

COMMISSIONERS RECORD 50
FRANKLIN COUNTY
Commissioners' Proceeding for August 17, 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. The meeting convened at 9:01 am.

OFFICE BUSINESS

Secretary Patricia Shults met with the Board.

Consent Agenda

Motion - Mr. Koch: I move for approval of the consent agenda for August 27, 2009, as presented:

1. Approval of **joint Resolution 2009-343** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the Fee for Service Contract between the Benton-Franklin Juvenile Justice Center and Kennewick School District for continued truancy services, effective September 1, 2009, through July 31, 2010. (Exhibit 1: Information sheet.)
2. Approval of **joint Resolution 2009-344** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the Personal Services Contract between the Juvenile Justice Center and Michael Henry, MS, ABS, to provide sex offender treatment services, effective July 1, 2009, through June 30, 2011. (Exhibit 2: Information sheet.)
3. Approval of **joint Resolution 2009-345** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the Personal Services Contract between the Juvenile Justice Center and Richard D. Cornish, Ph.D., to provide sex offender treatment services, effective July 1, 2009, through June 30, 2011. (Exhibit 3: Information sheet.)
4. Approval of **joint Resolution 2009-346** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the Personal Services Contract between the Juvenile Justice Center and Riverview Counseling and Consulting, Inc., to provide sex offender treatment services, effective July 1, 2009, through June 30, 2011. (Exhibit 4: Information sheet.)
5. Approval of **Resolution 2009-347** authorizing the Chairman to sign the Minolta Copier Maintenance Renewal Contract between Abadan and the Franklin County Prosecutor's Office, model number BIZHUB750, serial number 57AE31777, for a period of twelve months commencing September 19, 2009, for a monthly fee of

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\$71.40 for 10,000 copies, plus applicable copy overages at a cost of \$.007140, to be paid from the Current Expense Prosecuting Attorney Budget #001-000-480, line item 515.20.48.0000 (Repairs & Maintenance).

6. Approval of **Resolution 2009-348** authorizing the Chairman to sign the Minolta Copier Maintenance Renewal Contract between Abadan and Franklin County Prosecutor's Office for the copier located in the Child Support Office, model number BH501 (BIZHUB501), serial number A0R5011002143, for a period of twelve months commencing September 18, 2009, for a monthly fee of \$44.63 for 5,000 copies, plus applicable copy overages at a cost of \$.008925, to be paid from the Current Expense Child Support Enforcement Budget, Number 001-000-500, line item 515.80.48.0000 (Repairs & Maintenance).

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

Carrie Huie Pascua joined the audience.

Vouchers

Motion – Mr. Peck: I move for approval of vouchers for 2009, August 17, in the total amount of \$180,282.24: Franklin County Public Facilities warrant 20880 for \$541.50; Jail Commissary warrants 20881 through 20884 for \$4,031.31; Current Expense warrants 20885 through 20886 for \$369.83; Veteran's Assistance warrants 20887 through 20888 for \$2,034.24; Current Expense warrants 20889 through 20959 for \$96,405.99; Crime Victims warrant 20960 for \$2,718.85; Election Equipment Revolving warrants 20961 through 20963 for \$322.46; Current Expense warrants 21071 through 21098 for \$61,849.74; Franklin County RV Facility warrants 21099 through 21108 for \$11,910.32; and Sheriff / Sex Offender Grant warrant 21109 for \$98.00. Second by Mr. Koch. 3:0 vote in favor. (Exhibit 5)

HUMAN SERVICES (HS)

HS Director Carrie Huie Pascua met with the Board for a department update.

Ms. Huie Pascua gave the Board a list of HS Department contracts, personal service agreements and leases.

Developmental Disabilities: Due to state budget cuts, there will be \$700 per client per month on average to serve six clients using state-only funds.

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Mental Health Services: Data was reviewed briefly regarding use of services for mental health clients and the Crisis Response Unit.

Mr. Peck said he thinks the Consolidated Crisis Response Center (CCRC) is needed and appropriate and he wants to see it happen. He said one of his concerns is if we build it and then the state changes their funding formula or funding stream, we will end up with a great facility but no funds to run it. My real fear is at that point someone will look and say you've got 80- to 90-some percent diversion. You're saving a ton of money in the criminal justice system. That's where you should look for the money to run the CCRC because that's what's creating the savings. He said he thinks there is a false logic because even though you may divert some people from hospitalization, you still have to have a jail and it still has to be staffed for the number of beds. He thinks the reason the state allowed the .1% option was because they envisioned that that's where this is headed. It really concerns me that people who are really interested in seeing the CRCC, myself included, have to look down the road at how we're going to fund the operation.

Ms. Huie Pascua said we want to divert from hospitalization and keep our community members in the community where they receive the most support, as shown by research. We are looking at the quality of services.

Substance Abuse and Prevention Services: Ms. Huie Pascua said there will be about a 24% reduction in funding on the chemical dependency side in the first year of the biennium and an estimated 20% reduction in the second year. We've already submitted a letter to our providers letting them know that they're going to have to focus on the Medicaid client. The Division of Alcohol and Substance Abuse (DASA) has the same mantra: serve the priority populations identified by the state through the legislature, which is folks on a medical coupon. We've asked them to dramatically reduce their billing to us. They're billing at a pretty high rate. We're not asking them to stop serving people who don't have a medical coupon but asking them to ask the person to be put on a sliding fee scale for payment, based on their level of income.

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We put out a request for proposal for some prevention funding. The Juvenile Justice Center (JJC) was awarded prevention dollars for a program they are going to be doing. Successful proposals were submitted by the JJC, ESD 123, BF Substance Abuse Coalition and Vista Youth Center.

Housing Services: The Department of Commerce (DOC) is now going to be overseeing the contract deliverables, replacing Community, Trade and Economic Development (CTED).

The HS Department will be doing contract monitoring. HS staff will be participating in on-site monitoring regarding the Homeless Housing Fund (2163) and Homeless Grant Assistance Program (HGAP) this week.

Proposed 2009 Budget for Homeless Housing Fund (2163)

Ms. Huie Pascua gave the Board a proposed 2009 budget for the Franklin County Homeless Housing Fund (2163). The bottom line figure of \$105,000 came from our subcontractor as an annual figure. She explained how the figures were determined. We would like to be able to put this proposed budget into place for Franklin County. The funds for 2163 monies come from document recording fees. Ms. Huie Pascua answered Mr. Miller's question about the accumulation of the funds over the past two years. She said the amount of funds in the future depends on the economy and the collection of fees. She said the reason we are proposing this changed budget is that it is consistent with what we already have in place with our subcontractor for Benton County funds. It holds the subcontractor accountable for the services that are being provided. HS oversees the contracts for both Benton County and Franklin County and would like to be consistent with both. We want it to benefit the person using the services as much as possible so we are realigning it so not so much is going towards the administrative overhead.

In order for the department to perform these duties, the legislation allows us as a county department to use 5% of the funds for administration. She requested that some language be placed in the contract amendment to allow the change for administration funds to go to HS as administrator instead of to the subcontractor.

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Ms. Huie Pascua answered Mr. Peck's questions about some line items in the budget regarding subcontracting services rather than administrative services and about how HS staff is funded.

Ms. Huie Pascua said 6% is allocated for the Affordable Housing fund (2060). Right now the subcontractor is taking that entire amount despite the fact that we're doing the work for the county. The HS Department is allowed to collect the administrative portion.

PUBLIC WORKS

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

Vouchers

Motion – Mr. Peck: I move approval of Franklin County Public Works vouchers for August 17, 2009, in the total amount of \$605,268.33: County Road Fund for \$539,965.91; MV & PW Equipment Fund for \$57,860.19; Solid Waste Fund for \$285.16; and Solid Waste Fund for \$7157.07. Second by Mr. Koch. 3:0 vote in favor.

(Exhibit 6)

COLUMBIA BASIN COLLEGE (CBC)

Tim Woodward, Ph.D., Dean of Agriculture Education Research and Development, Columbia Basin College, met with the Board. Also present: Tim Fife.

Agriculture Update

Mr. Woodward told the Board about the work CBC is doing regarding biofuels, including work with soybeans. He explained some of the aspects of cellulosic ethanol production using alfalfa, switchgrass and miscanthus.

PUBLIC WORKS (continuing)

Present in audience: Troy Woody.

Gravel Road Discussion

Mr. Fife showed a map on the screen showing permanent crop areas and gravel roads. We were trying to identify permanent crops and crops in certain geographic areas that are harvested at the same time. We are already working quite closely with growers regarding road maintenance including grading and water for dust control during critical

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times for the farmers involved. He gave an example of the coordination occurring with Stemilt Growers, a fruit orchard company. Typically in the wheat area the Public Works crew does the same type of coordination in June instead of July but there were two people not working so the crew was shorthanded this year.

Mr. Peck said it's great that it's happening. He cautioned that we don't want to have growers that feel like they are left out or that other growers are getting more attention. Mr. Fife said he understands. He said it is an opportunity to learn what will help. Mr. Koch said at least communication can occur. Mr. Peck said Commissioner Koch is right on the money, communication is the key.

Mr. Koch said part of the problem is that some roads in the dry farm area are used every two years because every other year the land is fallow. The roads were designed when we had six-wheel trucks, not semi trucks with pup trailers behind them.

Mr. Peck wonders if we could do a similar thing as the paved all-weather routes, identifying seasonal priority routes on gravel roads during particular months. We could maybe identify key routes that are going to be a priority ag route for certain months, at least until circumstances change. Mr. Fife said there are some wildcards we can't predict. Mr. Peck said he understands.

Mr. Peck also suggested sending a notice to people about the changes.

Erwen Trust parcel

Mr. Fife said we have started the process of transferring the Erwen Trust parcel that we acquired to the City of Pasco so they can develop it. It is seven acres near Road 54 and Sylvester. It has a recreation use deed restriction.

Recessed at 10:24 am.

Reconvened at 10:30 am.

TRAC

TRAC Manager Troy Woody met with the Board. Present in audience: Dan Blasdel.

Advertisement

A Ranch and Home ad that was direct mailed included a TRAC advertisement.

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Occupancy Report

The occupancy/attendance report was reviewed briefly.

Sales Comparison

Mr. Woody told the Board about sales comparisons between June 2008 and June 2009 events. All of the events were what he would typically consider one-time events. In the past four years, there have been one-time events throughout the month of June but we did not have them in 2009. It is a good representation of what we're experiencing in the market.

Profit and Loss information

The revenue is down \$100,000 for May and June 2009. Mr. Peck asked what's the solution? Mr. Woody said to grow revenues. He is feeling confident for next year because of phone calls about booking events.

Mr. Peck asked at what point do we need to look at a different structure and business model for TRAC? Mr. Woody said at any point that we believe the revenue stream that we're currently experiencing is going to stay constant for the next year or two, then he thinks we need to look at restructuring.

Road 68 update

We are still waiting for the city to issue us a permit. They have some design concerns in terms of the content of the sign. He anticipates getting it resolved this week but has told the sign company to not do anything with the sign yet. He is thinking the sign will be in place in October. We had hoped it would be in place in September.

Garage Sale

A garage sale was held at TRAC this weekend. The final figures are not yet available. Next year, TRAC will start holding the yard sales in June. There have been complaints about the admission price. Mr. Peck suggested keeping the admission price the same but offering a discount on concessions. He also asked that TRAC give serious consideration to having a yard sale or sales as an off-season event, perhaps in December or January.

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CORONER

Coroner Dan Blasdel met with the Board.

Mass Fatality Equipment

The State Health Department has some Federal funds available to purchase mass fatality equipment that has to be spent by the end of August. Franklin County is part of Region 8. We want to purchase equipment that will be used day to day but will be available to Region 8 counties. He expects to purchase a bio-seal, protective equipment, and air monitoring equipment.

Mr. Peck encouraged Mr. Blasdel to think about purchasing equipment with a long lifespan. One idea is to purchase a portable trailer that is outfitted with equipment for a particular need that can be moved easily. It would then be highly mobile and centrally located.

COUNTY ADMINISTRATOR

County Administrator Fred Bowen met with the Board.

3/10ths of 1% sales tax ballot measure

A Public Meeting will be scheduled to take comments about the ballot measure. Mr. Bowen has been notified by the Elections Department that the public meeting is required to ask if someone would write the statement against the proposal for the voters pamphlet. The statement for the proposal is being written already.

The Board decided to advertise in the legal newspaper as required and also let the Tri-City Herald reporter know about the public meeting.

Pasco City Manager Gary Crutchfield has asked if the Board would be interested in meeting jointly with the Pasco City Council to have a public meeting to take testimony for and against the 3/10ths of 1% tax increase. Mr. Crutchfield would also like the Board to consider approving a joint county-city resolution in support of the ballot measure. The Board asked Mr. Bowen to obtain more information.

Budget

Mr. Bowen said the county's budget situation needs immediate attention. Right now there is an estimated \$2.2 million shortfall for 2010. He explained how the amount

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was determined. He suggested asking elected officials and department heads to meet with the Board in the next few weeks, followed by the Board determining where cuts will be made.

Mr. Miller said I think we need to have elected officials/department heads come in and discuss the budget so we can start cutting the budget. He asked if there are any other ideas.

Mr. Koch said we have to go through the whole budget and see where we stand. Right now we're looking at a crystal ball. We're not comparing apples to apples until we do get input. Mr. Miller said the only other thing we can do is that us three will do it and not have the meeting. He thinks it is better to have the other elected officials and department heads come in.

Mr. Peck said I don't think there is anything that precludes us from going through the budget and writing it the way we see fit. That's our responsibility. The extent to which we seek input prior to making those decisions is really what we're talking about. There are several ways we could go about that. One is for us to have elected officials/department heads come in. He would certainly advocate meeting with them one at a time rather than as a group. Mr. Miller and Mr. Koch agreed. Mr. Peck said we would have a discussion and two-way communication for us to get educated on their needs and their budget situation.

Mr. Peck would like to have the elected officials/department heads answer a list of questions about key, important issues. He gave the following question examples: Do you feel your budget for 2009 was sufficient? What do you feel your needs will be for 2010? Were there any significant changes in your operation in 2009 or anticipated in 2010 that you think will significantly impact your budget needs, up or down? Were any positions or budget authorities added during the rapid growth of the last few years? If so, have you considered whether or not those are still needed?

Mr. Miller said we can send questions like that to everyone so they can prepare. It's their job to come in and let us know what they need. The questions will give them a suggestion of what to do.

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Mr. Peck said we have the task of weighing out the needs of all the different departments and assigning the available revenues. To do that fairly, it would be useful for us to know that baseline information. Certainly each department is welcome to and encouraged to provide any and all other information that they think that we need.

Mr. Miller and Mr. Koch agreed to send a list of questions. The Board asked Mr. Bowen to prepare the list of questions for review by each Board member. The questions will be sent to elected officials/department heads in advance so they can come prepared with those answers and also add any other information they want. Mr. Peck said then we can go through the deliberation process as a board and draft a budget. At that point we may call elected officials/department heads back in with questions that come up. The Board will meet with each elected official/department head on an individual basis in a workshop open to the public. If they choose to do so, they can respond in writing prior to meeting with the Board. Appointments will be set up as soon as possible.

3/10ths of 1% sales tax ballot measure (continuing)

Mr. Bowen gave the Board information about RCW 42.17.130(1) received from Chief Civil Deputy Prosecutor Ryan Verhulp. Mr. Peck said it appears the process in the RCW was intended for council members and boards to take a position on ballots and initiatives but not necessarily ballots and initiatives that that particular board placed on the ballot. The Board talked with Mr. Verhulp by phone.

Mr. Peck asked Mr. Verhulp regarding the question of the Board of Commissioners, the city council or the two combined passing a resolution taking a position on the jail ballot measure, Mr. Bowen has showed us your email in which you say that yes, the Board may do so, and then you cite Gary Crutchfield is correct, RCW such-and-such does allow the Board to pass a resolution or ordinance at a public meeting that either endorses or asks for rejection of a ballot proposition. I just want to be sure that there is no distinction that needs to be made between a ballot measure or proposition before the public that we did not put forward as opposed to one that we put forward on the ballot.

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Mr. Verhulp said not that I'm aware of. He said he reviewed some Attorney General (AG) opinions that analyzed that statute and also did a case law search. He did not see either the AG or the court making any such distinction or really addressing it in any detail. He does not know of any legal guidance that would say one way or another.

Mr. Peck asked based on your research, you don't have any reservations about us doing this if we choose to? Mr. Verhulp said I do not.

Mr. Bowen asked the Board, do you want to meet with the City Council in a joint meeting and pass a resolution supporting this? The Board decided they will not meet jointly with the Pasco City Council. Mr. Koch thinks there will be time to listen to the public before ballot time, perhaps in town hall meetings.

The Board decided a joint resolution supporting the ballot measure is not necessary.

Adjourned at 11:49 am.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until August 19, 2009.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chairman

Chairman Pro Tem

Member

Attest:

Clerk to the Board

Approved and signed August 26, 2009.