

COMMISSIONERS RECORD 51
FRANKLIN COUNTY
Commissioners' Proceedings for December 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.

PUBLIC HEARING: 2011 BUDGET ADOPTION

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: TRAC Manager Troy Woody, Superior Court Administrator Pat Austin, Tri-City Herald Reporter Kristi Pihl.

The Public Hearing was recessed until the next meeting, Wednesday, December 8, 2010.

TRAC

TRAC Manager Troy Woody met with the Board. Present in audience: Kristi Pihl.

Cell Tower Agreement

Mr. Woody recommended approval of renewing an agreement with Verizon Wireless for the cell tower with the payment amount being changed from a variable number to a fixed number every year. Two reasons are to avoid confusion over which CPI to use and to know a fixed number for budgeting purposes. The Board reviewed the agreement and had questions so they asked Mr. Woody to obtain more information.

Bid Opening: Banquet Tables

Bid opening convened at 9:18 am. Present: Commissioners Peck, Miller and Koch; County Administrator Fred Bowen; TRAC Manager Troy Woody; and Clerk to the Board Mary Withers. Present in audience: Kristi Pihl.

Two bids were received.

Food Services of America (FSA) of Kennewick	\$31,145.78
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Bargreen Ellingson of Pasco	\$27,843.39
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Mr. Woody said his estimated cost was between \$27,000 and \$32,000.

MINUTES

Motion – Mr. Koch: Mr. Chairman, I would move for approval of Commissioners proceedings for November 22, 2010. Second by Mr. Miller. 2:0 vote in favor.

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PLANNING AND BUILDING DEPARTMENT

Planning Director Jerrod MacPherson met with the Board.

Public Hearing: Amendment to ZC 2010-04, to amend legal description for ZC 2010-04

Public Hearing convened at 9:30 am. Present: Commissioners Peck, Miller and Koch; County Administrator Fred Bowen; and Clerk to the Board Mary Withers. Present in audience: Troy Woody and Kristi Pihl.

Mr. MacPherson showed the application drawing on the screen with the rezone area outlined. The surveyor made an error in the legal description and notified the Planning Department. Franklin County Deputy Prosecutor Ryan Verhulp suggested that a public hearing be held. Mr. MacPherson showed the changed area on the screen. The people in the audience did not wish to comment.

Motion – Mr. Koch: Mr. Chairman, I would move that we grant approval of the legal description amendment for ZC 2010-04 and Ordinance 8-2010 subject to the two findings of fact. Second by Mr. Miller. 3:0 vote in favor. This is Ordinance 10-2010. (Exhibit 1)

BOARD OF EQUALIZATION (BOE)

Appointment to BOE

The Board reviewed the two applications that were received. Mr. Koch suggested naming Linda Mays. Mr. Miller agreed. Mr. Peck supported the recommendation.

Motion - Mr. Miller: Mr. Chairman, I move that we appoint Linda Mays to be a member of the Board of Equalization for a three-year term to run January 1, 2010, through December 31, 2012. Second by Mr. Koch. 3:0 vote in favor.

VOUCHERS/WARRANTS

Motion – Mr. Miller: Mr. Chairman, I move that we approve the vouchers audited and certified by the auditor for this date, December 1, 2010, as listed with the fund amounts in the total amount of \$192,072.06. Second by Mr. Koch. 3:0 vote in favor.

Current Expense warrants 42225 through 42315 for \$52,840.40; Current Expense warrants 42316 through 42358 for \$53,385.64; Current Expense warrant 42359 for \$842.08; Auditor O & M warrant 42360 for \$200.00; Election Equipment Revolving warrants 42361 and 42362 for \$148.27; Treasurer O & M warrants 42363 and 42364 for \$2,200.00; Courthouse

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Facilitator Program warrant 42365 for \$770.00; Clerk LFO Collection Fund warrants 42366 and 42367 for \$355.35; Boating Safety Fund warrants 42368 and 42369 for \$884.46; DUI Recovery Fund warrants 42370 and 42371 for \$979.90; Jail Commissary warrants 42372 through 42376 for \$2,960.50; Enhanced 911 warrants 42377 through 42379 for \$826.60; Law Library warrants 42380 through 42383 for \$8,977.61; TRAC Operations Fund warrants 42384 through 42415 for \$53,265.26; Current Expense warrants 42416 through 42433 for \$13,372.99; and Veteran's Assistance warrant 42434 for \$63.00. (Exhibit 2)

Motion – Mr. Miller: Mr. Chairman, I would move for approval of vouchers audited and certified by the auditing officer for salary clearing payroll for November 22, 2010. Salary Clearing payroll is in the amount of \$705,731.48; Emergency Management payroll in the amount of \$14,460.71; and Irrigation payroll in the amount of \$13,797.11. Second by Mr. Koch. 3:0 vote in favor.

Salary Clearing Payroll warrants 52252 through 52349 for \$178,613.02; warrants 52350 through 52361 for \$219,666.96; and Direct Deposit for \$307,451.50; for a total amount of \$705,731.48;

Emergency Management Payroll warrants 41875 through 41884 for \$3256.16; warrants 41885 through 41894 for \$4246.96; and Direct Deposit for \$6957.59; for a total amount of \$14,460.71; and

Irrigation Payroll warrants 41848 through 41866 for \$9013.44; and warrants 41867 through 41874 for \$4783.67; for a total amount of \$13,797.11. (Exhibit 3)

PUBLIC WORKS

Engineer Tim Fife met with the Board.

Road Conditions

There was discussion about maintenance of the icy and snowy roads.

Vouchers

Motion – Mr. Miller: Mr. Chairman, I move for approval of payment of vouchers for Public Works: County Road Fund for \$192,772.14; MW & PW Equipment Fund for \$30,072.14; Solid Waste Fund for \$49.97; and Probation Work Crew Fund for \$180.00; for a total amount of \$223,074.25. Second by Mr. Koch. 3:0 vote in favor. (Exhibit 4)

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Bid Results: CRP 581 Pasco-Kahlotus Road 1, Overlay and Widening

Mr. Fife gave an update on review of the bids. He is not prepared to recommend award of the bid at this time.

Draft: Annual Construction Program 2011

Mr. Fife gave the Board a draft of the Annual Construction Program 2011.

COUNTY ADMINISTRATOR

County Administrator Fred Bowen met with the Board. Present in audience: Troy Woody, Kristi Pihl, Raenette Carle, Don Boxford, Robert Richmond, Ralph Salazar and Scott Long.

CDBG Selection

Franklin County can only sponsor one entity for the CDBG grant funding. Two applications were received, one from Basin City Water and Sewer and one from Eltopia Water Association. Mr. Bowen asked the Board to make a selection. He briefly explained the work that has already been done and the needs. Sponsorship does not guarantee they will receive the grant.

Mr. Koch said after looking over both proposals, he would recommend Eltopia. The arsenic level is extremely high. A lot of residents use bottled water now.

Mr. Miller said he doesn't have a problem with supporting Eltopia for safety reasons. Basin City has been continuing for many years. I think the safety issue is probably more important.

Mr. Peck nodded his head. He said he shares some of the views of both of you. He said safety trumps modernization, as much as he would like to support both. He stated the Board is unanimous in supporting Eltopia.

Newly-Elected Officials' Conference

The newly-elected officials have asked if the county would pay for the cost of attending the conference. The Board had decided no.

The officials asked if it is possible to have reimbursement in January once they take office. The state auditor's response is they do not have a problem with reimbursement because it is county business as long as it is taken from the 2010 budget.

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Mr. Bowen asked if the Board would allow the newly elected officials to attend the conference and be reimbursed. Mr. Miller questions whether reimbursing them will solve our liability problem. It would come out of individual office budgets in the travel line item. Mr. Miller said he thinks it's a good program and they would go themselves, regardless of if they have to pay their own way. He said it's not that big of an issue except for liability.

Mr. Koch is also concerned about liability. He said he would support reimbursement if the departments have the funds available, as long as the county is not liable.

Mr. Peck does not see how liability would accrue to the county. He does not have a problem with supporting it. Mr. Bowen explained the insurance/liability question.

Mr. Peck asked that the matter be reviewed by the chief civil deputy attorney.

Mr. Peck asked if the other board members would be comfortable approving this on a reimbursement basis pending support from the civil attorney. Mr. Miller said we did not have an issue with approving the travel but only had an issue with approving it because of liability.

Mr. Koch agreed.

The reimbursement of travel was approved pending approval of the civil attorney regarding liability. If we determine the liability is too great, the Board will rescind the approval.

Snow Plow

Motion - Mr. Koch: I would move for approval to purchase a snow plow for the Facilities Department at a cost of \$5018.28. Second by Mr. Miller. 3:0 vote in favor.

2011 Road Department Levy Shift

Motion – Mr. Koch: I move for approval regarding the 2011 Road Department levy in the amount of \$265,000. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 5)

2011 Veteran's Assistance Fund

Motion – Mr. Miller: Mr. Chairman, I move we approve the Veteran's Assistance Fund tax levy for \$55,000 commonly referred to as Soldiers and Sailors fund for 2011 tax year. Second by Mr. Koch. 3:0 vote in favor. (Exhibit 6)

Recessed at 10:14 am.

Reconvened at 10:21 am.

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UNION

Grievance Meeting per RCW 42.30.140(4)(a)

Don Boxford, Local 874 Staff Representative Council 2, Raenette Carle, Vice President of Local Union 874, Robert Richmond, Secretary/Treasurer of Local Union 874, Ralph Salazar, Union 874 President, and Scott Long, shop steward for Connell shop, met with the Board. Also present: Rosie H. Rumsey, Tim Fife, Troy Woody and Kristi Pihl.

Mr. Peck asked the Board to support his recommendation that we do this in an open public session. Mr. Koch and Mr. Miller supported the public meeting.

Mr. Richmond read a statement about the grievance regarding employee health insurance.

Ms. Carle read a statement.

Don Boxford said the crux of the issue is failure of the county to communicate with employees in a timely manner. This could have been avoided had that happened. It's an unfortunate set of circumstances. These people are willing to put their energy and time upfront to assist the county in looking for insurance. It would behoove the commissioners to make it right for these employees because they are being faced with a heavy impact. Some are getting hit a lot more than the ones that have spoken here today. I hope the county commissioners can see to resolve this grievance.

Ralph Salazar, Union President, Local 874, also spoke. He said a lot of us are waiting for the outcome of your decision to find out which way we can go to get insurance, whether going outside or staying with the county.

Mr. Peck asked if anyone else wanted to comment. There was no response.

Mr. Peck read the grievance letter dated October 25, 2010, into the record.

Jerrold MacPherson joined the audience.

The grievance meeting continued with Mr. Peck listing a timeline of events and Mr. Bowen giving background information at Mr. Peck's request followed by questions and answers from many present.

Mr. Boxford said we are requesting on our Agenda Summary Report that Franklin County approve a resolution to pay an additional \$269.01 per employee per month for the employees' medical.

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Mr. Peck asked the other Board members to consider making a decision next week when the budget is being handled.

Mr. Richmond thanked the Board for the forum, to be able to communicate in this way. Ms. Carle also thanked the Board. The Commissioners thanked the union members for coming.

TRAC

TRAC Manager Troy Woody met with the Board. Present in audience: Kristi Pihl.

Evaluate qualification of applicant for employment

Executive Session at 11:50 am to evaluate qualifications of applicant for employment under RCW 42.30.110(1)(g) expected to last 10 minutes. Kristi Pihl left the meeting.

Open Session at 12:00 noon. Kristi Pihl joined the audience.

OTHER BUSINESS

Christmas Trees

Mr. Miller said the Facilities Department has asked if boxes can be put in front of the Christmas trees in the rotunda for food bank donations. The Board **gave approval**.

TRAC (continuing)

Approval of bid

Motion – Mr. Koch: Mr. Chairman, I would move for approval of accepting Bargreen Ellingson's quote for the 140 folding tables for TRAC in the amount of \$27,843.39. Second by Mr. Miller. Mr. Peck said it has been determined that the bid is compliant and it is the low bid. 3:0 vote in favor.

OFFICE BUSINESS

Administrative Assistant Toni Fulton met with the Board.

Consent Agenda

Motion - Mr. Koch: I move for approval of the consent agenda for December 1, 2010, for 21 items as presented. Second by Mr. Miller. 3:0 vote in favor.

1. Approval of Joint Resolution 2010-354, in the matter of compensation to Knowledge Counseling Services for coordination and administration of a two-county prevention program during the contract processing interim for the Benton-Franklin Department of Human Services Fund 0108.101

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2. Approval of Joint Resolution 2010-355, in the matter of the request for signature from the Boards of Benton and Franklin County Commissioners on the Professional Services Agreement for legal representation of indigent individuals in Benton and Franklin Counties' Superior Court, Juvenile Division, between the Juvenile Justice Center and Keith Hilde
3. Approval of Joint Resolution 2010-356, in the matter of the request for signature from the Boards of Benton and Franklin County Commissioners on the Professional Service Agreement in Benton and Franklin Counties' Superior Court, Juvenile Division, between the Juvenile Justice Center and Laurie L. Magan
4. Approval of Joint Resolution 2010-357, in the matter of the request for signature from the Boards of Benton and Franklin County Commissioners on the Professional Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties' Superior Court, Juvenile Division, between the Juvenile Justice Center and Karyn K. Oldfield
5. Approval of Joint Resolution 2010-358, in the matter of the request for signature from the Boards of Benton and Franklin County Commissioners on the Professional Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties' Superior Court, Juvenile Division, between the Juvenile Justice Center and Jeff Staples
6. Approval of Joint Resolution 2010-359, in the matter of the request for signature from the Boards of Benton and Franklin County Commissioners on the Professional Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties' Superior Court, Juvenile Division, between the Juvenile Justice Center and Diana L. Anderson
7. Approval of Joint Resolution 2010-360, in the matter of the request for signature from the Boards of Benton and Franklin County Commissioners on the Professional Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties' Superior Court, Juvenile Division, between the Juvenile Justice Center and Darin R. Campbell
8. Approval of Joint Resolution 2010-361, issuance of letter to TCI Cablevision regarding the termination of the Bulk Rate Agreement between the Juvenile Justice Center and TCI Cablevision of Southwest Washington, Inc. thereby rescinding Benton County Resolution 97-785 714 and Franklin County Resolution 97-570
9. Approval of Joint Resolution 2010-362, in the matter of purchasing one used work crew van for use at the Benton Franklin Juvenile Justice Center

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10. Approval of Joint Resolution 2010-363, in the matter of the request for signature from the Boards of Benton and Franklin County Commissioners on the Professional Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties' Superior Court, Juvenile Division, between the Juvenile Justice Center and Daniel Stovern
11. Approval of Joint Resolution 2010-364, in the matter of the request for signature from the Boards of Benton and Franklin County Commissioners on the Professional Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties' Superior Court, Juvenile Division, between the Juvenile Justice Center and Kathleen L. Moreno
12. Approval of Joint Resolution 2010-365, in the matter of the request for signature from the Boards of Benton and Franklin County Commissioners on the Professional Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties' Superior Court, Juvenile Division, between the Juvenile Justice Center and Jared D. Paulsen
13. Approval of Joint Resolution 2010-366, in the matter of the request for signature from the Boards of Benton and Franklin County Commissioners on the Professional Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties' Superior Court, Juvenile Division, between the Juvenile Justice Center and Mary S. Poland
14. Approval of Joint Resolution 2010-367, in the matter of the request for signature from the Boards of Benton and Franklin County Commissioners on the Professional Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties' Superior Court, Juvenile Division, between the Juvenile Justice Center and Susan Darden Henwood
15. Approval of Resolution 2010-368, claim for damages
16. Approval of Resolution 2010-369, payment of Franklin County's portion (\$4,463.69) of an invoice accrued by the Landfill Group, to Aspect Consulting, LLC, for professional services regarding the Pasco Sanitary Landfill NPL Site
17. Approval of Resolution 2010-370, in the matter of approving Supplemental Agreement Number 5 to Standard Consultant Agreement Number FC-ENG-01-001 between Franklin County and J-U-B Engineers, Inc.
18. Approval of Resolution 2010-371, Public Works Contract between Franklin County and American Building Maintenance (ABM), in an amount not to exceed \$35,814.72

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annually, effective December 2, 2010 through December 31, 2013, to provide janitorial services at the Franklin County Courthouse and Public Safety Building

19. Approval of County Road Fund payroll in the amount of \$71,781.55 and Motor Vehicle Fund payroll in the amount of \$10,531.09 for pay period ending 11/24/10
20. Approval of Resolution 2010-372, Public Works Contract between Franklin County and Day Wireless Systems to complete installation of remaining dispatch microwave radio infrastructure
21. Approval of Resolution 2010-373, Professional Services Agreement between Franklin County and Attorney Scott Johnson to provide indigent defense services in Franklin County Superior Court for conflict and overflow cases

Adjourned at 12:26 pm.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until December 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 December 15, 2010.