

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for March 2, 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

Consent Agenda

Motion - Mr. Koch: I would move for approval of the consent agenda for March 2, 2009.

Second by Mr. Peck.

Mr. Peck asked to discuss item 5 separately. Mr. Koch said the resolution is re-affirming for the Washington Counties Risk Pool that various people were appointed to positions. Mr. Peck said he wouldn't have a problem supporting it but wants to use this as an opportunity to clarify that on previous occasions where individuals were appointed to committees by resolution, it didn't automatically follow they fill positions on those boards. He is glad to see we've established a precedent going forward with this resolution today.

Vote: 3:0 vote in favor.

1. Approval to submit letters to Dr. Elson Floyd, WSU President, Dr. Warwick Bayly, University Provost, and John Gardner, WSU West, requesting reconsideration of proposed budget cuts which would affect the public service arm of WSU Extension. (Exhibit 1)
2. Approval of **Resolution 2009-086** authorizing, in conjunction with RCW 36.32.210 (inventory), disposal of a Sanitaire portable vacuum, serial number 0522005234, as identified on the *Franklin County Storage – Salvage* form received from Facilities.
3. Approval of **Resolution 2009-087** authorizing the Chairman to sign the Minolta Copier (renewal) Maintenance Contract between Abadan and the Franklin County Sheriff's Office for Dispatch, model number DI1811P, serial number 31721255, for a period of twelve months commencing February 13, 2009, for an annual fee of \$242 for 15,000 copies, plus applicable copy overages at a cost of \$.01452, to be paid from the Current Expense County Sheriff's - Communication Budget, Number 001-000-560, line item 528.80.45.0001 (Copier Lease).

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4. Approval of **Resolution 2009-088** authorizing the Chairman to sign the Minolta Copier Maintenance Contract between Abadan and the Franklin County Sheriff's Office for model number C451, serial number A00K010013687, for period of twelve months commencing January 8, 2009, for a fee of \$.0085 per black and white copy and \$.08 per color copy, to be paid from the Current Expense County Sheriff's Budget, Number 001-000-520, line item 521.20.45.0000 (Rentals & Leases – Copier).
5. Approval of **Resolution 2009-089** confirming appointment or designation of individuals for the applicable and required relationships with the Washington Counties Risk Pool.

Coroner Dan Blasdel joined the audience.

Vouchers/Warrants

Motion – Mr. Koch: I move for approval of fund expenditures in the total amount of \$290,994.64: Landfill Closure Trust Fund warrant 13419 for \$1679.49; FC RV Facility warrants 13420 through 13426 for \$7509.00; TRAC Operations Fund warrants 13445 through 13514 for \$57,141.29; Crime Victims Witness warrants 13515 through 13518 for \$2381.64; FC Capital Projects Fund warrant 13519 for \$23,006.75; CE Cumulative Reserve warrants 13520 and 13521 for \$40,489.06; Courthouse Renovation Fund warrants 13522 and 13523 for \$3271.92; Veteran's Assistance warrants 13524 through 13529 for \$2424.23; Boating Safety warrants 13530 and 13531 for \$125.78; Sheriff's Narcotic Trust warrant 13532 for \$495.00; Jail Commissary warrants 13533 through 13536 for \$5226.14; Law Library warrants 13537 through 13539 for \$4721.69; Auditor O&M warrants 13540 through 13542 for \$2112.58; Current Expense warrants 13543 through 13614 for \$77,536.08; Current Expense warrants 13615 through 13806 for \$58,798.09; and Jail Commissary warrants 13807 through 13809 for \$4075.90. Second by Mr. Peck. 3:0 vote in favor. (Exhibit 2)

Motion – Mr. Peck: I move for approval of payroll in the amount of \$734,945.98. I'll add to my motion also including Emergency Management for \$17,407.60 and Irrigation payroll of \$9537.55 Second by Mr. Koch. 3:0 vote in favor.

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Salary Clearing payroll warrants 47846 through 47926 for \$187,884.91; warrants 47927 through 27938 for \$251,516.85; and Direct Deposit for \$295,544.22; for a total amount of \$734,945.98.

The cover sheet also includes the following amounts:

Emergency Management payroll warrants 13393 through 13404 for \$4278.06; warrants 13427 through 13436 for \$5527.60; and Direct Deposit for \$7601.94; for a total amount of \$17,407.60; and

Irrigation payroll warrants 13405 through 13409 for \$4694.27; warrants 13437 through 13444 for \$4843.28; for a total amount of \$9537.55. (Exhibit 3)

Minutes

Motion – Mr. Koch: I move to approve Commissioner Proceedings for February 18, 2009. Mr. Peck was absent that day. Second by Mr. Miller. 2:0 vote in favor.

PLANNING AND BUILDING DEPARTMENT

Planning Director Jerrod MacPherson and Assistant Director Greg Wendt met with the Board. Present in audience: Coroner Dan Blasdel and Joe Chapman.

Presentation regarding potential change to Subdivision Ordinance #2-2008 to allow administrative review of short plats.

Mr. MacPherson and Mr. Wendt gave a report using the screen regarding administrative review of short plats. (The slides are included as Exhibit 4.) Currently Franklin County, Asotin County and Columbia County are the only eastern Washington counties that handle short plat applications with oversight by the Board of Commissioners. In all the other counties, the Planning Department or another department acts as the administrator for short plat applications.

Mr. MacPherson explained the appeal process that would be involved if the county chose to change its short plat application process. He answered Mr. Peck's and Mr. Koch's questions. There would be no newspaper advertisement or public hearing for short plats prior to approval. The state law requires that neighbors within 300 feet be contacted. However, Franklin County contacts neighbors within 500 feet in the urban area and within one mile in the agricultural area.

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Mr. Peck doesn't want something being done that the neighbors don't know about so they would have the full comment time.

Mr. MacPherson said the only difference is that instead of coming to a public hearing, anyone who wanted to would have a 30-day time period to comment.

Mr. Koch asked if the Planning Department would still put out signs like are done for conditional use permits. Mr. MacPherson said yes. For any land use action, we're required to post the property.

Engineer Tim Fife joined the audience.

Mr. Peck said he had talked to commissioners in other counties. He is a proponent of making the change and making it more consistent with the RCWs. The only potential downside he saw was there might not be as much opportunity for public comment but as it turns out there may actually in effect be more because instead of having to appear here at a certain hour and day, the public has a 30-day period to submit comments. I'm a proponent and have been pushing it.

Mr. Peck asked is there a downside? Mr. MacPherson said there will not be a newspaper notification that may reach a broader spectrum of people other than just neighboring landowners. Mr. Peck said we would have the option to advertise. Mr. MacPherson said the expense is about \$160 per application. We do 20 to 30 a year.

Mr. Peck asked is that the primary cost savings in making the change? Mr. MacPherson said yes, and there would also be cost savings in staff report preparation.

Mr. Peck asked are any other counties using this process that are also spending the money to advertise? Mr. MacPherson said he does not think that is the norm but we can do more research to find out.

Mr. Peck asked historically have our short plat actions been controversial? Is it common for us to get appeals? Mr. MacPherson said no. He remembers one time in the last 10 years.

The Planning Department is requesting approval to be authorized to approve short plats from the Planning Department office. Mr. Wendt said the process for the change is to prepare a text amendment for Planning Commission review on April 2, then a seven-

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day appeal period, then a 60-day state review period. The Board of Commissioners would then vote on it.

Mr. Peck thanked the planners for their work.

Mr. Miller asked to be updated as the process takes place.

PUBLIC WORKS

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

Vouchers

Motion – Mr. Peck: I move approval of Franklin County Public Works vouchers under the County Road Fund for \$92,978.64; MV and PW Equipment Fund for \$19,970.12; Solid Waste Fund for \$123.51; Park Acquisition for \$37,505.49; and Flood Control for \$35,700.00. Second by Mr. Koch. 3:0 vote in favor. (Exhibit 5)

Recommendation: 2009-2010 Herbicide Application Bid

Mr. Fife recommended award of bid to Basin Tree Service. He said we got really good bids because it's less than what we've been paying. We've been paying \$13.70 per mile. The low bid was \$10.10 per mile for non-GPS spray and \$11.50 for GPS spray under Alternate A. County Road Superintendent Ron Horn visited Basin Tree Service at their facility and is quite comfortable with awarding to these people. The references have been checked. Everything is in order.

Motion – Mr. Koch: I move that we accept bid award from Basin Tree Service and Pest Control from Ephrata for 2009-2010 herbicide application. Total bid amounts to \$54,496.20 including sales tax. Second by Mr. Peck. 3:0 vote in favor. (Exhibit 6)

Other Business

Mr. Fife gave the Board a copy of the project report to submit R170 roadwork for the economic stimulus program.

SUPERIOR COURT JUDGES

Judge Bruce Spanner met with the Board.

Senate Bill 6067

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Judge Spanner told the Board that the Superior Court judges are in favor of Senate Bill 6067. They feel it would add treatment options without any additional expense to the county.

CORONER

Coroner Dan Blasdel met with the Board. Present in audience: Joe Chapman.

CD Rom

Mr. Blasdel gave Board members a completed copy of an interactive CD Rom aimed at teens regarding decisions they make and they can suffer the consequences in a virtual world rather than the real world.

Regional Coroner Case Management System

When Mr. Blasdel was president of the state coroner's association, a Cloverdale grant was used to obtain a case management system for coroners and the toxicology lab. A server was purchased that was given to Franklin County. Franklin County has been on the system for about two years. In the meantime due to some conflict between the State Patrol and the vendor, the State Patrol decided they would bail out with that particular vendor. They went ahead and developed the program and then the State Patrol was going to go out on their own and create a program for the other coroners to use. Since then the State Patrol has abandoned that project because it was more than what they could take on.

Mr. Blasdel said he has a case management system he is using and he's the only one in the state. We're proposing to write another grant asking for Cloverdale funds requesting to bring on 15 more counties in the state to use the same program. King County is also using the same system but paid for it on their own. The grant request is expected to include hiring a full-time IT person and buying a server and computer equipment to store data for 15 counties. It seems logical to have Franklin County host the system because our IT people already know the program. There would not be a cost for that to Franklin County.

We're going to try and write the grant for a five-year period. That way we can go to the legislature and say it's in place and has been successful for five years, and now we need to continue to fund it, perhaps from money on each death certificate.

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Mr. Peck asked does it save us money? Mr. Blasdel said it doesn't cost us anything. Mr. Peck asked even after the system is in place 5-1/2 years down the road and the grant has expired? Mr. Blasdel said that's correct. It would not cost us any more than what it's costing us now. There is a maintenance fee that State Patrol is paying out of the original grant for Franklin County. If that funding were to go away, we would still be responsible for the maintenance fee. Mr. Blasdel thinks the maintenance fee is \$4000 a year for Franklin County.

Mr. Peck asked what's the benefit to Franklin County? Mr. Blasdel said the benefit is we get some additional computer hardware and we get another full-time IT person that is dedicated to that. It's not going to take them a full 40-hour-a-week amount of time to handle that so that person could be used in other capacities but they would have to be dedicated to that system.

Mr. Peck asked is that the same as saying a full-time position could become a half-time position? Mr. Blasdel said yes, it could be, or three-quarter time, paid for by a Cloverdale grant.

Mr. Bowen asked the grant is for five years? Mr. Blasdel said it is for a dollar amount. Mr. Bowen asked once the grant expires, what would happen to the IT person? Mr. Blasdel said the coroners would have to ask the legislature for continued funding to keep the system in place.

Mr. Peck said we sometimes complain about the legislature starting programs and then we have to continue them later. This sounds like us doing the same thing to ourselves in that we would create a program out of a grant with no reliable long-term funding mechanism. Mr. Blasdel said the state has funded an electronic death registration system with about 15 counties on it that allows death certificates to be signed electronically. This system meshes with that system. There is a need from coroners in the state to be aggressive and be progressive. I think the legislature sees that with different bills that come before them. The legislature sees that they're going to have to do more funding of investigation down the road.

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Mr. Peck asked are there any RCW requirements we're not complying with now? Mr. Blasdel said no. Mr. Peck asked so anything that we would do with this program or any other would be above and beyond what the law requires? Mr. Blasdel said correct, yes. He said the coroners are going to write the grant. Whether it is housed in Franklin County is immaterial. Mr. Blasdel and Information Services Director Kevin Scott thought Franklin County would be the logical place.

Mr. Peck said I'm all for improving efficiency except I'm looking for two things: improved quality of service to citizens of the county or lower cost, and ideally both. Initially there's no added cost but long term we might get accustomed to it and not have a way to fund it. I haven't heard how this better serves citizens of Franklin County.

Mr. Blasdel said he believes the citizens of the county deserve to be served better. At the time I started doing this, I could not get the funding to purchase a case management system for the county so I found alternative funding for that. This is just to bring more counties onto the program that were in the same position as I was.

Mr. Koch asked roughly how much time the IT person would spend on the program. Mr. Blasdel said according to my vendor, it would be about three-quarters time. Mr. Koch said so Franklin County would be getting about one-quarter time. He feels that with county growth in the next five years, we're going to need that 25% time or more.

Mr. Blasdel said Information Services technician Dan McCann is trained to take care of the system. However, when Mr. McCann is busy with other Information Services work, Mr. Blasdel has to call the vendor in California for help.

Mr. Koch said until we see more about the grant application, I could support it.

Mr. Blasdel said the grant application is due by the end of May. The Forensic Investigation Council decides who gets the funding. The grant request is expected to be in excess of \$100,000. Information is being collected to write the grant.

Mr. Peck said I'm not opposed to it. I think there's a lot more information about it that I don't know yet.

Mr. Koch said I could support the concept at this point.

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Mr. Bowen asked the Board if Mr. Blasdel is successful in obtaining the grant by using the formula he's talking about doing, does that mean you support it being here in Franklin County? Mr. Koch said that was my contention. Mr. Peck said I don't know enough about it to take a position. As an elected official, he can apply for the grants he wants. He said he doesn't know enough yet to know what the benefit is to Franklin County. Mr. Miller said I still need more information.

Mr. Blasdel said right now it's in the concept form. Gary Thornock from Thurston County will be having a staff member write the grant application.

Petty Cash Fund

A Petty Cash fund of \$150 was authorized for the Coroner some years back. We don't use the account any more. He asked for permission to turn the money back to the Treasurer. A resolution will be prepared to make the change.

COUNTY ADMINISTRATOR

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

Inter Budget Transfer of \$3230.59 from 2008 Miscellaneous Expense Courthouse Renovation Fund #310-000-001 to Election Equipment Revolving Fund #104-000-001, Franklin County Annex Elections Center Remodel line item

Mr. Bowen explained that last year the Auditor came to the Board asking for additional funds to complete the remodeling project. When L&I did an inspection on the project, they required dropped electrical pulls coming down in the basement instead of electrical cords across the floor. Mr. Bowen asked for approval of a transfer.

Motion – Mr. Peck: I would move approval of Inter budget Transfer of \$3230.59 from the 2008 Miscellaneous Expense Courthouse Renovation Fund 310-000-001 to the Miscellaneous Expense Election Equipment Revolving Fund #104-000-001, line item 594.11.62.0001 (FC Annex Elections Center Remodel). Second by Mr. Koch. 3:0 vote in favor. This is Resolution 2009-090.

Mr. Koch said for the record, I am totally against any elected official contracting for the remodel of county facilities in the future. I will not vote for it again.

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Mr. Bowen said the facilities are the responsibility of the county commissioners. He would agree with Mr. Koch 100%, that there should not be any other department working with facilities other than Commissioners. If the Commissioners choose to approve that activity, that is clearly up the Board to do so, but all liabilities come back to the Board.

National Association of Counties (NACo) Western Interstate Region (WIR) Conference

The conference in Pendleton is scheduled for May 20 through 22. Mr. Bowen asked if the Board still wants to attend. It will cost about \$600 per person.

Mr. Miller said this is one conference that is close to home. He thinks this is an opportunity for us to see how the WIR functions. We're trying to cut back on as much travel as we can. I would think if we feel the need to go, maybe this is one we should attend.

Mr. Peck said we had the discussion when I cancelled out of the NACo trip because budgets were tight and we had all four of us scheduled to go. I think any time one of us is traveling on county time going to a function representing the county, we ought to come back and give some sort of feedback as to what was learned and what the benefit was. Mr. Miller and Mr. Koch agreed about feedback being needed.

Mr. Peck said even something as close as Pendleton, one or two people can go and bring information back. I know it is desirable to be there in person so I'm not suggesting a report is as good as attending in person but I think our budget situation is more dire than any of us may know at this point and I think it's time to start tightening screws right now.

Mr. Miller said definitely Mr. Koch should go because he's on the committee. He said neither Mr. Miller nor Mr. Peck has been to a WIR conference.

Mr. Bowen asked who will be going because it is time to register and book rooms. Mr. Koch is in favor of attending if it works with everybody else. He said Mr. Peck may want to come down for a day or two and meet some of the other western region members.

Mr. Koch said the WIR conference is probably not nearly as necessary as the NACo annual conference because it's only for the western region but it gives us a chance

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to get involved. The Rural Action Caucus (RAC) that he is involved in is for the rural counties. He has never attended the annual RAC fly-in conference in Washington, D.C.

Mr. Miller will not attend.

Mr. Peck will attend and bring back a report as well. He just does not want to send more than two people.

Mr. Miller thanked Mr. Bowen for bringing the matter up.

The Board decided to have a workshop session regarding county travel.

Economic Development Plan Update

Mr. Bowen told the Board he is in the process of preparing letters to ask entities to submit projects to Franklin County so we can update the Economic Development Plan. Once projects are prioritized, he will bring it to the Commissioners. The plan allows us to spend the .09 funds. The majority of money received from .09 money is already committed to bonds but about \$100,000 a year is coming in. Mr. Bowen is not going to suggest bonding the money because it is supported by the sales tax so he wants to leave a certain amount of cushion to pay the bonds off. As the funds grow, if they reach a certain point, they could be used for a project or matching funds for a project.

Corrections Center

Mr. Bowen showed the Board four proposals. The architects have submitted a price estimate of \$22,775 to analyze all four plans. Mr. Bowen asked the Board for approval to have the architects give us finished analyses for Option 2 and Option 4 instead of spending the full \$22,775 for four analyses. He has told the architects to assume the available funding would be \$25 million which would be supported by an increased sales tax of 2/10ths or 3/10ths of a percent. Mr. Bowen feels the 3/10ths amount would be needed in order to have enough operational funds.

Mr. Koch said I'd like to support the concept as far as building a shell for 100 beds. That would give us a little bit of breathing room.

Mr. Peck said if you build a shell and don't build it out, then later on you have to find money to do it. I appreciate the concept but I know how hard it can be to find revenues later on to finish it out. The converse is to say why spend the money to build it

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out now if you don't need it now? If we did build it out now, do we have any confidence that we could rent out that excess capacity and make it a better financial situation? I know nobody has the answer, but what is your sense?

Mr. Bowen thinks you could rent it out. He gave a brief example of the past, though, when a facility has not been rented out even though at the time it was being built, the county anticipated it would be rented out.

Mr. Bowen said right now if we put 100 beds in there, we would basically be at capacity. With a shell, you could take smaller portions and add a couple more beds at a time. It's easier to finance the expansion of 10 to 20 beds than a full 125 beds. The next time we add inside that shell, we wouldn't add a full 125 beds, which makes it a little bit easier to finance.

Mr. Peck said it will never be cheaper to build it out than when the builders are there already. The process of getting money can be expensive also.

Mr. Peck said the other thing is what we're really talking about is not whether we should spend \$22,775 for the analyses but whether we're willing to ask for 3/10ths of a percent increase in sales tax. We need to be clear. We need to look at what's in that sales tax equation now that could be cut back to help offset the cost of this. He is already convinced we need a jail. He wants to be convinced a sales tax increase is needed. He wants to look at everything in the sales tax now that's in our purview and see if something needs to be trimmed back or if there is something to offset this increase.

Mr. Koch said I have to go along with some of what Mr. Peck is saying but I want to be more sure the city is going to step in and support us, not like last time when they almost worked against us.

Mr. Miller said I would have to agree with Mr. Peck, that we might as well get it done. When I talk to people from other jails, it is profitable for them. It is better to do it now than later. Second, on the tax issues, I agree with that also; it's going to be very hard to get any money from anyone. Third, we need to talk about juvenile. The juvenile rate has gone from 1200 to 600 inmates in the state so they reduced funding. At this point, I understand there is a demand and maybe we can make a profit on renting the beds. We

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need to get more information about the juvenile budget numbers and discuss that really well if we're going to go for an increased tax amount.

Mr. Bowen said I understand what you're saying without question but I think we need to know a number. If we're going to add 225 beds over the next 20 years and do a remodel in the jail, it will take time for the architects to get even one option ready by May 1. It would only give six months to get a proposal out and educate the public as to what the need is.

Mr. Bowen said there are two existing sales taxes, both 1/10th of 1%. One is for juveniles and jails and the other is for criminal justice. Those two taxes are pretty much at their limit. We have bonds against both. He has been working with county budgets for 15 years now and does not see a lot of slack in the budgets.

Mr. Peck would like to meet with Mr. Bowen to review the budgets. Mr. Bowen said he would appreciate the help and new eyes taking a look at it. Mr. Peck said he is adamantly opposed to laying on new taxes without at least considering if any existing taxes can be cut back.

The Board will be holding a budget workshop meeting tomorrow.

PROSECUTOR

Prosecutor Steve Lowe met with the Board. Present in audience: Joe Chapman.
Senate Bill 6067

Mr. Lowe said the prosecutors in the state are opposed to Senate Bill 6067. It is being pushed by Superior Court judges to significantly change sentencing. Mr. Lowe believes it will significantly shift costs to counties. He said normally a person will get sentenced within 40 days. The bill would allow the Superior Court judges, over our objections, to continue sentencing for a year, send them to treatment at the county's expense, and supervise them. He feels the supervision is the key of the bill. There is no supervision by the Department of Corrections. There is no ability to supervise within the county's Superior Court system. There is in District Court but you don't have the resources to add on the felony caseload to do that for the year. Another part is to send

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them to treatment. The treatment will be available to all and the county will have to take it out of their criminal justice treatment account which is going to Drug Court right now.

The fiscal impact is noted in the bill report but it's not listed because it's a local government fiscal impact and the committee voted it out without even having a fiscal note attached to it.

The Superior Court judges are telling the legislators it's a cost savings because it's taking people out of the county jail but the prosecutors and law enforcement are opposed to it because we already take everybody out of the jail we can. This is simply a cost shift to the county commissioners. He wanted the Board to be aware of it. Notably, the commissioners' association has not taken a position on it in front of the legislature. We as prosecutors are hoping you'll stand with us and say this is a cost shift. If the state were to give us money to do this kind of a bill, fine.

The judges point out that we do this in juvenile and it's been very successful but there are many more resources in juvenile. That's the sort of resources that will be required if you want the judges to have supervision.

Mr. Koch will contact the WSAC representative.

Recessed at 10:38 am.

Reconvened at 1:30 pm in workshop session followed by **adjournment** at 2:25 pm.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until March 4, 2009.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chairman

Chairman Pro Tem

Member

Attest:

Clerk to the Board

Approved and signed March 4, 2009.