

COMMISSIONERS RECORD 50  
FRANKLIN COUNTY  
Commissioners' Proceeding for October 12, 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. Meeting convened at 9:00 am.

**OFFICE BUSINESS**

Secretary Patricia Shults met with the Board. Present in audience: Scott Woodward and Thomas Page.

Photography at the Courthouse

Mr. Koch and Mr. Miller are not opposed to having a photographer take senior pictures on the courthouse spiral staircase. Mr. Peck is concerned about it because then the county would have to provide the same opportunity to any commercial photographer and because of liability from any possible injuries.

Consent Agenda

**Motion** - Mr. Koch: I would move for approval of the consent agenda for October 12, 2009:

1. Approval of **joint Resolution 2009-410** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners for the Agreement between Benton and Franklin Counties and the Confederated Tribes of the Umatilla Indian Reservation for provision of Juvenile Detention Facilities, effective through December 31, 2010. (Exhibit 1: Information sheet.)
2. Approval of **Resolution 2009-411** for the Second Amended Interlocal for the Greater Columbia Behavioral Health Regional Support Network.
3. Approval of **joint Resolution 2009-412** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners for amendment #09/10-DD-CDC-01 between Children's Developmental Center and Benton and Franklin Counties' Department of Human Services, effective July 1, 2009 through June 30, 2010, thus, amending Franklin County Resolution 2009-384, reducing the maximum consideration from \$150,000 to \$96,524. (Exhibit 2: Information sheet.)
4. Approval of **joint Resolution 2009-413** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners for amendment #07/09-CMH-LCS-01 between Lutheran Community Services

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- and Benton and Franklin Counties' Department of Human Services, effective July 1, 2007 through September 30, 2009, thus, amending Franklin County Resolution 2007-577. (Exhibit 3: Information sheet.)
5. Approval of **joint Resolution 2009-414** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners for amendment #07/09-PIHP-LCC-01 between Lourdes Counseling Center and Benton and Franklin Counties' Department of Human Services, effective October 1, 2007 through November 30, 2009, thus, amending Franklin County Resolution 2007-518. (Exhibit 4: Information sheet.)
  6. Approval of **joint Resolution 2009-415** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners for amendment #07/09-CMH-LCC-02 between Lourdes Counseling Center and Benton and Franklin Counties' Department of Human Services, effective October 1, 2007 through November 30, 2009, thus, amending Franklin County Resolution 2007-519. (Exhibit 5: Information sheet.)
  7. Approval of **joint Resolution 2009-416** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners for amendment #07/09-RES-LCC-03 between Lourdes Counseling Center and Benton and Franklin Counties' Department of Human Services, effective October 1, 2007 through November 30, 2009, thus, amending Franklin County Resolution 2007-522. (Exhibit 6: Information sheet.)
  8. Approval of **Resolution 2009-417** authorizing the Prosecutor's Office to contract with US Bank for charge card services, utilizing the State of Washington WSCA Program.

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

Vouchers/Warrants

**Motion** – Mr. Peck: Mr. Chair, I move approval of 2009 vouchers for October 12, 2009, in the total amount of \$156,500.68: Current Expense warrants 23366 through 23374 for \$29,492.05; Current Expense warrants 23447 through 23463 for \$46,664.46; Current Expense warrant 23464 for \$1543.94; Current Expense warrants 23375 through 23412 for \$30,853.62; and Current Expense warrants 23413 through 23446 for \$47,946.61. Second by Mr. Koch. 3:0 vote in favor. (Exhibit 7)

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**RIDGES TO RIVERS OPEN SPACE NETWORK (RROS)**

Scott Woodward and Tom Page, vice president, met with the Board. Present in audience: Jerrod MacPherson and Tim Fife.

Jurisdictional Advisory Council (JAC)

Mr. Woodward gave an update. He said we have finished our two-year project with the National Park Service. We did get an extension, which the National Park Service requested. The public workshop phase to collect data has been completed in Pasco, Kennewick, Richland and West Richland. Data has also been collected through hard copy and an on-line questionnaire. The data was assembled into a package earlier this year. We researched other comprehensive plans throughout the United States, using similar elements, and looked at their plans to see how they had done the regional planning.

We have started to write the plans. There is a steering committee and a development group. The steering committee recommended that the next step is to put together a council of elected officials to review and provide input on the plans. The council is called the Jurisdictional Advisory Council (JAC). The members of the JAC report back to their jurisdictions. The final plan will come to the entities. Mr. Woodward told the Board about the time requirements for meetings and the duties of people on the JAC.

Mr. Peck asked about avoiding potential jurisdictional conflicts of interest. Mr. Page explained how the steering committee has separated itself from the JAC in an attempt to avoid a conflict of interest. He said we wanted to engage formally in some fashion the elected officials in our discussion, to get your advice and direction on the projects and direction we were going. By not being a director or a member of our organization, I believe we have distanced ourselves so you would not have a conflict of interest. What we want from you is your representation of the Franklin County Commissioners' position or Commission guidance.

Mr. Peck asked you want our representation of this body on what? Mr. Page said on all proposed actions. Mr. Peck asked on the JAC? Mr. Page said the JAC is simply an

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advisory group of the elected officials that are giving us advice and direction. Mr. Peck asked is it purely advisory? Mr. Page said "purely advisory."

Mr. Peck asked why would you want an elected official as opposed to an expert? Mr. Page said we want that buy-in. He said as we try to move forward regionally and begin sending out grant funding proposals, it will strengthen everyone's position if the counties and cities speak with a single voice.

Mr. Peck asked so the JAC has no authority over decision-making of any kind, it's purely advisory? Mr. Page said yes.

Mr. Peck said each commissioner represents the county on numerous boards. He asked how often the JAC would meet. Mr. Page said we've described it as being periodic. Early on we will ask for your review more frequently. After that, I suspect we will want to come to you in advance of any major decision or action. We will work with your staff.

Mr. Peck asked about the steering committee and its role. Mr. Woodward said the steering committee had its place when we first got going. We needed a lot of input. It served a super purpose of creating a foundation so to speak. We needed a diverse group. We've moved a little different direction now where we took a development group away from the main group. We hope the steering committee moves into a more expanded type of role with more groups from around the committee that will be part of that and we will actually have a partnership.

Mr. Peck asked can you see that a Franklin County staff member will have any potential conflicts, recognizing that all land use decisions flow through the Planning office and they have approval on those things? Mr. Woodward said they have been supplying this expertise on the basic recommendations which is the heart of the plan. Mr. Peck asked they're just advising; they're not in a position in that committee to be voting on any decisions or have any authority over the outcome? It's just all input, right? Mr. Woodward said exactly. We take their advice and see how it fits in the language and we work it through.

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Mr. Peck said other than staffing issues and level of support, I don't have any concerns. I wanted to make sure we didn't have decisional authority in those groups that would conflict us.

Mr. Koch said that was my background concern also, as far as those committees not being governance-type committees, but left as advisory only.

Mr. Peck said I didn't want to see them caught between a farmer or rancher in the group about right of ways and trail access and land use. They're purely going to provide advice. What decisions your group formally makes or doesn't make, they're not going to be asked to vote on. Mr. Woodward said exactly.

### **PUBLIC WORKS**

Engineer Tim Fife met with the Board. Present in audience: Troy Woody and Jerrod MacPherson.

#### Notice of Intention to Sell

**Motion** – Mr. Koch: Mr. Chairman, I would move to set a hearing, notice of intent to sell, to be held on October 26, 2009, at 9:30 am in this room. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 8)

#### Sheriff's Department Vehicles

The Public Works Department is considering replacing five Sheriff's vehicles next year, depending on the budget.

A Dodge Magnum vehicle is reaching its useful mileage life span. When it was put in the fleet through grant funding, it did not eliminate a vehicle. It was also noted that when it is replaced, it would be replaced with a "regular" vehicle, not a like vehicle, due to the cost. Mr. Fife will talk to Sheriff Lathim about the vehicle replacement plans.

#### R170 Road Project

Electrical underground work is being done today. Taller barriers than originally planned will be used.

Mr. Miller asked about a narrow bridge. Mr. Fife said if we get the Federal funding that we have applied for, we will look at widening the bridge. If we don't get the Federal funding, we will try to apply for RAP funding.

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Other Projects

Maintenance crews have widened about eight miles of gravel road including: Coulee Road between Ringold and Fircrest, Glenwood Road off of Ringold Road, and Kent Drive.

Mr. Miller asked Mr. Fife about work being done on Koelzer Road.

**TRAC**

TRAC Manager Troy Woody met with the Board.

Rocktoberfest 09

The Board reviewed the financial information for Rocktoberfest 09. The rain was a huge deterrent for attendance. The event was moved inside.

Event Insurance

Gallagher has recommended that we revise our insurance requirements based on the type of group using TRAC. We currently require groups to have \$1 million insurance for any event that is open to the public. A secondary issue is to make a determination of who pays what.

Gallagher is recommending \$5 million in liability coverage. Legally, we do have the discretion to determine which amount is required as long as we are not discriminating. Mr. Woody said there are two questions: What limits do we want, and do we agree there should be two different limits? Mr. Woody agrees there should be two limits. Mr. Peck said two or more.

Mr. Woody said another question is, do we require insurance of every single event or not? He explained how insurance coverage is currently being handled at TRAC.

Mr. Woody asked the Board members to review information from Chief Civil Deputy Prosecutor Ryan Verhulp prior to making a decision.

Mr. Peck asked Mr. Woody to discuss waiver of subrogation with Mr. Verhulp.

Road 68 Sign Update

The City of Pasco is reviewing the questions the county had about the Road 68 sign. Until the city responds to the questions, Mr. Woody is asking Pasco to approve

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putting the sign in place now with only public entities on the sign. We can add the private entities later if determined.

Arena Advertising Sign Update

All the arena signs are updated. In 2010 the sign revenue generated for TRAC will be about \$40,000.

Year-to-date occupancy and attendance report

The report was reviewed. The total attendance is down slightly but occupancy is not. TRAC is still handling a lot of groups but they're just not spending much money or bringing many people.

Mr. Peck is interested in knowing which facilities are used, not just total attendance. He is interested in knowing usage days for each of the TRAC buildings.

Personnel Procedures

Mr. Peck asked Mr. Woody, are you looking at procedures and evaluating whether or not adjustments are appropriate? Mr. Woody said absolutely. We've met with outside security. Mr. Peck asked Mr. Woody to let the Board know if any significant changes are made.

**PLANNING AND BUILDING DEPARTMENT**

Planning Director Jerrod MacPherson met with the Board.

Building Department Update

The September 2009 Building Report was reviewed.

The City of Mesa has requested that the county provide building inspection services similar to how they are provided to the City of Connell. Mr. MacPherson gave the Board information about the building permit activity in Mesa from 2004 through September 2009. Mr. MacPherson said the county building official feels the work at Mesa can be easily absorbed and generate a little bit of revenue. Any structure over 120 square feet requires a permit. One item he will check is to ask Mesa to have their valuation table (fee structure) be equivalent to the county's. Mr. Peck wants everyone in the county to be treated equally unless you can give a good reason not to.

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Mr. MacPherson said we are considering approaching the City of Kahlotus about doing their building inspections as well.

The Board had a brief discussion about the suitability of forming a private water and sewer district in Mesa.

Mr. MacPherson asked for Board consensus approval to offer building inspection services to the City of Mesa upon formal development of a contract. The Board members gave **consensus approval**.

**AUDITOR**

Auditor Zona Lenhart and Elections Supervisor Diana Killian met with the Board. Office of the Secretary of State Elections Division Grant Agreements: G-4272 and G-4278 [Election Assistance for Individuals with Disabilities (EAID)]

Two grant agreements will be put on the next consent agenda. Ms. Lenhart and Ms. Killian explained aspects of the work that would be done. One grant is for two larger ballot drop boxes. The Elections Department plans to put new ballot boxes at TRAC and somewhere in the Riverview area, perhaps at the Grange. One of the two smaller existing ballot boxes at TRAC will be moved to the Courthouse/Public Safety Building parking lot, hopefully where a person can put their ballot in the box without getting out of their car. The other smaller ballot box at TRAC will be a reserve box. It may be installed in Connell eventually. Ms. Lenhart said we tell voters where the drop boxes are located in the voter pamphlet and by phone.

Ms. Killian said the pilot program grant funding is for \$50,000 so a public hearing would need to be held to increase the budget.

One more contract will be coming for the actual vendor who will be helping with the service of the on-line contract.

**Recessed** at 10:28 am.

**Reconvened** at 10:32 am.

**COUNTY ADMINISTRATOR**

County Administrator Fred Bowen and Secretary Bridgette Scott met with the Board.

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Cell Phone Reimbursement

Mr. Bowen gave the Board a draft resolution for review.

Mr. Peck would prefer having one resolution with a master list of the reimbursement schedule for cell phone/PDA/Wireless Data use by county employees. Mr. Peck and Mr. Koch want to be able to have documentation and explanation of the reasons the phones and/or PDA/Wireless data is needed for particular positions.

After extensive discussion, Mr. Miller asked that Mr. Bowen instruct the Information Services Department to obtain information about procedures used by several other entities.

Mr. Bowen asked to rescind the resolution freezing reimbursement for cell phones as of October 1 until the Board has resolved the issue. The Board decided to wait to rescind the resolution until further consideration next week.

**MINUTES**

**Motion** – Mr. Koch: Mr. Chairman, I move for Commissioners Proceedings for September 23, September 28, September 30 and October 5, 2009. Second by Mr. Peck. 3:0 vote in favor.

**Adjourned** at 11:20 am.

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

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

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Chairman

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Chairman Pro Tem

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Member

Attest:

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Clerk to the Board

Approved and signed November 2, 2009.