I would like to meet with Mr. Zelen. One issue is the 35 copies. She wonders how are we going to monitor 35 copies? It's separate and apart from other work we do in the Auditor's office. We have a mechanism for providing copies in the Auditor's office to a degree. Not every office would have that in place. She would like to talk to Mr. Zelen outside of the public hearing setting. She said I'm not opposed at all.

Mr. Zelen said the Public Records Act (PRA) allows a government entity to waive payment for requests if they are less than a certain amount. The entity can decide what that amount is. The state auditor's office found the break-even point where it would cost more to request payment than not was 28 copies, meaning they figured it took someone about half an hour to request a payment and receive a payment and all the work involved. It worked out to about \$4.00 or \$4.25, something like that. He said we discussed this with the county commissioners. They decided that they would not request payment for anything less than 35 copies. It would cost more for the county to request payment than the actual payment received.

Mr. Zelen said the PRA fee schedule does not supersede the statutes that govern the Auditor's office. Ms. Lenhart said there's a distinction to be made. A recent newspaper article did not make that distinction clear. She is concerned that people will think there are no charges in the Auditor's Office, such as for marriage licenses.

Ms. Lenhart said she wants to deal with specifics. She said in part of the policy you've named the public officer is the Auditor or Public Records Officer. I was glad you wanted to see a list, that it is not nebulous, that we have an absolute list of who is responsible. My questions are more as it relates to me, not so much as it relates to other departments, because we have a fee collection process. Not all the offices do. We give away free copies as well. A lot of our documents are on the internet and people can get those for free. I'm not opposed to free.

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

Mr. Zelen said it is clear in the PRA that fee schedules set by other statutes stand.

Ms. Lenhart said we do give away free documents and we are working on getting more of the documents, going back to 1889, imaged and onto the internet.

Mr. Peck pointed out that Zona Lenhart is speaking. He said many public records are electronic and they don't have a printed copy that shows who was speaking.

Mr. Miller said the Commissioners did have a workshop on this matter on December 1 and did discuss most of it.

Mr. Miller asked if anyone else would like to speak and discuss this issue.

Mr. Verhulp said we invited Information Services to discuss the county's email archiving system. Mr. Zelen said one issue dealt with the backup system that IS is using for archiving records. He asked Mr. Scott to tell us how the system works.

Kevin Scott, Information Services Director, spoke. Currently the backup system is just a normal data backup system. We have purchased an email archive system but it is not yet live. He described in general how the current system works. It is not easily searchable.

The email archive system we have just installed has a user front end that would allow people to be designated to have access. It would allow perusing and browsing through hundreds of thousands of emails a message at a time, not a post office box.

Mr. Zelen said the proposed ordinance makes reference to the fact of a system and states there would be no obligation for the county to search for backup tapes. He asked is it even possible to search for backup, for instance if the requestor requested a specific email? Mr. Scott said it's possible. It would be a monumental task to find an email from a specific backup that was done months in the past. Mr. Zelen asked how much time? Mr. Scott said tens of hours. We just did one for a discovery issue.

Mr. Bowen asked if the backups are stored indefinitely. Mr. Scott said they are recycled every couple of months. The current system has 10 tapes that are recycled. The backup is for data redundancy. An email archive system would be for public disclosure. Some people use it as a file system with associated attachments. That would be available through the email archive system.

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

Mr. Verhulp said the Information Services Department was asked to comment in order to provide the Board with additional information in response to one of the issues that Mrs. Zink raised. One aspect of our proposed policy is that there is no obligation to respond to a public records request by searching backup tapes or similar media for identifiable records. We wanted to make sure the Board was informed from IS in terms of the backup system and the challenges in actually searching such backup system and to what extent you want to make that an obligation of the proposed policy or ordinance.

Mr. Peck said for clarification, there is nothing in the law that necessarily excludes or requires that action and that it's discretionary on our part of how much county resource we want to apply? Mr. Verhulp said at best it's a gray area under the public records statutes, to what extent data needs to be kept and is searchable over periods of time.

Mr. Zelen said the PRA states that agencies shall adopt and enforce reasonable rules and regulations to protect public records from damage or disorganization and to prevent excessive interference with other essential functions of the agency. From his understanding of what Mr. Scott said regarding backups, it sounds like it would be a monumental task in order to search for a specific record there. So that is the purpose for that clause in the proposed ordinance.

Mr. Peck asked so my assumption is correct that ultimately the determination of what constitutes that reasonableness is a decision left to us with respect to this ordinance and in what form we choose to pass it? Mr. Zelen said it's true that we should do what we believe is reasonable. That's not necessarily what a court may determine.

Mr. Peck said if there are no specific parameters set in the law so at some point someone has to make the decision as to what is and is not reasonable and my assumption is that is us by virtue of this ordinance. Mr. Zelen said there has been a case where an email had to be found. It was on a personal computer, not on backup tapes.

Prosecutor Steve Lowe said the electronic records right now are not well described in the law. The Secretary of State does the state archives through local government. He is trying to work on draft regulations now to fill in the gray areas of

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

what is a public record because the statute pre-dates electronic media. One question is, is a backup a public record compared to the original record? Yes or no or maybe. Right now we're trying to define it based on practices in our county to get to that level where we can have access to our public records. Mr. Lowe said this ordinance is not set in stone. This is an ordinance we can change as the law changes. With the additional staff you have provided, we can at least get up-to-date now. It is an ever-evolving law. He believes in the next year or two the Secretary of State will issue guidelines that will further clarify whether the backup is in fact public records.

Mr. Lowe said the draft regulations have changed three times in the last six months. He said we need to get something done for the county now.

Mr. Peck said he thinks Mr. Lowe anticipated his question: Should we be waiting for guidance from the state or is it a matter that we need to make that discretionary judgment now, anticipating that they are not going to give us the answer anytime soon.

Mr. Zelen said the language states there is no obligation to respond to public records requests by searching backup tapes or other similar media. I believe it would be very unwieldy if we did have an obligation whenever someone made a request to also search the backup tapes. That would be unreasonable. I don't think this prevents us from searching backup tapes if we have specific knowledge of an identifiable record in those backup tapes. There just is no obligation to search those for every request.

Mr. Verhulp said this would be one of a number of issues we would need your guidance on as to what is best for the county.

Mr. Verhulp suggested continuing the public hearing to a future definite date. We could schedule a longer period of time to allow more time to provide you with guidance and provide you with some additional information in advance.

Motion – Mr. Peck: I would move that we continue this public hearing to a time and date specific.

Ms. Lenhart requested a month because she will be meeting with a group of auditors in the next few weeks regarding the same issue.

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

(Motion continued by Mr. Peck) – to continue the public hearing to February 4, 2009, at 10:30 am scheduled for half an hour. Second by Mr. Koch. 3:0 vote in favor.

Request for approval of contract with outside attorney for civil legal services

Prosecutor Steve Lowe met with the Board. Present in audience: Joe Chapman and Tim Fife.

Mr. Lowe said he has filled two positions in his office. The Board approved his budget to include another attorney and staff support person but there is no space to put another person. He said the Board has been looking for additional space to move outside the courthouse but has been unsuccessful. He would like to reach the goal of providing better civil legal services by contracting with outside counsel for civil work. He said Mr. Zelen will be transitioning into a position that will do very little civil work. The proposed contract is significantly less than the amount that was budgeted.

Mr. Bowen said he believes Mr. Lowe was granted two new positions, not four. Mr. Lowe said you're correct. I asked for four, two attorneys and two support staff, one in the civil division supporting the civil deputy. With the outside contract, the attorney will provide the support staff within the cost of providing legal services. The two positions that have been filled are a criminal deputy and a receptionist. One is hired and the other is expected to be hired this week. I'm not adding four positions; you're correct.

Mr. Lowe said the contract with the attorney would be as a retainer every month for \$5000 to provide all services, legal and support. If the volume of work goes down, we can terminate the contract in 30 days. The attorney has worked as a county employee in the past as well as doing other work for the county as a private attorney. The attorney will have to limit his pro tem work in District Court and also had to modify another contract. He cannot hear Franklin County cases. He will continue to hear Benton County cases.

Mr. Bowen said the Board had approved \$90,000 for professional services in Mr. Lowe's budget. He asked if that amount can be reduced since the contract will cost \$60,000 for the year. Mr. Lowe said I wouldn't say that. He said he negotiated for the

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

short term. It's a long-term commitment to provide for the year. Mr. Bowen said if we do have budget shortfalls, I will be looking at the \$30,000 amount.

Mr. Lowe said we manage the labor contract also. I want you to realize the work load is there for that type of person. I'm hoping to be able to provide better service than I've done in the past five years.

Mr. Lowe left the meeting.

Executive Session at 10:16 am regarding potential litigation under RCW 42.30.110(1)(i)(b) expected to last up to 15 minutes.

Open Session at 10:30 am.

Mr. Verhulp said no decisions were made.

Recessed at 10:31 am.

Reconvened at 10:34 am.

PUBLIC WORKS

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

Vouchers

Motion – Mr. Koch: I would move that we approve the vouchers as listed: County Road Fund for \$184,387.36; MV & PW Equipment Fund for \$39,549.77; Solid Waste Fund for \$809.88; and Solid Waste Fund for \$904.88. Second by Mr. Peck. 3:0 vote in favor.
(Exhibit 6)

Resolution: Initiating a County Road Project designated as CRP 599/North View Drive Approach

Mr. Fife asked for approval of the resolution designated County Road Project 599, North View Drive Approach. A \$5000 building permit fee was collected from a person for a building permit on North View Drive off of Radar Hill. It includes some county road funds for future building. The project would involve paving about 300 feet of the road and making it a county road. It will be an apron type of area. The work will be done by day labor or our own forces. The money is in the budget and it falls under our annual construction program under the Miscellaneous category.

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

Mr. Peck asked what this project is and why it is a public necessity. Mr. Fife explained. He said the approach is steep and the sight distance is not good. The project will improve the sight distance. We collect the money and it is explained upfront to them and people know why we are doing it. There are additional homes that are grandfathered in on the road. Because of the steepness, we're always cleaning the gravel off the road. This work will take care of that problem now.

Motion – Mr. Peck: I move that we approve this proposal for County Road Project designated as CRP 599/Northview Drive Approach and the appropriation for this activity would be from the 2009 official adopted road fund budget and based on the county engineer's estimate. Second by Mr. Koch. 3:0 vote in favor. This is Resolution 2009-015.

R170

Mr. Fife said the County Rural Arterial Board (CRAB) approved the funding request for the R170 project. The notice was sent for public hearing as approved on January 5 by the Board. Bids will be opened on January 21.

Mr. Fife answered Mr. Miller's questions about a right-of-way issue on the R170 project.

Weather-related problems on roads

There are some spots with water over the roadways. We may have to put restrictions on the roads because of the rapid thawing. The restrictions will probably be fairly brief.

VEBA

VEBA Northwest Marketing Director Rich Dickman and Human Resources Director Rosie H. Rumsey met with the Board. Present in audience: Joe Chapman.

VEBA

Mr. Dickman said a VEBA is a tax-exempt health and welfare benefit trust. It was originally called MSA VEBA. Additional Federal guidance clarified the plans that really didn't have a name so the trust name was eventually changed to HRA VEBA. HRA is an acronym for health reimbursement arrangement.

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

Mr. Chapman left the meeting.

Mr. Dickman said he was asked to explain the IRS rules about health benefit dollars going into the VEBA or not going into it. The primary rule is that individual employees are not allowed to have an individual choice but it has to be done on a group basis. He answered the Board's questions about various ways the VEBA can be configured. Ms. Rumsey said Mr. Dickman will also talk to the various bargaining groups to give them information and answer questions.

Mr. Dickman left the meeting.

Mr. Bowen asked if the Board wants to consider changes to the VEBA program further now or consider it later on.

Mr. Peck said he would not want to ask to do it unless one of the other commissioners wants to explore it.

Mr. Koch shook his head no.

Mr. Miller said there is no harm in doing the research and bringing it back with options, although he is perfectly happy with it as it is. He thinks the big catch is it is tax-deferred.

Mr. Koch said I'm not interested. We heard what Mr. Dickman had to say about it. I don't know what the former commissioners' concern was. He doesn't know what our percentage of young adults are as county employees but he would hate to see some young adults not use that money for medical care and end up losing more work hours in our organization because of that fact. Mr. Bowen said he believes that was the opinion of the previous board, too.

Mr. Peck said I don't subscribe to that line of thinking but I respect Mr. Koch's opinion. He questioned whether or not anyone had ever asked the employees what they wanted and suggested and he asked that some research be done and have a document produced that succinctly describes the choices and maybe a vehicle to poll employees and see what they would prefer.

Mr. Miller said I would agree in doing research. I'm not so much in favor of changing.

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

Mr. Bowen said we will look at it and bring back the findings. Mr. Peck asked him to look at whether or not there is some way to poll the employees and get a sense of what their preference is since ultimately they are the ones impacted. Mr. Bowen will work with the unions to get their input. He said we can find a way to talk to the non-bargaining employees and maybe the elected officials also.

HUMAN RESOURCES (HR)

HR Rosie H. Rumsey met with the Board.

Part-time HR position

Ms. Rumsey asked for approval to change the part-time HR position from 52% of a 100% FTE to 53.13% of a FTE for the sole purpose of making it easier for payroll to be able to calculate the vacation and holiday accruals. Currently as a 52% employee, she has to work 4 hours and 8 minutes or something like that. It is her understanding every time they have a holiday or she takes vacation, they have to figure out payroll because of the rounding of the decimals versus the minutes. If the position is at 53.13%, the employee will work 21 hours 15 minutes per week. That addition dollar wise is \$484 a year.

She was asked why the hours worked should go up rather than down. Ms. Rumsey said the state retirement department gives service credit hours for the entire month if a person works 90 hours a month. If they work 88 hours, they are only getting a half month credit. It does not cost the county for those service credit hours. It does cost the county the extra 2% in wages, which probably affects six employees.

Mr. Peck asked do you provide all of the HR work for the county? Mr. Bowen said some officials choose not to use HR so HR does provide some service to those departments but not full 100% service. Mr. Peck asked are you comfortable that 1.5 FTE is the right amount for the workload? Do you think it should be more? Mr. Bowen said yes. Ms. Rumsey said I would like a full-time person.

Motion – Mr. Koch: I would move that we allow the Change of Status for Lisa Schumacher from a 52% employment to 53.13% employment for housekeeping. Second by Mr. Peck. 3:0 vote in favor. (Exhibit 7)

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

Classification Committee: Two Change of Status Requests

Ms. Rumsey explained how the two different Classification Committees function. The bargaining Classification Committee has reviewed a request from the Assessor's Office to reclassify two positions. The person filling a Grade 15 position retired. New job descriptions have been prepared for two employees who were at Grade 12 that will be absorbing the duties of the Grade 15 position. The Grade 15 position will not be refilled. There is funding in the budget because the Grade 15 position was expected to be filled until June. The recommendation of the committee is that the two new positions be graded at a Grade 13. The difference for one employee is \$800 a year, going from Grade 12 Step 7 to Grade 13 Step 7. The difference for the other position will be \$1911 per year because the person is currently at a lower step in Grade 12. Ms. Rumsey answered the Board's questions.

Motion – Mr. Peck: I would move that we approve the Status Change for these employee actions, Change of Status actions for Carrie Mitchell, employee payroll #MIT300, and for Julie Michel, employee payroll MIC050. I move that we approve these as presented by our HR expert. Second by Mr. Koch. 3:0 vote in favor. (Exhibit 8)

Ms. Rumsey asked if the Board wants to have a resolution prepared so we have a record of the job description and the grade changing. The Board asked Ms. Rumsey to prepare a resolution.

COUNTY ADMINISTRATOR

County Administrator Fred Bowen met with the Board.

Indigent Defense Attorney Contract: Karla V. Kane

Motion – Mr. Koch: I would move that we approve the Franklin County Resolution regarding independent contractor agreement between Franklin County and Karla Kane to provide legal representation to indigent persons charged with crimes in the courts of Franklin County. Second by Mr. Peck. 3:0 vote in favor. This is Resolution 2008-016.

Lawn mower/Snow Blade Purchase

The engine went out on the seven-year-old lawn tractor. It would cost \$1800 to replace the engine. A new lawn mower/snow blade would cost \$2620 including tax.

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

Mr. Bowen asked for approval to purchase a new lawn mower/snow blade and budget transfers. There is money in the budget. Mr. Bowen explained the budget transfers that would occur.

Motion – Mr. Peck: I move that we authorize Facilities to purchase a lawn tractor and snow blade from RDO Equipment Company at a cost of \$2620.22 and creation of line item 594.19.64.2001 in the 2009 Current Expense Capital Outlay Budget. Second by Mr. Koch. 3:0 vote in favor. This is Resolution 2009-017.

Mr. Bowen said there will be another resolution prepared to purchase a snow blower from the 2008 budget.

2009 Budget

Mr. Bowen met with Chief Accountant Tom Westerman. Mr. Westerman told him the revenues are not quite coming in like originally anticipated. He asked the Board to be cautious about any budget increase requests for 2009 at least until February when the cash carryover amount will be known.

Contract with Attorney James Bell

The Board decided to approve the contract with Mr. Bell as requested by Prosecutor Steve Lowe.

Motion – Mr. Koch: I move that we accept the Professional Service Contract between Franklin County and the law office of James Bell to provide civil or criminal legal representation services as assigned by the Franklin County Prosecuting Attorney or his designees. Second by Mr. Peck. 3:0 vote in favor. This is Resolution 2009-018.

VOUCHERS

Motion – Mr. Koch: I move for the approval of County Road Fund payroll for \$75,921.62 and Motor Vehicle fund payroll for \$10,607.87. Second by Mr. Peck. 3:0 vote in favor.

Adjourned at 11:55 am.

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for January 7, 2009

There being no further business, the Franklin County Board of Commissioners meeting was adjourned until January 12, 2009.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chairman

Chairman Pro Tem

Member

Attest:

Clerk to the Board

Approved and signed January 12, 2009.