

COMMISSIONERS RECORD 51  
FRANKLIN COUNTY  
Commissioners' Proceedings for September 28, 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 9:02 am.

**OFFICE OF PUBLIC DEFENSE (OPD)**

Eric Hsu, Coordinator of Office of Public Defense, met with the Board. Present in audience: Kristi Pihl, Troy Woody and Tom Wilson.

Report: Department Update

Mr. Hsu gave the Board a report of the OPD through the end of August 2011. He reviewed the analyzed information in the report including graphs.

District Court: Defense counsel is now present at all arraignments with the hope that a number of low-level offenses could be resolved then and there, especially where no jail or credit for time served is involved. It appears to be working as the cases have increased by 4.4% but the case appointments have gone down significantly by almost 9%.

Superior Court: Mr. Hsu said the basic overall summary is that case loads have been increasing at an alarming rate. Case filings have increased 37% over last year at year to date and the appointment rate has increased 19%. Mr. Hsu is concerned that Superior Court indigent defense attorneys will exceed their case load caps. He currently anticipates needing an additional \$200,000 in 2011.

He expressed appreciation to the Board for supporting a program started last year to contract with an attorney on a very limited contractual basis to handle cases involving legal obligations and child support.

Law enforcement is working hard. If the 3/10ths of 1% ballot measure is approved, they will hopefully have more resources. Mr. Hsu anticipates more resources will be needed for public defense as well because of what appears to him to be a trend of increasing crime. He is considering some potential programs and options. One option might be to use an early resolution program for Superior Court in which experienced defense attorneys and prosecutors can get together to try to resolve some of the minor cases. Another option might be to hire a staff attorney to handle certain types of cases. In addition, it is possible that there may be a revision to

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the provision in the current indigent attorney contracts that allows for using two attorneys on some cases.

On murder cases, the state reimburses only for aggravated murder cases and has provided some reimbursement to Franklin County. Mr. Koch mentioned how much help Washington State Association of Counties (WSAC) has provided to the county in efforts to obtain this funding.

### **TRAC**

TRAC Manager Troy Woody met with the Board. Present in audience: Kristi Pihl, Tom Wilson and Rosie H. Rumsey.

#### Wage Adjustment for Accounting Manager

Mr. Woody requested approval to make a wage adjustment for the TRAC accounting manager. The employee was hired with the understanding the wage would be reviewed after a period of time.

Mr. Miller said he is not supportive of the request because of the issue of increasing wages when TRAC is running at a deficit and because of the amount of increase.

Mr. Woody explained why the position is different from accounting positions in other types of businesses including the requirement to work evening and weekend hours using a fairly complicated process, receive and disburse large amounts of cash, and balance with the county's accounting processes in addition to regular bookkeeping functions. He said the current employee is TRAC's fifth accounting manager in seven years which tells you something about the process of finding the right candidate for that job. Turnover costs are also a factor. This raise would pay for itself in the next five years.

Mr. Koch expressed his concerns about turnover in the position leading to inconsistency. He attends the county's monthly Finance Committee meetings and is pleased with the work done by the current TRAC accounting manager. With previous accounting managers, there were inconsistencies. He fully supports the increase.

Mr. Woody said there are funds available in the 2011 TRAC budget due to a facility maintenance position being unfilled for an extended period of time. When that position is

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refilled, the new employee will be hired at a lower rate than the previous employee to offset the increase in the accountant salary.

**Motion** – Mr. Peck: I move for approval of the Change of Status for Tiffany Coffland reflecting a change from Step 4 to Step 6 as presented and authorize the chairman to sign on behalf of the Board. Second by Mr. Miller. 2:1 vote in favor. Yeas: Peck and Koch. Nay: Miller.

### **HORTICULTURE AND PEST CONTROL**

Tom Wilson, Coordinator, met with the Board. Present in audience: Rosie H. Rumsey, Matt Beaton, Kelly Martin, Yesenia Torres, Connie Curiel and Toni Fulton.

2012 Budget: Mr. Wilson reviewed the 2012 budget with the Board.

### **OFFICE BUSINESS**

Administrative Assistant Toni Fulton met with the Board. Present in audience: Rosie H. Rumsey, Matt Beaton, Kelly Martin, Yesenia Torres, Connie Curiel, Kelly Schadler and Jeff Burckhard.

#### Vouchers

**Motion** – Mr. Peck: I move for approval of Salary Clearing payroll, Emergency Management payroll and Irrigation payroll in the total amount of \$442.49 as presented by the Auditor dated September 16, 2011, with the understanding that this is to correct previously approved vouchers. Second by Mr. Miller. 3:0 vote in favor.

Salary Clearing Payroll warrants 54361 through 54366 for \$378.09; and Benefits warrants 54367 through 54369 for \$64.40; for a total amount of \$442.49. (Exhibit 1)

**Motion** – Mr. Peck: I move for approval of vouchers presented by the Franklin County Auditor for payment in the total amount of \$189,657.19. Second by Mr. Miller. 3:0 vote in favor.

<u>Fund Expenditures</u>	<u>Warrants</u>		<u>Amount Issued</u>
Current Expense	55863	55904	\$102,774.47
Current Expense	55905	55914	\$9,658.21
Current Expense	55948	55950	\$6,249.20
Auditor O & M	55951	55952	\$1,000.83
Supplemental Preservation Fund	55953	-	\$5,000.00
Enhanced 911	55954	-	\$360.00

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Law Library	55955	55957	\$7,807.02
TRAC Operations Fund	55958	-	\$244.16
FC Public Facilities Const Fund	55997	-	\$13,707.71
TRAC Operations Fund (Exhibit 2)	55998	56038	\$42,855.59

**Motion** – Mr. Peck: I move for approval of Salary Clearing payroll, Emergency Management payroll and Irrigation payroll vouchers in the total amount of \$781,055.70 as presented by the Franklin County Auditor's Office. Second by Mr. Miller. 3:0 vote in favor.

Salary Clearing payroll warrants 54370 through 54468 for \$182,410.23; direct deposit for \$320,104.12; and benefits warrants 54469 through 54480 for \$247,892.45; for a total amount of \$750,406.80;

Emergency Management payroll warrants 55959 through 55967 for \$3581.19; direct deposit for \$6674.56; and benefits warrants 55968 through 55977 for \$4714.63; for a total amount of \$14,970.38; and

Irrigation payroll warrants 55978 through 55988 for \$6043.47; direct deposit for \$3755.77; and benefits warrants 55989 through 55996 for \$5879.28; for a total amount of \$15,678.52. (Exhibit 3)

**Consent Agenda**

**Motion** - Mr. Peck: I move for approval of the consent agenda as presented. Second by Mr. Miller. 3:0 vote in favor.

1. Approval of Resolution 2011-326, County Program Contract Amendment No. 0663-98393-06 between the Juvenile Justice Center and the State of Washington, Department of Social and Health Services, Juvenile Rehabilitation Administration, to provide for selective aggressive probation (SAP) through the Juvenile Accountability Block Grant (JABG)
2. Approval of Resolution 2011-327, County Program Agreement No. 1163-35676 between the Juvenile Justice Center and Washington State Department of Social and Health Services, Juvenile Rehabilitation Administration
3. Approval of Resolution 2011-328, extending the lease agreement for one year between Bassett/Sonju J/V and Benton and Franklin Counties Department of Human Services Crisis Response Unit and Substance Abuse Assessment Center located at 2635 West Deschutes Avenue, Kennewick, WA

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Minutes

**Motion** – Mr. Miller: I move to approve the Commissioner Proceedings for September 14, 2011. Second by Mr. Peck. 3:0 vote in favor.

**Recessed** at 10:21 am.

**Reconvened** at 10:29 am.

**OTHER BUSINESS**

Present in audience: Sandy Schroeder, Yesenia Torres, Connie Curiel, Rosie H. Rumsey, Kelly Martin and Ryan Verhulp.

Auditor

Auditor Matt Beaton met with the Board.

**Motion** – Mr. Miller: I move that we cancel award of Diamond Municipal Solutions as vendor of choice for the financial information management software and support services request for proposals. Second by Mr. Miller. 3:0 vote in favor. Resolution 2011-329 was approved.

Prosecutor's Office

Chief Civil Deputy Prosecutor Ryan Verhulp met with the Board. Present in audience: Rosie H. Rumsey, Kelly Martin, Yesenia Torres, Connie Curiel, Sandy Schroeder, Kelly Schadler, Jerrod MacPherson and Brad O'Brien.

Extension of Settlement Agreement approved by Franklin County Resolution 2010-269 with James N. McLeod and his Guardian of Estate, Nancy May

The Settlement Agreement was to end on 10/1/2011. There have been some delays in the process. The property owner and his guardian have requested an extension to 2/10/2012. The Planning Department has also approved of an extension.

The Board asked that the February date be the last extension. Mr. MacPherson and Mr. O'Brien answered the Board's questions about whether the work can be done by February 10, 2012.

The Board asked the Planning Department to allow the property owner/guardian to store property in the shop.

**Motion** – Mr. Peck: Mr. Chairman, I move for approval of the Extension of Settlement Agreement completion date presented by Mr. Verhulp from the Prosecuting Attorney's office

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with the understanding and direction to the Planning Department that they work with the parties involved to provide whatever reasonable accommodations are necessary to begin storing items in the shop that they have apparently already built, recognizing that that doesn't constitute occupancy but is a cooperative measure to speed up the process. Second by Mr. Miller. 3:0 vote in favor. Resolution 2011-330 was approved.

Mr. MacPherson and Mr. O'Brien left the meeting.

Liability and Property Insurance Quote: The county received some insurance information from Conover Insurance last Friday. There was a discussion about obtaining liability and property insurance quotes from various insurance companies. The county is required to give 12-months' notice to Washington Counties Risk Pool prior to withdrawal from their coverage. All three Board members felt the county should issue a notice of intent to withdraw from WCRP by October 1, 2011, in order to preserve the option to use an alternative insurer beginning October 1, 2012.

**Motion** – Mr. Peck: I move for approval of notice of intent to withdraw pursuant to the discussion we just had. Second by Mr. Miller. 3:0 vote in favor. Resolution 2011-331 was approved. Mr. Verhulp said Conover Insurance can look further into additional options and can provide quotes from three providers beginning next summer.

**COUNTY ADMINISTRATOR**

County Administrator Fred Bowen met with the Board. Present in audience: Rosie H. Rumsey, Kelly Martin, Yesenia Torres, Connie Curiel, Sandy Schroeder and Kelly Schadler.

Basin City Water and Sewer District System Improvements – Phase I

Change Order No. 3 was reviewed in the amount of \$51,812.19. The Board had **consensus agreement** to approve the change order and allow Mr. Bowen to sign the change order.

City of Pasco's request to meet regarding proposed annexation

Mr. Peck will work with Mr. Bowen to schedule a time to meet with the City of Pasco and Franklin County Fire District #3 regarding annexation matters.

**Executive Session** at 11:00 am based on RCW 42.30.140(4)(b) regarding collective bargaining negotiation expected to last 30 minutes.

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**Executive Session** continued at 11:31 am expected to last 15 minutes.

**Executive Session** continued at 11:46 am expected to last 15 minutes.

**Open Session** at 12:02 pm.

**Executive Session** at 12:02 pm based on RCW 42.30.140(4)(b) regarding collective bargaining negotiation expected to last 15 minutes.

**Open Session** at 12:17 pm. Sandy Schroeder, Yesenia Torres and Kelly Martin joined the audience.

Employee Insurance

Mr. Bowen asked the Board to decide whether to use Conover Insurance or look for other types of insurance or go back to Washington Counties Insurance Fund (WCIF).

**Motion** – Mr. Peck: I move the Board take steps to secure insurance services through Conover as we've been discussing for weeks now. Second by Mr. Miller. 3:0 vote in favor.

**Motion** – Mr. Peck: I move that we adopt the non-weighted rates. Second by Mr. Miller. 2:1 vote in favor. Yeas: Peck and Miller. Nay: Koch.

The Board gave staff instructions to ask Conover Insurance if they can provide additional options to those plans already provided allowing for higher deductibles to help reduce costs to employees.

Sandy Schroeder stated the rates for families are not something they can afford. The employees in her department were willing to use the weighted rates to help families. She also referred to some employees using independent insurance coverage.

Mr. Peck suggested working with Conover Insurance to create a provision that upon adoption and acceptance of Conover Insurance, we stipulate that people who are presently out on an established insurance policy be waived from the group policy commitment this initial time as we make this transition. If they come off of that insurance, then they come back to the requirement to use county insurance.

Mr. Koch said 100% participation was required.

Mr. Peck asked that the rates of some of the private insurances be provided to him.

Ms. Torres said some of the insurance policies have a \$10,000 deductible.

**Adjourned** at 12:30 pm.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until October 5, 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 October 12, 2011.