

COMMISSIONERS RECORD 51
FRANKLIN COUNTY
Commissioners' Proceedings for September 1, 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; Fred Bowen, County Administrator; and Mary Withers, Clerk to the Board. Meeting convened at 9:00 am.

FRANKLIN COUNTY DISTRICTING COMMITTEE

Public Hearing: Adoption of Franklin County District Court Districting Plan pursuant to RCW 3.38

Public Hearing convened at 9:00 am. Present: Commissioners Peck, Miller and Koch; County Administrator Fred Bowen; and Clerk to the Board Mary Withers. Present in audience: Prosecutor Steve Lowe, Prosecutor's Administrative Assistant Kelly Schadler, Les Storm, District Court Administrator Kelly Martin, Connell Administrator Steve Taylor, Office of Public Defense Coordinator Eric Hsu, City of Mesa Mayor David Ferguson, District Court Judge Jerry Roach and Tri-City Herald Reporter Kristi Pihl.

Prosecutor Steve Lowe explained the process involved in adopting a District Court districting plan. The recommendation of the Districting Committee was to create a department rather than a separate geographical district.

Mr. Peck said the adoption of the committee's recommendation that the District Court have departments, one specifically for Connell and one for the balance of the work of the District Court, is something that we can do and then take no further action. That action in and of itself does not require a second action to then agree to take on the work of City of Connell or any other municipality. It creates a framework to do that but does not require that. It is an important distinction that those are separate and distinct acts. Mr. Lowe said that is correct.

Mr. Peck asked if anyone in the audience would like to comment on the record on the subject of the districting plan that's been recommended by the District Committee.

David Ferguson, mayor of Mesa, asked how will this affect the City of Mesa? We had an agreement with the judge and the City of Connell that they would do our cases and we have a contract with the county that takes the criminal cases. Mr. Peck said his understanding is that the districting plan does not change any of your current practice. It does not require you to make any change. It simply is a framework that allows the county and communities to make changes after

COMMISSIONERS RECORD 51
FRANKLIN COUNTY
Commissioners' Proceedings for September 1, 2010

this action if all the parties agree to do that. In and of itself, this districting agreement does not require any change to what you're doing now. Mr. Peck asked if anyone in the audience knows differently to please share it. There was no response. He asked Mr. Ferguson if that answered his question. Mr. Ferguson said yes. Mr. Peck said there are other questions to be addressed.

Mr. Peck asked three times if anyone else would like to speak for or against, pro or con. There was no response. The public portion of the public hearing was closed.

Mr. Koch said he has no further questions. He thinks it is pretty straightforward.

In response to Mr. Miller's request for clarification, Mr. Lowe said the whole district is the county. It's affecting a municipal department if you want to conceptualize it that way. It is simply creating a framework within the court system to segregate those cases coming within the city municipal code within the city limits of Connell. It doesn't mean that cases couldn't have been heard before but they would have been heard on county paper. He gave an example.

Mr. Lowe explained briefly the procedures involved in doing the work for the City of Connell.

Mr. Lowe said he thinks most of the City of Mesa cases involve code enforcement issues. He said if the City of Mesa is contracting with the City of Connell to do the work, if it's normally done within the Municipal Court, then we would do the work. We don't object to that. We would do that work on behalf of the City of Mesa through the City of Connell. He said there shouldn't be a change. He said he understands there are probably less than three cases a year. Mr. Ferguson said last year there were three cases; this year it might be 10. Mr. Lowe said it has not been a big impact to the City of Connell.

The Board members asked questions and received answers from those in attendance.

Motion – Mr. Koch: Mr. Chairman, I would move for adoption of Franklin County District Court Districting Plan pursuant to RCW 3.38 and allow the chairman to sign the documents. Second by Mr. Miller. 3:0 vote in favor. This is Resolution 2010-246.

OFFICE BUSINESS

Administrative Assistant Toni Fulton met with the Board. Present in audience:
Prosecutor Steve Lowe, Prosecutor's Administrative Assistant Kelly Schadler, Les Storm,
District Court Administrator Kelly Martin, Connell Administrator Steve Taylor, Office of Public

COMMISSIONERS RECORD 51
FRANKLIN COUNTY
Commissioners' Proceedings for September 1, 2010

Defense Coordinator Eric Hsu, District Court Judge Jerry Roach, Tri-City Herald Reporter Kristi Pihl and County Engineer Tim Fife.

Consent Agenda

Motion - Mr. Koch: Mr. Chairman, I move for approval of the consent agenda, eight items, for September 1, 2010. Mr. Peck asked that items 6, 7 and 8 be removed from the consent agenda. He said they merit further discussion than simply a vote on the consent agenda.

Mr. Koch said I would amend my motion to reflect that.

Vote on consent agenda items 1 through 5. 3:0 vote in favor.

1. Approval of **Joint Resolution 2010-247** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on fee for service contract between the Benton-Franklin Juvenile Justice Center and Pasco School District.
2. Approval of **Resolution 2010-248** appointing Norman Moorer to the Benton-Franklin Workforce Development Council for a term expiring June 30, 2013.
3. Approval of **Resolution 2010-249** renewal of Minolta copier maintenance contract between Abadan and Franklin County Corrections for the copier located in Corrections Administration.
4. Approval of **Resolution 2010-250** amending Franklin County Resolution Numbers 2009-444 and 2010-070, revising Wireless Communication Device/Cellular Reimbursement Master List, effective August 1, 2010.
5. Approval of **Joint Resolution 2010-251** in the matter of execution of an amendment to increase the total amount in the agreement for providing substance abuse treatment services between the Division of Alcohol and Substance Abuse and Benton and Franklin Counties' Department of Human Services, Agreement #0963-68016-03.

Clerk's Note: Items 6, 7 and 8 were removed from the consent agenda.)

6. Approval of **Resolution 2010-____** approving Interlocal Agreement between Franklin County and the City of Connell for District Court Services.
7. Approval of **Resolution 2010-____** approving Interlocal Legal Services Agreement between Franklin County and the City of Connell for Prosecution services.

COMMISSIONERS RECORD 51
FRANKLIN COUNTY
Commissioners' Proceedings for September 1, 2010

8. Approval of **Resolution 2010-_____** approving Interlocal Agreement between Franklin County and the City of Connell for use of Office of Public Defense services.

PUBLIC WORKS

Engineer Tim Fife met with the Board. Present in audience: Prosecutor Steve Lowe, Prosecutor's Administrative Assistant Kelly Schadler, Les Storm, District Court Administrator Kelly Martin, Connell Administrator Steve Taylor, Office of Public Defense Coordinator Eric Hsu, District Court Judge Jerry Roach and Tri-City Herald Reporter Kristi Pihl.

Vouchers

Motion – Mr. Koch: Mr. Chairman, I move for approval of County Road Fund for \$181,214.23; and MV & PW Equipment Fund for \$99,846.21; for a total amount of \$281,060.44. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 1)

Request for Fairway Road closure CRP 596 R170 Landslide Area, Phase III

Selland Construction, the contractor doing the road construction, has requested a road closure to through traffic from September 7 through November 22. They would provide all the signs and barricades to do it. Mr. Fife recommended approval of the road closure.

Mr. Koch said he talked to Scott English, a property owner in the area of the road closure, who told him his questions had been answered. Mr. Miller had no questions. Mr. Fife answered Mr. Peck's question about the timing of the irrigation work.

The Board **gave consensus approval** of the road closure.

Enhancement Projects: Benton-Franklin Council of Governments (BFCoG)

BFCoG made a call for transportation enhancement projects due September 3, followed by review by a selection committee which includes a Franklin County representative. The Board asked Mr. Fife to serve on the selection committee.

COUNTY ADMINISTRATOR

County Administrator Fred Bowen met with the Board.

Present in audience: Prosecutor Steve Lowe, Prosecutor's Administrative Assistant Kelly Schadler, Les Storm, District Court Administrator Kelly Martin, Connell Administrator Steve

COMMISSIONERS RECORD 51
FRANKLIN COUNTY
Commissioners' Proceedings for September 1, 2010

Taylor, Office of Public Defense Coordinator Eric Hsu, District Court Judge Jerry Roach and Tri-City Herald Reporter Kristi Pihl.

Out-of-County Travel

HR Director Rosie H. Rumsey has asked for approval to have her assistant Lisa Schumacher attend a conference in Seattle. There are funds available in the staff travel budget. The commissioners had no objection.

Inter Budget Transfer of \$100,000

Mr. Bowen asked for approval of transfer from Current Expense Non-Departmental Budget to Professional Services for Public Defense, miscellaneous professional services line item, for ongoing costs. This is a portion of the total amount expected to be needed of \$350,000.

Motion – Mr. Miller: Mr. Chairman, I move that we propose the inter budget transfer of \$100,000 from Budget 700, Contingency Reserve line item, to the Public Defense Budget 180, Miscellaneous Professional Services line item. Second by Mr. Koch. For clarification, the motion was to approve the resolution as presented. Mr. Hsu and Mr. Bowen answered the Board's questions. 3:0 vote in favor. This is Resolution 2010-252.

AUDITOR

Auditor Zona Lenhart met with the Board. Present in audience: Facilities Director Christopher Giles, Human Services Administrator Ed Thornbrugh, WSU Extension Agent Lauri Sherfey, County Administrator's Administrative Assistant Toni Fulton, Auditor's Administrative Assistant Sue Boothe, Prosecutor Steve Lowe, Prosecutor's Administrative Assistant Kelly Schadler, Les Storm, District Court Administrator Kelly Martin, Connell Administrator Steve Taylor, Office of Public Defense Coordinator Eric Hsu, District Court Judge Jerry Roach and Tri-City Herald Reporter Kristi Pihl.

Ballot Drop Box Placement

The Board had previously given approval for placement of a ballot drop box. They authorized Ms. Lenhart, Mr. Bowen and Mr. Giles to determine the location.

OFFICE BUSINESS (continuing)

Present in audience: Human Services Administrator Ed Thornbrugh, WSU Extension Agent Lauri Sherfey, County Administrator's Administrative Assistant Toni Fulton, Prosecutor

COMMISSIONERS RECORD 51
FRANKLIN COUNTY
Commissioners' Proceedings for September 1, 2010

Steve Lowe, Prosecutor's Administrative Assistant Kelly Schadler, Les Storm, District Court Administrator Kelly Martin, Connell Administrator Steve Taylor, Office of Public Defense Coordinator Eric Hsu, District Court Judge Jerry Roach and Tri-City Herald Reporter Kristi Pihl. District Court agreements that were part of Consent Agenda as Items 6, 7 and 8

Mr. Miller is satisfied with what he has seen and heard from the departments.

Mr. Koch's question was answered regarding why there are three different interlocal agreements with three different termination dates.

Mr. Peck's questions were answered, including questions about termination of one contract and not the others, the difficulty of starting in the middle of a year, and bench warrants. Mr. Taylor said he can provide the City of Connell's financial analysis information.

Mr. Taylor said in addition to financial benefits, we believe we're going to see better justice. Additional programs will be available.

District Court Judge Jerry Roach gave information about arrests and transporting to jail.

Mr. Taylor said the Connell City Council voted unanimously to approve the agreements. Connell received public comment from three individuals. Mr. Koch asked to see the public comments before making a decision. Mr. Taylor will provide the information.

Mr. Taylor asked for approval of the agreements and explained the reasons for the urgency.

Mr. Koch would like to review the pros and cons that the City of Connell received. He said the people in the City of Connell are also residents of Franklin County. He would like to wait a week before making a decision.

Mr. Peck proposed taking it under advisement for about 90 days to do additional study.

Mr. Miller said we're going to get this information back and we will pursue it next week.

Consensus Agreement: Mr. Peck asked do I have consensus from the entire board that by close of business today we'll provide a list to Mr. Bowen of the information that we would like to see that we feel is necessary to render a decision and that he can convey that to the City of Connell and Mr. Lowe and if they can provide that information to us no later than the end of this work week, then we'll be prepared to take this issue up again next Wednesday? Mr. Koch and Mr. Miller agreed.

COMMISSIONERS RECORD 51
FRANKLIN COUNTY
Commissioners' Proceedings for September 1, 2010

Mr. Bowen asked do you want to schedule a formal board meeting again or put it on the consent agenda? Mr. Peck said he feels it needs to be a meeting topic rather than consent agenda.

OTHER BUSINESS

Present in audience: WSU Extension Director Lauri Sherfey, County Administrator's Administrative Assistant Toni Fulton, Les Storm, Steve Taylor and Kristi Pihl.

Energy Northwest

Mr. Peck participated as the Franklin County representative in Energy Northwest's Emergency Response exercise yesterday.

Vouchers/Warrants

Motion – Mr. Koch: Mr. Chairman, I would move for approval of vouchers audited and certified, Salary Clearing payroll in the amount of \$702,338.65. On the cover sheet also is Emergency Management payroll of \$14,417.35 and Irrigation payroll \$14,980.24.

On a separate audited voucher is Salary Clearing payroll of \$2624.32. Second by Mr. Miller. 3:0 vote in favor.

Salary Clearing payroll warrants 51613 through 51698 for \$178,824.69; warrants 51699 through 51710 for \$219,534.80; and Direct Deposit for \$303,979.16; for a total amount of \$702,338.65;

Emergency Management payroll warrants 38166 through 38175 for \$3248.30; warrants 38176 through 38185 for \$4247.10; and Direct Deposit for \$6921.95; for a total amount of \$14,417.35; and

Irrigation payroll warrants 38186 through 38202 for \$9970.17; and warrants 38203 through 38210 for \$5010.07; for a total amount of \$14,980.24;

Salary Clearing payroll warrants 51711 through 51723 for \$2273.26; and warrants 51724 through 51727 for \$351.06; for a total amount of \$2624.32. (Exhibit 2)

Motion – Mr. Miller: Mr. Chairman, I would like to approve the vouchers audited and certified by auditing officer as of this date September 1, 2010, in the fund expenditures as listed in the bottom line amount of \$285,512.71. Second by Mr. Koch. 3:0 vote in favor.

COMMISSIONERS RECORD 51
FRANKLIN COUNTY
Commissioners' Proceedings for September 1, 2010

Auditor O & M warrant 38211 for \$256.67; Treasurer O & M warrant 38212 for \$39.60; Enhanced 911 warrant 38213 for \$1,746.41; Law Library warrants 38214 through 38216 for \$8,917.28; Enhanced 911 warrant 38217 for \$35.36; TRAC Operations Fund warrants 38218 through 38235 for \$12,701.63; Franklin County RV Facility warrants 38236 through 38240 for \$2,180.11; Current Expense warrants 38241 through 38287 for \$35,481.02; Auditor O & M warrants 38334 and 38335 for \$388.11; Supplemental Preservation Fund warrant 38336 for \$1,444.17; Paths & Trails warrant 38337 for \$3,500.00; Ending Homelessness Fund warrant 38338 for \$23,675.50; and Current Expense warrants 38339 through 38354 for \$195,146.85. (Exhibit 3)

OTHER BUSINESS

WSU Extension

Present in audience: Les Storm, Steve Taylor, Kristi Pihl and another man.

WSU Extension Director Lauri Sherfey requested a letter of support for a grant with the Barbara Bush Foundation for Family Literacy. The Gates Grant for the Pathways project will be ending. She is seeking the grant for continued funding for the Pathways Project. In-kind contributions include some support staff time and work by Facilities. Ms. Sherfey used figures based on a 2007 grant application.

Mr. Peck asked about space requirements because of the number of demands for space. Ms. Sherfey said the program could use space in a rented facility.

Motion – Mr. Koch: I would move for approval of supporting the grant application. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 4)

Adjourned at 10:53 am.

COMMISSIONERS RECORD 51
FRANKLIN COUNTY
Commissioners' Proceedings for September 1, 2010

There being no further business, the Franklin County Board of Commissioners meeting was adjourned until September 8, 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 September 22, 2010.