

COMMISSIONERS RECORD 51  
FRANKLIN COUNTY  
Commissioners' Proceedings for May 4, 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.

**WSU EXTENSION**

WSU Extension Director Lauri Sherfey met with the Board. Present in audience: Tamarah Hancock, Frank Scarsella, Jason Gaul, Adam Brizendine and Tri-City Herald Reporter Kristi Pihl.

Agronomy position: Ms. Sherfey expects the agronomy position to be filled about June 1.

WSAC: Ms. Sherfey asked the Commissioners to fill out a survey about the future of the Extension program.

Pathways Project

The Pathways Project is winding down and will finish with the Gates Foundation portion at the end of July. Enough funds remain to hire a classroom tutor. Extension is trying to keep the position. The program will open up to a broader audience of Latinos, men and women who are pre-literate or undereducated from any vocation. Spanish literacy classes will be held Monday and Wednesday evenings. Ms. Sherfey hopes to add a class for English as a second language on Tuesdays.

Washington Asset Building Coalition

Ms. Sherfey is working on development and economic development projects including work with the Washington Asset Building Coalition (WABC). WSU Extension is an anchor organization. The group is working on a proposed Columbia Area Asset-Building Initiative (CaABI) that would include eight counties. A Federal grant application will be written.

**PUBLIC WORKS (9:08 am)**

Engineer Tim Fife met with the Board. Present in audience: Tamarah Hancock, Frank Scarsella, Jason Gaul, Adam Brizendine and Reporter Kristi Pihl.

Vouchers

**Motion** – Mr. Peck: I move for approval of County Road vouchers as presented in the total amount of \$806,765.08. Second by Mr. Miller. 3:0 vote in favor.

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County Road Fund for \$676,148.01; MV & PW Equipment Fund for \$127,744.69; CR Unemployment Trust for \$2825.80; and Solid Waste Fund for \$46.58 (Exhibit 1).

Rick Rochleau joined the audience.

Bid Award: CRP 500 East Foster Wells Road Extension, Phase II (9:08 am)

Mr. Fife explained why the addendum to the bid was prepared and the bid review process. He answered Mr. Peck's questions. The Board held discussion.

Toni Fulton and Troy Woody joined the audience.

With Board approval, Ms. Hancock explained Scarsella Brother's position.

Chief Civil Attorney Ryan Verhulp joined the meeting at 9:37 am.

With Board approval, Mr. Gaul explained Selland Construction's position.

Chief Civil Deputy Prosecutor Ryan Verhulp met with the Board.

**Executive Session** at 9:42 am expected to last up to 15 minutes based on RCW 42.30.110(1)(i) regarding legal risks of a proposed action and potential litigation regarding CRP 500 and the bid process thereto. Those in the audience left the room.

**Open Session** at 9:54 am.

Present in audience: Troy Woody, Toni Fulton, Rick Rochleau, Tamarah Hancock, Frank Scarsella, Jason Gaul, Adam Brizendine and Reporter Kristi Pihl.

**Motion** – Mr. Peck: Mr. Chairman, I move that the Franklin County Board of Commissioners, consistent with the notice on Addendum Number 1 (reading from the bottom paragraph), "Notice is hereby given that this addendum must be acknowledged with the sealed bid for CRP 500 East Foster Wells Road Extension Phase II project as evidence that the bidder is familiar with all changes incorporated herein" -- based on our interpretation of that language and the other matters that have been considered, it would be my motion that we find that the apparent low bid from Scarsella Brothers is nonresponsive and be rejected on that basis. Second by Mr. Miller.

Mr. Peck added that within that motion, have it be recognized that it is the opinion of this board that the failure to acknowledge that addenda rises in our opinion to the level of a material difference, material defect in the bid. 2:0 vote in favor. Mr. Koch recused himself from the vote because Scarsella Brothers was a customer of his for about a year on a project in the past.

Mr. Fife will ask for Federal approval to award to Selland Construction.

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Juniper Dunes – Peterson Road

**Motion** – Mr. Peck: Mr. Chairman, I move for approval of the Juniper Dunes Wilderness Access resolution as presented by Public Works. Second by Mr. Miller. 3:0 vote in favor. Resolution 2011-147 was approved.

Road Patches: Oil for road patches will be available next week.

**OFFICE BUSINESS**

Chief Civil Deputy Prosecutor Ryan Verhulp and Administrative Assistant Toni Fulton met with the Board. Present in audience: Troy Woody, Rick Rochleau and Kristi Pihl.

Legal Newspaper

Mr. Verhulp recommended that the Board ask the Franklin County Graphic to affirm their legal status.

The Board decided to ask the Franklin County Graphic for written confirmation that the newspaper was adjudged a legal newspaper on a certain date and has maintained that status ever since. Mr. Peck said in the absence of counter evidence, we would probably be reasonable in accepting that confirmation.

Mr. Verhulp left the meeting.

Vouchers

**Motion** – Mr. Peck: Mr. Chairman, I move for approval of vouchers submitted by the Franklin County auditor and approved by same as being appropriate for payment in the total amount of \$809,613.54. Second by Mr. Miller. 3:0 vote in favor.

Dept of Commerce Pass Through warrants 49171 and 49172 for \$66,839.43; 1999 Distressed Capital GO Bonds warrant 49173 for \$250,000.00; Veteran's Assistance warrants 49174 and 49175 for \$2,211.39; Current Expense warrants 49176 through 49219 for \$42,753.82; Auditor O & M warrant 49220 for \$423.84; Auditor O & M warrants 49221 through 49224 for \$2,326.73; Election Equipment Revolving warrants 49225 and 49226 for \$405.91; Treasurer O & M warrants 49227 through 49229 for \$145.31; Trial Court Improvement Fund warrant 49230 for \$5,000.00; Jail Commissary warrants 49231 through 49233 for \$4,595.06; Enhanced 911 warrants 49234 through 49237 for \$56,575.82; FC Capital Projects Fund warrant 49238 for \$224.40; Current Expense warrants 49276 through 49283 for \$21,561.02; Veteran's Assistance

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warrant 49284 for \$500.00; and Current Expense warrants 49292 through 49294 for \$356,050.81; for a total amount of \$809,613.54. (Exhibit 2)

Consent Agenda

**Motion** - Mr. Peck: I move for approval of the consent agenda as presented with discussion.

Second by Mr. Miller. After review of item #10, the vote was 3:0 in favor.

1. Approval of Resolution 2011-148, authorizing expenditures of \$2,350 utilizing funds from the Miscellaneous Trial Court Improvement Fund #128-000-001 as requested from the Trial Court Improvement Fund Authorization Committee
2. Approval of Resolution 2011-149, Personal Services Contract between Benton and Franklin Counties Juvenile Justice Center and Somerset Counseling Center for chemical dependency assessment and treatment services, effective July 1, 2011 through June 30, 2013
3. Approval of Resolution 2011-150, Interlocal Cooperative Agreement between the Franklin County Coroner's Office and the Benton County Coroner's Office for autopsy facility use
4. Approval of Resolution 2011-151, acceptance of software maintenance quote from Intergraph for GIS software for the Franklin County Regional Information System (FRIS), effective July 1, 2011 through June 30, 2012
5. Approval of Resolution 2011-152, Agreement for Permanent Release of Water allotment between Franklin County and South Columbia Basin Irrigation District (SCBID). The property description is Giesler Road as shown on the Plat of Sun Ray Estates Phase 1, Franklin County, Washington.
6. Approval to purchase 2011 base stabilization products from Envirotech Services, Inc., at the request of the Public Works Department
7. Approval of Resolution 2011-153 awarding the procurement and installation of Haworth office furniture for the Benton-Franklin Counties Department of Human Services Administrative Office relocation to the Benton-Franklin Health District Building, 7102 W. Okanogan Pl., Suite 201, Kennewick, WA, to Brutzman's Office Solutions
8. Approval of County Road Fund payroll for a total amount of \$108,581.71 and Motor Vehicle Fund payroll for a total amount of \$16,686.96 (Exhibit 3)
9. Approval of installation of an antique light pole on Franklin County property located at 305 North 4<sup>th</sup>, Pasco, Washington, at the site of the Franklin County Museum (Exhibit 4)

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10. Approval of Resolution 2011-154, Amendment #3 to Agreement #G1000499 between the State of Washington Department of Ecology and Franklin County, amending Resolution 2010-055

Mr. Koch asked that departments requesting approval of expenditures check to make sure there is sufficient revenue prior to requesting Board action.

**COUNTY ADMINISTRATOR** (10:24 am)

County Administrator Fred Bowen met with the Board. Present in audience: Troy Woody and Kristi Pihl.

Event Request

A request has been received to allow a wedding on the front steps of the Courthouse on a Friday while the Courthouse is open. The Commissioners gave approval but do not want the front door closed to the public.

Use of Courthouse

Mr. Peck said he doesn't feel there should be restrictions that require the use of only TRAC for catering for any events at the Courthouse.

Mr. Woody asked if the county charges a fee for the use of the building, as most public entities do for the use of their buildings. He said we require people to use our vendors for a multitude of things because TRAC is owned and operated by the county. He said he would argue that TRAC be the exclusive caterer for these types of things because (a) we don't charge, and (b) it's truly our business. He feels anything that uses the county's facilities should also use TRAC because they're both county entities.

Mr. Koch said when events are held at the Courthouse, he would want the county to strongly suggest they use TRAC for catering. Mr. Peck said he would encourage them to use TRAC. Mr. Miller agreed.

**Executive Session** at 10:38 am expected to last 15 minutes based on RCW 42.30.140(4)(b) regarding contract negotiations on the City of Pasco and Franklin County lease agreement expiring in 2013 at the TRAC facility.

**Open Session** at 10:56 am. Ms. Pihl left the meeting.

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**OTHER BUSINESS**

Columbia River Crossing

Mr. Miller said he attended the Columbia River Crossing meeting and presented Franklin County's position. He said there were other organizations (cities, county) that agreed with Franklin County.

**Adjourned** at 11:02 am.

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

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

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Robert E. Koch, Chairman

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Rick Miller, Chairman Pro Tem

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Brad Peck, Member

Attest:

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Clerk to the Board

Approved and signed May 16, 2011.