

COMMISSIONERS RECORD 51
FRANKLIN COUNTY
Commissioners' Proceedings for April 6, 2011

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Robert E. Koch, Chairman; Rick Miller, 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

Administrative Assistant Toni Fulton met with the Board. Present in audience: Tim Fife, Christopher Giles, Tri-City Herald Reporter Kristi Pihl, and nine men and one woman.

Vouchers/Warrants

Motion – Mr. Peck: Mr. Chairman, I move for approval of vouchers presented by the Franklin County Auditor and signed and certified as being accurate in the total amount of \$136,018.45. Second by Mr. Miller. 3:0 vote in favor. Current Expense warrants 47836 through 47937 for \$75,835.08; Dept. of Commerce Pass Through warrant 47939 for \$4210.90; Current Expense warrant 47940 for \$903.67; Auditor O&M warrants 47941 through 47943 for \$530.69; Boating Safety Fund warrant 47944 for \$340.01; DUI Recovery Fund warrant 47945 for \$1851.93; Veteran's Assistance warrant 47946 for \$100.00; TRAC Operations Fund warrants 47947 through 47978 for \$19,901.62; and RV Park warrant 47979 for \$31,344.55. (Exhibit 1)

Consent Agenda

Motion - Mr. Peck: Mr. Chairman, I move for approval of the consent agenda as presented. I have questions on item 2. Second by Mr. Miller. Mr. Peck would prefer to have the payroll vouchers be separated from the consent agenda so it is handled the same way as other payroll. He is not opposed to approving them. Mr. Koch said so noted. 3:0 vote in favor.

1. Approval of letter authorizing Lisa Schumacher, Dispatch clerical staff member, as secondary point of contact for Bank of America credit card for Dispatch Department
2. Approval of 3/31/2011 payroll for County Road Fund for \$74,915.25 and Motor Vehicle Fund payroll for \$11,490.03
3. Approval of Resolution 2011-115, Personal Services Contract Amendment between Benton and Franklin Counties' Juvenile Justice Center and Washington Collectors Tri-Cities, Inc., amending Resolution 2009-504

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4. Approval of Resolution 2011-116, Amendment to Professional Services Agreement to provide legal representation to indigent persons in Benton-Franklin Counties Juvenile Court Division between Benton and Franklin Counties and Karyn K. Oldfield, amending Franklin County Resolution 2010-357
5. Approval of Resolution 2011-117, Fee for Services Rendered Contract Amendment for the Graffiti Abatement Program (GAP), Terms and Conditions, amending Franklin County Resolution 2011-035
6. Approval of Resolution 2011-118, Public Works Contract between Franklin County and Sprague for pest prevention services

PUBLIC WORKS

Engineer Tim Fife met with the Board. Present in audience: Kristi Pihl and at least 14 men and one woman including Tyler Tapani of Tapani Underground, Stacey Wagner of Copenhaver Construction, Steve Culbert of Culbert Construction, Pam Reynolds of Inland Asphalt, Doug Migas of Inland Asphalt, Mason Dhanens of SBI, and Jenny ___ of Selland Construction, Inc.

Peterson Road (Juniper Dunes area)

Mr. Fife said a non-competitive grant is available. The county will need to apply.

Vouchers

Motion – Mr. Peck: Mr. Chairman, I move for approval of Public Works vouchers as presented in the total amount of \$317,727.53. Second by Mr. Miller. 3:0 vote in favor.

County Road for \$213,787.93; MV & PW Equipment for \$75,220.37; Probation Work Crew for \$11,100.00; and Solid Waste for \$17,619.23. (Exhibit 2)

Columbia River Crossing

A Columbia River Crossing meeting will be held on April 29 to review the study which recommended three options. Mr. Koch is the county's appointee to the committee but will not be able to attend. He believes one or both of the other commissioners should be there. Mr. Fife will attend and be available as a technical reference but will not give an opinion on behalf of the Board.

Mr. Miller said that as Commissioners, we have not come to an understanding of what we think so even for us as Commissioners to say anything would be incorrect at this time. Mr. Peck and Mr. Koch agreed. Mr. Peck asked if the Board wants to discuss the matter at a future Board

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meeting prior to the April 29 meeting so whomever we send is ready to present Franklin County's position.

Mr. Koch said he feels the April 29 meeting will not be so much about which crossing option will be used but the option of if we're ready to go out and look for some money to go forward. The decision about which crossing will come after the SEPA process is completed. Mr. Koch agreed the Board needs to spend some time to discuss the issue.

Mr. Peck said when we have that discussion I'm going to advocate for us taking a position on which crossing we think is most beneficial to the county, based on what we know now, reserving final judgment until the SEPA is done.

Bid Opening: CRP 500, East Foster Wells Road Extension, Phase 2

Bid opening convened at 9:18 am. Thirteen bids were received.

Tepani Underground	\$2,335,688.25
Inland Asphalt	\$2,399,193.40
Premier Excavation	\$2,408,453.71
Copenhaver	\$2,435,210.40
Scarsella Bros., Inc.	\$2,273,413.65
Culbert Construction	\$2,484,351.00
Selland Construction	\$2,316,510.75
Apollo	\$2,412,624.51
DeAtley	\$2,434,574.15
Taylor Northwest	\$2,615,136.00
Central Washington Asphalt	\$2,475,235.89 (North Central Construction)
Nutter Corporation	\$2,911,697.22
William Charles West	\$2,642,039.45

Engineer's estimate was \$2,635,000.00.

The bids will be reviewed by the engineer's office as well as FHWA because of the TIGER Grant.

COUNTY ADMINISTRATOR

County Administrator Fred Bowen met with the Board.

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City of Pasco – Water Rights Division application

Stan Strebel, Deputy City Manager, City of Pasco, and Doyle Heath with City of Pasco met with the Board. Present in audience: Ryan Verhulp and Kristi Pihl.

Mr. Heath explained that the Department of Ecology uses a form to split a water right amongst owners. Aho, City of Pasco and Franklin County are the owners of the property. In addition, part of Franklin County's original property has been sold to others. He answered the Board's questions. Mr. Verhulp said the proposed form is based on raw acreage, not irrigated acreage.

Motion – Mr. Peck: Mr. Chairman, I move for approval of the division of water right G3-20244C between Franklin County, City of Pasco, and Aho Construction, Inc., as presented. Second by Mr. Miller. 3:0 vote in favor. Resolution 2011-119 was approved. Mr. Heath and Mr. Strebel left the meeting.

Executive Session at 9:50 am regarding legal risks of proposed action under RCW 42.30.110(1)(iii) expected to last up to 15 minutes. Subject matter: in re Basin City Water/ Sewer District Water System Award. Ms. Pihl left the meeting.

Executive Session continued at 10:10 am expected to last 10 minutes. The person waiting outside was notified.

Executive Session continued at 10:20 am expected to last 15 minutes. The person waiting outside was notified.

Open Session at 10:34 am. Ms. Pihl joined the audience.

Contingency Budget

The contingency budget was reviewed briefly. Mr. Koch said additional funds may be needed from the contingency reserve account for a LEOFF 1 budget item.

Recessed at 10:38 am.

Reconvened at 10:44 am.

Legal Newspaper: Present in audience: Ryan Verhulp, Mark Nielson, Jerrod MacPherson and Kristi Pihl.

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Mr. Bowen said the bids for legal newspaper are being reviewed by the civil attorney and we are not prepared to award the bid at this time. Mr. Verhulp hopes to have review completed by sometime next week.

OTHER BUSINESS

Ag Burn Permits

Franklin Conservation District Director Mark Nielson, Chief Civil Deputy Prosecutor Ryan Verhulp and Planning Director Jerrod MacPherson met with the Board. Present in audience: Kristi Pihl.

Mr. Nielson said he would like the county to cover defense costs for the Conservation District if the situation ever occurs. Mr. Peck asked could the Conservation District use a portion of the burn permit fees to buy insurance? Mr. Nielson said it is extremely difficult to buy pollution exclusion type of insurance. The cost is unknown. Language in the burn permit was reviewed.

Rick Miller suggested looking at getting outside insurance and maybe adding the cost to the permit fee. He would like the Conservation District to be handling the permits at this time. He thinks we can work on legislation again next year.

Mr. Nielson noted that there have been no claims or lawsuits regarding burn permits in the nine years the Conservation District has been issuing permits.

Mr. Peck expressed the importance of agriculture to Franklin County and asked the Board to approve the agreement with the Conservation District and continue to take the risk as we have been doing, while aggressively working to get the liability portion changed in the state law.

Mr. Miller and Mr. Koch are in favor of approving the contract. Mr. Verhulp answered Mr. Peck's questions about review of the contract.

Motion – Mr. Peck: I move that we move forward with approving the agreement with Franklin Conservation District as presented, recognizing that this is in all meaningful respects the same agreement we have done in the last several years. Second by Mr. Miller. Mr. Nielson said the contract is on a two-year cycle. 3:0 vote in favor. Resolution 2011-120 was approved.

Adjourned at 11:10 am.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until April 11, 2011.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Robert E. Koch, Chairman

Rick Miller, Chairman Pro Tem

Brad Peck, Member

Attest:

Clerk to the Board

Approved and signed April 11, 2011.