

COMMISSIONERS RECORD 51
FRANKLIN COUNTY
Commissioners' Proceedings for April 28, 2010

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Brad Peck, Chairman; Rick Miller, Chair Pro Tem; and Bob Koch, Member; and Mary Withers, Clerk to the Board. Meeting convened at 9:00 am. Fred Bowen, County Administrator, was absent on personal business.

PROSECUTOR

Prosecutor Steve Lowe, Superior Court Judge Carrie Runge and District Court Judge Jerry Roach met with the Board. Also present: County Clerk Mike Killian, Pasco Municipal Court employee Dot French, Superior Court Administrator Pat Austin, District Court Administrator Kelly Martin, Pasco City Manager Gary Crutchfield, Blaine Hulse and Tri-City Herald Reporter Kristi Pihl.

Lease with City of Pasco for Courthouse Space

Mr. Lowe explained the need for additional office and courtroom space. He is using the same amount of space as the prosecutor used in 1963. He said the Board has acknowledged the need in the past. He just wants the Board to know it continues to be a problem. He told how courtroom space is used.

Judge Roach said we need more space. He gave the Board a paper regarding how and when courtrooms are used. He said District Court staff occupies a space which is workable but has issues because of space. His most important concern is getting cases out and meeting time deadlines. He explained about courtroom needs for jury trials. He explained how the courtroom use is determined. There are safety and security issues as well. He said something needs to be done so we can ensure justice for those who come before the court. Another concern is that courtroom capacity suffers as the caseload increases. The caseload is constantly increasing for the city and the county. City court does not have civil cases. District Court does have civil cases.

Judge Carrie Runge spoke on behalf of Superior Court, echoing Steve Lowe's and Judge Roach's positions. She explained how Superior Court has been impacted by the lack of ability to use all of the courtrooms, giving an example of using the Commissioners Meeting Room that is not meant to be a courtroom. She also described how Franklin County cases are sometimes sent to Benton County courtrooms and the impact it has on the two counties' clerks offices. She said we would like to be part of any further discussion and let you recognize our needs.

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Mr. Miller asked does anybody have any ideas of alternatives besides going for tax money, since that has been tried and didn't pass? Could a satellite location be used?

Mr. Lowe said we've talked about that. The Child Support section and civil section could be moved into a satellite office but it will cost money. I'm open to that and continue to be open to that. The criminal attorneys need to remain in the Courthouse. One problem that would occur with moving Child Support is that part of the cost of the remodel of the Courthouse has been charged to the Child Support contract with the state. He explained briefly how the state provides funds.

Mr. Lowe said we have to think 20 years out, not just five years.

Mr. Koch agreed there is a need for space.

Mr. Lowe said in 1963 there were two lawyers working for the county.

Mr. Peck said he recognizes two issues: comfort and convenience for the staff; and consequences in terms of justice being served for the citizens in the county, which is the higher standard in his mind. Mr. Lowe responded to Mr. Peck's questions about use of security personnel, confrontations between groups of people attending court, and risk.

Judge Roach answered Mr. Peck's questions about delay of trials and other court matters due to lack of courtroom space. Mr. Lowe gave an example of the number of cases that can be tried in a year. Mr. Peck said the limiting factors are the number of judges, courtroom space and time. The courtrooms are not used in the evenings. Mr. Peck asked what is the biggest obstacle to doing that? Judge Roach said there was night court about 25 years ago. It has kind of faded away in most jurisdictions. Mr. Lowe said no one has talked about night court and the logistics. There is a cost involved.

Mr. Peck said after-hours court would drive additional security costs but he thinks it would be less costly than other options. He asked those present to consider it from a basic study point. We should not look at it to the exclusion of other possibilities. He said I understand what you're telling me. I agree it would be beneficial for the county and citizens if we had more courtrooms and space. Like you, I don't see the dollars to build or buy anything. He has met with City of Pasco officials about rolling their lease on a year-by-year basis. There was also discussion of perhaps adding another portable. We ought to look at interim solutions that don't have a big price tag attached. Judge Roach said the portable courtroom, though not ideal, worked fine.

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Judge Roach commented about night court. The criminal caseload may have changed through the years and the way the court responds to and addresses people's constitutional rights has changed. You could limit night court to certain things that we do. It would free up a two-hour or four-hour block from one afternoon or one morning. That may or may not give some benefit depending on how the scheduling worked.

WSU EXTENSION OFFICE (9:32 am)

WSU Extension Director Lauri Sherfey met with the Board. Present in audience: Blaine Hulse, Tim Fife, Darrel Farnsworth and Kristi Pihl.

Agronomy Position

WSU is moving forward to fill the vacant agronomy position. Rick Miller will be on the selection committee.

Invitation to meet with WSU President Floyd

Ms. Sherfey invited the Board members to attend a meeting on May 4 with WSU President Floyd at the Extension Office.

PUBLIC WORKS (9:36 am)

Engineer Tim Fife met with the Board. Present in audience: Darrel Farnsworth, Blaine Hulse, Mark Bohnet and Kristi Pihl.

CRP 593 Road 100 Extension: Administrative Offer – Parcel 593-07 Barker, et al

Mr. Fife explained the negotiation process that has occurred and answered the Board's questions.

Motion – Mr. Koch: I would move that we agree to the negotiated settlement for Parcel 593-07 for \$37,500. Second by Mr. Miller. The funds are budgeted and will come from Rural Arterial Funds from the County Road Administration Board (CRAB) and a 10% match from the county. 3:0 vote in favor. (Exhibit 1)

Request for Reimbursable Work: Port of Pasco

Mr. Fife explained the work the Port of Pasco has requested that the county do. The county has time to do the work this year. The Port of Pasco will pay actual costs. The county's chip seal program has been cut back this year because of funding and because we are concentrating on the gravel program this year.

Motion – Mr. Miller: Mr. Chairman, I move that we accept the Franklin County request for reimbursable work between the Port of Pasco and Franklin County at the maximum of \$93,886.52. Second by Mr. Koch. 3:0 vote in favor. (Exhibit 2)

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Award of Bid: New Motor Grader

Mr. Fife recommended award of bid to Rowand Machinery using Option 1. He said it is clearly the lowest responsible life cycle bid that was received.

Motion – Mr. Koch: Mr. Chairman, I would move for approval of the award for bid of new motor grader to Rowand Machinery, Option 1, in the amount of \$94,221. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 3)

Mr. Hulse left the meeting.

Award of Bid: 2010 3/8" to #10 Rock Chips

Two companies quoted the same price but we're electing to go with Central Pre-Mix because they're within a half mile to a mile of where we're going to be using the material. We will not have to stockpile. American Rock is in north Richland so haul costs would substantially increase the cost. By statute we're allowed to use haul cost as part of the decision-making process.

Motion – Mr. Koch: Mr. Chairman, I would move for approval of the purchase of 2010 3/8" to #10 chips from Central Pre-Mix at \$7.50 a ton. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 4)

Sheriff's Vehicles

The manufacturer has extended the deadline for ordering vehicles. Mr. Fife asked for approval to prepare an advertisement for a bid opening on May 19 for three vehicles and also award later in the day on May 19 or before the deadline of May 24. Mr. Farnsworth answered Mr. Peck's questions about mileage and age limits. Mr. Farnsworth said we were scheduled to replace five cars but are going to only replace three. By accelerating the purchase, we feel we can save some money.

2008 Surplus F-250 crew cab with a dump body

The Board **gave approval** to purchase a used 2008 F-250 crew cab with a dump body from University of Washington for \$20,000. It has 2211 miles on it and would usually cost \$30,000. Mr. Farnsworth said instead of replacing a half-ton pickup this year, we would purchase this truck. We had \$26,000 budgeted.

Department of Ecology Grants for solid waste and litter programs have basically been cut in half. The details are unknown right now.

DEPARTMENT OF NATURAL RESOURCES (DNR)

Mark Bohnet met with the Board. Present in audience: Kristi Pihl.

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Information Update about a proposed land exchange between DNR and City of Pasco

Mr. Bohnet told the Board about a proposed land exchange between DNR and the City of Pasco.

OFFICE BUSINESS

Present in audience: Kristi Pihl.

Consent Agenda

Motion - Mr. Koch: Mr. Chairman, I would for approval of the consent agenda for April 28 as listed. Second by Mr. Miller. 3:0 vote in favor.

1. Proclaiming May 2010 to be Older Americans Month. This is Resolution 2010-126.

Vouchers/Warrants

Motion – Mr. Koch: I would move for approval of the fund expenditures for April 28 in the bottom line of \$119,695.31. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 5)

Current Expense warrants 32204 for \$4731.53; Auditor O&M warrant 32205 for \$437.32; Election Equipment Revolving warrant 32206 for \$15.52; Trial Court Improvement Fund warrant 32207 for \$2667.62; Sheriff's Narcotic Trust warrant 32208 for \$860.29; Jail Commissary warrant 32209 for \$615.35; Enhanced 911 warrant 32210 for \$72.49; Law Library warrant 32211 for \$4.01; Current Expense warrants 32475 through 32609 for \$61,023.65; TRAC Operations Fund warrants 32610 through 32632 for \$42,306.46; Enhanced 911 warrants 32633 through 32635 for \$4590.88; Landfill Closure Trust Fund warrant 32636 for \$2264.44; and TRAC Operations Fund warrant 32637 for \$105.75.

Motion – Mr. Koch: Mr. Chairman, I would move for the approval of April 28 salary clearing payroll in the amount of \$713,531.82, and on the cover sheet is Emergency Management at \$14,413.58 and Irrigation at \$14,371.85. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 6)

Salary Clearing payroll warrants 507974 through 50893 for \$180,517.96; warrants 50894 through 50905 for \$224,990.57; and Direct Deposit for \$308,023.29;

Emergency Management payroll warrants 32674 through 32683 for \$3246.05; warrants 32684 through 32693 for \$4243.33; and Direct Deposit for \$6924.20; and

Irrigation payroll warrants 32694 through 32707 for \$9431.47; and warrants 32708 through 32715 for \$4940.38.

Final Approval SUB 2008-24, Edward Headley

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Motion - Mr. Koch: Mr. Chairman, I would move for final approval of Subdivision 2008-24. Second by Mr. Miller. 3:0 vote in favor. This is Resolution 2010-127.

Minutes

Motion – Mr. Koch: Mr. Chairman, I would move for approval of Commissioners Proceedings for April 7, 2010, and April 14, 2010. Second by Mr. Miller. 3:0 vote in favor.

Port of Moses Lake

Mr. Miller explained the request from the Port of Moses Lake for the county to support foreign trade zone availability for companies located in Franklin County. The Board members are all in favor of sending the letter but asked for review by the Prosecutor's Office first.

Columbia Basin Development League

Motion – Mr. Koch: I would move that we pay the dues for Columbia Basin Development League for \$300. Second by Mr. Miller. 3:0 vote in favor.

COUNTY ADMINISTRATOR BUSINESS

Present in audience: Kristi Pihl.

Claim for Damages: Jacob Quezada

Motion – Mr. Peck: The motion is to deny this claim for damages. 3:0 vote in favor. This is Resolution 2010-128.

Executive Session at 10:34 am expected to last up to 20 minutes under RCW 42.30.110(1)(g).

Open Session at 10:58 am.

Adjourned at 10:59 am.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until May 5, 2010.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Brad Peck, Chairman

Rick Miller, Chairman Pro Tem

Robert E. Koch, Member

Attest:

Clerk to the Board

Approved and signed May 5, 2010.