

COMMISSIONERS RECORD 51  
FRANKLIN COUNTY  
Commissioners' Proceedings for November 30, 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; and Mary Withers, Clerk to the Board. Fred Bowen, County Administrator, was absent on county business. Meeting convened at 9:01 am.

**PUBLIC WORKS**

Engineer Tim Fife met with the Board.

Public Hearing: To consider the advisability of declaring seven vehicles as surplus equipment and putting them up for sale

Public Hearing convened at 9:01 am. Present: Commissioners Koch, Miller and Peck; Engineer Tim Fife; and Clerk to the Board Mary Withers. Present in audience: Victor Reeve, Robin Kusske, Roger Lenk, Rick Rochleau, Pam and Jim Follansbee.

Mr. Koch said the advertisement had an incorrect identification number. Mr. Fife said one vehicle that was listed on the advertisement (#ET7012) will be purchased by the Facilities Department to replace a pickup. Mr. Koch requested that a new advertisement be placed for one vehicle with the correct number.

Mr. Koch asked if anyone would like to speak for or against the surplus of vehicles. There was no response.

**Motion** - Mr. Peck: I move for approval as discussed with the change being removal of vehicle ET6912 as listed on here. 3:0 vote in favor. Resolution 2011-399 was approved.

2012 Annual Construction and Major Purchases

Mr. Fife reviewed the draft of the 2012 Annual Construction and Major Purchases and asked the Board to adopt it concurrently with the 2012 budget. The Board directed that it be placed on the County Administrator's agenda on December 7. He gave a brief update on several projects. The Road 100 project is expected to be built next spring. Property is being acquired and a design change to avoid a pipeline is being made for the Peterson Road project. Foster Wells Road is being constructed but will be in shutdown mode during the winter.

**FRANKLIN COUNTY NOXIOUS WEED CONTROL BOARD**

Director Victor Reeve and Robin Kusske met with the Board. Present in audience: Pam and Jim Follansbee, Roger Lenk, Rick Rochleau, Jerrod MacPherson and Ed Thornbrugh.

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2012 Budget

Mr. Reeve gave the Board the 2012 Noxious Weed Control Board budget. Mr. Koch asked Mr. Reeve to check with the Assessor's Office to determine if there are additional parcels.

Mr. Peck said there are some taxing districts that have appointed board members instead of elected board members, including the Horticultural and Pest Control Board and the Noxious Weed Control Board.

Department Update

Mr. Reeve gave the Board an update about the Noxious Weed Control department including new emphases and goals. Mr. Reeve described the work being done in the urban areas. There was discussion about the need to get goatheads (also known as tack weed or puncture vine) on the list of noxious weeds.

Ms. Kusske and Mr. Reeve told the Board about weed control efforts on the bike path. Various people are taking ownership of a section. The Corps of Engineers owns the property next to the bike path. The City of Pasco is the lessee of the bike path. The Weed Board scheduled a Great American Tack Weed Pull Day.

Mr. Peck suggested that the Weed Board check with WSU about having WSU do some testing of weed control methods in Franklin County. If there is additional revenue because of new parcels, an expense line may be added to the budget to use in doing work with WSU.

**PLANNING AND BUILDING DEPARTMENT**

Planning Director Jerrod MacPherson met with the Board. Present in audience: Roger Lenk, Pam and Jim Follansbee, Rick Rochleau, John Scheer and Ed Thornbrugh.

Appointment to Franklin County Planning Commission vacancy (Connell/Kahlotus Area Planning District)

Burl Booker will not be re-applying to be a Planning Commission member. The open position has been advertised two times in the **Franklin County Graphic** and the **Tri-City Herald** as well as posted on the county web site and bulletin boards. We've only received one application. The Planning Commission by-laws and policies allow appointment of a member outside of the area in which they reside. The Board members have reviewed the application.

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Mr. Koch feels the applicant is qualified. In the future, Mr. Peck asked that information about vacancies be sent to irrigation districts, Farm Bureau, Weed Board, etc., using additional low-cost means so more people are aware the positions are available.

**Motion** – Mr. Peck: Mr. Chairman, I move for approval of appointing Layton Lowe to the Franklin County Planning Commission, Connell/Kahlotus Area Planning District, for a four-year term expiring December 8, 2015. Second by Mr. Miller. 3:0 vote in favor. Resolution 2011-400 was approved.

Certificate of Appreciation

The Board signed a Certificate of Appreciation for Burl Booker for his service on the Franklin County Planning Commission. (Exhibit 1)

**EMERGENCY MANAGEMENT (EM)**

EM Director John Scheer met with the Board. Present in audience: Pam and Jim Follansbee, Roger Lenk, Rick Rochleau and Ed Thornbrugh.

Adoption of Comprehensive Emergency Management Plan (CEMP)

**Motion** – Mr. Miller: Mr. Chairman, I move for approval of Franklin County Emergency Management Plan CEMP dated 2011 as the official guiding document to provide emergency services in the event of a disaster or major emergency to the governments of Franklin County and the cities of Connell, Kahlotus, Mesa and Pasco. This plan is updated every four years. Second by Mr. Peck. Mr. Peck asked if the motion is to approve the Comprehensive Emergency Management Plan as updated and presented by Mr. Scheer. Mr. Miller said that is correct. Second by Mr. Peck. 3:0 vote in favor.

**OFFICE BUSINESS**

Administrative Assistant Toni Fulton met with the Board. Present in audience: Pam and Jim Follansbee, Roger Lenk, Rick Rochleau and Ed Thornbrugh.

Vouchers

**Motion** – Mr. Peck: Mr. Chairman, I move for approval of fund expenditures as presented and audited by the Auditor's Office in the total amount of \$132,496.91. Second by Mr. Miller. 3:0 vote in favor.

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<u>Fund Expenditures</u>	<u>Warrants</u>		<u>Amount Issued</u>
Current Expense	58734		\$1,128.60
Dept of Commerce Pass Through	58735		\$19,688.50
Current Expense	58736	58758	\$36,623.09
Franklin County RV Facility	58759	58760	\$2,965.58
FC Public Facilities Const Fund	58761		\$1,135.16
TRAC Operations Fund	58762	58784	\$11,220.15
Auditor O & M	58785	58786	\$205.70
Enhanced 911	58787	58788	\$473.01
Law Library	58789	58791	\$10,066.59
Current Expense	58792	58824	\$48,990.53

(Exhibit 2)

Consent Agenda

Mr. Peck said some of the contracts we had hoped to approve in this consent agenda have not yet been reviewed by the Prosecutor's Office.

**Motion** – Mr. Peck: Therefore I would move for approval of the consent agenda, removing items 2, 3, 4, 5 and 7. Those are the ones for which the legal review is not yet complete. Second by Mr. Miller.

At Mr. Koch's invitation, Mr. Thornbrugh explained his concerns about waiting to approve the contracts. Mr. Thornbrugh said the contractors have been operating under a bridge contract, waiting for new contracts from the state, and have continued to serve clients. He is concerned about the contractors being paid in a timely manner. The contracts have been reviewed by the Benton County Prosecutor's Office. He does understand the Board's concerns.

Mr. Peck said he wants to rescind his position that was stated on November 9, 2011. The November 9, 2011 minutes read:

“The Board members agreed they would support having review of bi-county contracts by either the Franklin or Benton County Prosecutors Offices but not requiring review by both.

“The Board members agreed that for contracts that are being renewed, some minimum standards for review could be used instead of complete review. The minimum review should include verification of the correct parties, review of

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the consideration between the parties, and some sort of acceptable termination clause.”

Mr. Peck has since found that on some boilerplate contracts we used year after year after year that important things had vaporized out of contracts, for instance termination clauses. He said we also had a contract recently reviewed through Benton County and then reviewed through our local county and our local review found a list of things that I think were legitimate concerns that I think we would want to know about. Mr. Peck said his opinion about review has changed. He wants full review of contracts and is not interested in splitting up review between the counties without full review. Mr. Peck does not want to approve contracts that have not had a full review.

Mr. Koch said he feels the same; he doesn't want to approve the contracts without review by Deputy Prosecutor Ryan Verhulp. He knows it puts a hardship on contractors but wants to hold off giving approval of the contracts for a week.

**3:0 vote in favor.** (Items 2, 3, 4, 5 and 7 were pulled from the consent agenda.)

1. Approval of Resolution 2011-401, Interagency Agreement IAA12161 between the Juvenile Justice Center and the State of Washington Administrative Office of the Courts

(Clerk's Note: Item 2 was pulled from the consent agenda.)

2. Approval of Resolution 2011-\_\_\_\_\_, Agreement #11/13-SA-ESD-00 to provide substance abuse treatment services for the 2011-2013 biennium between Benton and Franklin Counties Department of Human Services and Educational Service District 123

(Clerk's Note: Item 3 was pulled from the consent agenda.)

3. Approval of Resolution 2011-\_\_\_\_\_, Agreement #11/12-DD-AWI-00 to provide developmental disabilities services between Benton and Franklin Counties Department of Human Services and Ambitions Community Support Services, Inc.

(Clerk's Note: Item 4 was pulled from the consent agenda.)

4. Approval of Resolution 2011-\_\_\_\_\_, Agreement #11/13-PREV-BFSAC-00 to provide substance abuse prevention services for the 2011-2013 biennium between Benton and Franklin Counties Department of Human Services and Benton Franklin Substance Abuse Coalition

(Clerk's Note: Item 5 was pulled from the consent agenda.)

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5. Approval of Resolution 2011-\_\_\_\_\_, Agreement #11/12-DD-ARC-00 to provide developmental disabilities services between Benton and Franklin Counties Department of Human Services and The Arc of Tri-Cities
6. Approval of Resolution 2011-402, appointing Monyay Green as a county-designated mental health professional (CDMHP) and limiting appointments of CDMHPs to the period during which they are employed by the Crisis Response Unit of Benton and Franklin Counties  
  
(Clerk's Note: Item 7 was pulled from the consent agenda.)
7. Approval of Resolution 2011-\_\_\_\_\_, Agreement #11/12-DD-GW-00 to provide developmental disabilities services between Benton and Franklin Counties Department of Human Services and Goodwill Industries of the Columbia, Inc.
8. Approval of Resolution 2011-403, payment of Franklin County's portion (\$1847.35) of an invoice accrued by The Landfill Group to Aspect Consulting LLC for professional services
9. Approval of Resolution 2011-404, Inter-Budget Transfer of \$1000 from the 2011 Current Expense Elections Budget #001-000-090 to the Current Expense Licensing Budget #001-000-080

## **OTHER BUSINESS**

### Annexation

Mr. Peck gave an update about the discussions he has had with City of Pasco as Franklin County's representative.

### Coordination Process

Jim Follansbee, residing on Frontier Road, met with the Board. Present in audience: Pam Follansbee, Ed Bush, Rick Rochleau and Roger Lenk.

Mr. Follansbee gave the Board papers about a coordination process between local government and federal agencies (Exhibit 3). He said the county can choose to write policy on various issues. If you set up a policy as to how the county is to operate and so forth, the Federal agencies must coordinate with you if you have this policy. They can't just mandate one size fits all for the whole country. It is a concept of coordination which is extremely important. He said the Federal Land Management Act policy is an example.

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Mr. Follansbee included information about a seminar training program he has participated in as well as an upcoming training. He gave an example of using the coordination process to push back on Federal policies. For example, in California the Federal forestry people said we're going to close roads but never mentioned it to the counties and the sheriff, so safety issues, search and rescue, and people accessing public land were not addressed. The Yosemite County police and sheriff have been able to push back and prevent them from closing these roads and continuing to allow people to access public lands.

He wanted the Board to be aware of the process. One concern he has is about sudden changes in setbacks and being told you can't farm here anymore.

He suggested the Board consider setting a policy, perhaps with the help of advisory boards. The policies do not have to be in place in advance of the coordination process.

Mr. Koch thanked Mr. Follansbee for bringing it to the Board and for his work on it.

Mr. Miller said we do have a Right to Farm policy in this county.

Mr. Follansbee said you might have someone interested in attending the training in Clarkston. Mrs. Follansbee said there is more information on the web site.

Mr. Peck pointed out that a coordination process would be different from a cooperation process.

Appreciation

Roger Lenk expressed his appreciation to the Board for the work they do.

Security: Rick Rochleau (10:17 am)

Present in audience: Pam and Jim Follansbee, Ed Bush and Roger Lenk.

Security Director Rick Rochleau reported back to the Board about a question from a previous meeting, stating the overtime rate for deputies to do armed security for the courthouse would average \$47.08 per hour. The J&J Security rate is \$25 per hour. Mr. Rochleau understands the Board does not want to approve an additional \$1600 that he had requested for the 2012 budget. The Board members all agreed that if there is a lot of need required for concurrent armed security in 2012, then the Board will consider supplementing the line item from Contingency.

Dispatch (10:31 am)

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Ed Bush met with the Board. Present in audience: Pam and Jim Follansbee, Rick Rochleau and Roger Lenk.

**Motion** – Mr. Peck: Mr. Chairman, I move for approval of the latest resolution presented by Mr. Bush for 911 dispatch exploration of regional arrangement. Second by Mr. Miller. 3:0 vote in favor. Resolution 2011-405 was approved.

**Adjourned** at 10:42 am.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until December 7, 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 December 21, 2011.