

COMMISSIONERS RECORD 51  
FRANKLIN COUNTY  
Commissioners' Proceedings for December 21, 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.

### **TRAC**

TRAC Manager Troy Woody met with the Board.

Public Hearing to take testimony for and against increasing the revenue and expenditure bottom lines of the 2011 Miscellaneous Franklin County TRAC Facility Fund 405-000-001 by \$325,000 from \$2,597,096 to \$2,922,096

Public Hearing convened at 9:00 am. Present: Commissioners Koch, Miller and Peck; County Administrator Fred Bowen; TRAC Manager Troy Woody; and Clerk to the Board Mary Withers. No one was present in the audience.

**Motion** – Mr. Miller: Mr. Chairman, I move approval to increase the expenditure and revenue bottom lines of TRAC Facility Fund #405-000-001 by \$25,000 from \$2,597,096 to \$2,922,096. Second by Mr. Peck. 3:0 vote in favor. Resolution 2011-438 was approved.

### TRAC Heating and Cooling System

There was discussion about the metering and maintenance on the TRAC heating and cooling system.

### **PLANNING AND BUILDING DEPARTMENT**

Planning Director Jerrod MacPherson met with the Board.

Conditional Use Permit CUP 2011-06 application to operate fire and ambulance services in the I-2 Zoning District

The Agenda Summary Report was reviewed (Exhibit 1). Fire District #5 has applied for a CUP. A Rural Settlement Zoning Map and an aerial photograph of the site were shown on the screen. The buildings would be located on property currently owned and used by the Hospital District. Pictures were shown on the screen of existing buildings on the site. Fire District #5 is working with the Hospital District on a boundary line adjustment and property purchase.

COMMISSIONERS RECORD 51  
FRANKLIN COUNTY  
Commissioners' Proceedings for December 21, 2011

**Motion** – Mr. Miller: Mr. Chairman, I move that we grant approval of Conditional Use Permit 2011-06 subject to the six findings of fact and the nine conditions of approval. Second by Mr. Peck. 3:0 vote in favor. Resolution 2011-439 was approved.

**OFFICE BUSINESS**

Administrative Assistant Toni Fulton met with the Board. Present in audience: Ed Thornbrugh.

Mosquito Control Board District

**Motion** – Mr. Miller: Mr. Chairman, I move that we reappoint Kim Empey to the Franklin County Mosquito Control District Board of Directors, Position 3, effective January 1, 2012, through December 31, 2013. Resolution 2011-440 was approved.

Vouchers

**Motion** – Mr. Peck: Mr. Chairman, I move approval of vouchers approved and presented by the Public Works Director for County Road for \$262,840.30; Motor Vehicle for \$104,371.97; Solid Waste for \$24,339.10; and Probation Work Crew for \$251.23; for a total amount of \$381,802.60. (Exhibit 2)

**Motion** – Mr. Peck: Mr. Chairman, I move for approval of fund expenditures approved and presented by the Franklin County Auditor in the total amount of \$445,924.01. Second by Mr. Miller. 3:0 vote in favor.

<b><u>Fund Expenditures</u></b>	<b><u>Warrants</u></b>		<b><u>Amount Issued</u></b>
Current Expense	Excise Tax		\$825.55
Supplemental Preservation Fund	Excise Tax		\$33.19
Treasurer O & M	Excise Tax		\$60.75
DUI Recovery Fund	Excise Tax		\$2.49
Enhanced 911	Excise Tax		\$149.94
FC Public Facilities Const Fund	Excise Tax		\$1,147.89
TRAC Operations Fund	Excise Tax		\$129.61
RV Park	Excise Tax		\$223.69
Current Expense	59205	59241	\$28,205.74
TRAC Operations Fund	59242		\$279.60
Current Expense	59284	59331	\$155,837.40

COMMISSIONERS RECORD 51  
FRANKLIN COUNTY  
Commissioners' Proceedings for December 21, 2011

Treasurer O & M	59332	59333	\$713.80
Crime Victims/Witness Assist	59334	59335	\$2,950.00
Courthouse Facilitator Program	59336		\$760.00
Enhanced 911	59337		\$36.72
Rental Car Excise Tax	59338		\$11,596.00
Veteran's Assistance	59339		\$615.65
RV Park	59340	59341	\$1,727.89
TRAC Operations Fund	59342	59368	\$33,594.94
Current Expense	59441	59479	\$69,613.11
Auditor O & M	59480	59481	\$7,356.52
Veteran's Assistance	59482		\$226.83
FC Public Facilities Const Fund	59483		\$78,115.71
TRAC Operations Fund	59484	59518	\$45,725.18
RV Park (Exhibit 3)	59519	59525	\$5,995.81

Consent Agenda

**Motion** - Mr. Peck: I move for approval of the consent agenda with discussion. Second by Mr. Miller.

Jerrod MacPherson joined the meeting briefly to answer a question about item #12.

After discussion, the Board members each agreed to approve item #16.

**3:0 vote in favor.**

1. Approval of Resolution 2011-441, Personal Services Contract Amendment between the Juvenile Justice Center and J & J Security & Transport, Inc.
2. Approval of Resolution 2011-442, Personal Services Contract Amendment #3 between the Juvenile Justice Center and Jacqueline G. van Wormer
3. Approval of Resolution 2011-443, authorizing the Auditor's Office to dispose of salvage property
4. Approval of Resolution 2011-444, Master Agreement between Technology Unlimited, Inc. (TUI), and Franklin County for upgrade of check scanning system in Treasurer's Office
5. Approval of Resolution 2011-445, Professional Services Agreement between Benton and Franklin Counties and Alan J. Tindell, Attorney at Law, to provide legal representation to

COMMISSIONERS RECORD 51  
FRANKLIN COUNTY  
Commissioners' Proceedings for December 21, 2011

indigent persons subject to involuntary treatment proceedings in Benton and Franklin Counties, Contract #BFSC1213AJT0011

6. Approval of Resolution 2011-446, Professional Services Agreement to provide legal representation to indigent persons in Franklin County Superior Court between Franklin County and Attorney Karla Kane, Contract #FCSC1212KVK001
7. Approval of Resolution 2011-447, Professional Services Agreement to provide legal representation to indigent persons in Franklin County Superior Court between Franklin County and Attorney Matthew Rutt, Contract #FCSC1212MLR001
8. Approval of Resolution 2011-448, Professional Services Agreement to provide investigative services for indigent persons charged with crimes in Benton and Franklin Counties District and Superior Courts, between Franklin County and Mario Torres, Contract #BCSC1212MT0011
9. Approval of Resolution 2011-449, Professional Services Agreement to provide investigative services for indigent persons charged with crimes in Benton and Franklin Counties District and Superior Courts between Franklin County and Jeffrey Porteous, Contract #BFSC1212JP0011
10. Approval of Resolution 2011-450, Professional Services Agreement to provide investigative services for indigent persons charged with crimes in Benton and Franklin Counties District and Superior Courts between Franklin County and Mark Almquist, Contract #BFSC1212MTA0021
11. Approval of Resolution 2011-451, Tower Site Lease Agreement between Franklin County and Washington Communications, LLC, dba Day Wireless Systems
12. Approval of Resolution 2011-452, Collection Agency Contract between Franklin County Planning and Building Department and Washington Collectors Tri-Cities, Inc.
13. Approval of computer and laptop replacement purchases for Public Works Department (Exhibit 4)
14. Approval of Resolution 2011-453, Agreement #2011/2013-HEN-BFCAC to provide housing and essential needs services between Benton Franklin Community Action Committee and Benton and Franklin Counties Department of Human Services
15. Approval of Resolution 2011-454, Personal Services Contract Amendment between Benton-Franklin Counties Juvenile Justice Center (JJC) and Kennewick School District to provide for an educational advocate team using pass-through monies for Extended Day Program through the MacArthur Foundation 2010-2012 grant

COMMISSIONERS RECORD 51  
FRANKLIN COUNTY  
Commissioners' Proceedings for December 21, 2011

16. Approval of Resolution 2011-455, Lease Agreement between Franklin County and Central Music and Vending Company for CV#04577, water cooler cold unit, in WSU Extension Office
17. Approval of Ordinance Number 7-2011, imposition of 3/10ths of 1% sales and use tax pursuant to ballot measure approved by voters (Exhibit 5)
18. Approval of Resolution 2011-456, Workforce Investment Act Service Provider Contract CFDA #17.258 BF-WDC Contract No. S-PY 11/12-ADULT between Benton-Franklin Workforce Development Council and Career Path Services providing \$358,503 in funding for participant services to low income adult job seekers
19. Approval of Resolution 2011-457, Workforce Investment Act Service Provider Contract CFDA #17.258 – Service Provider Contract Modification – between Benton-Franklin Workforce Development Council and Career Path Services providing \$15,094 funding to enroll additional job seekers in participant services
20. Approval of Resolution 2011-458, Workforce Investment Act Service Provider Contract modification CFDA #17.259 BF-WDC between Benton-Franklin Workforce Development Council and Career Path Services for WIA Title I-B PY 2011/2012 In-School Youth Program funds in the amount of \$11,474 and Out-of-School Youth Program funds in the amount of \$17,213
21. Approval of Resolution 2011-459, Workforce Investment Act Service Provider Contract CFDA #17.278 between Benton-Franklin Workforce Development Council and Career Path Services for WIA Title I-B PY 2011/2012 Dislocated Worker Program funds in the amount of \$105,170
22. Approval of Resolution 2011-460, Workforce Investment Act Service Provider Contract CFDA #17.278, Contract No. S-PY 11/12-DISLOCATED WORKER between Benton-Franklin Workforce Development Council and Career Path Services for Program Year 2011/12 in the amount of \$288,767
23. Approval of Resolution 2011-461, Workforce Investment Act Service Provider Contract CFDA #17.259, Contract No. S-PY 11/12-YOUTH between Benton-Franklin Workforce Development Council and Career Path Services for Program Year 2011/12 in the amount of \$165,652 for In-School Youth Services and \$248,477 for Out-of-School Youth Activities
24. Approval of Resolution 2011-462, payment of Franklin County's portion (\$1781.30) of an invoice accrued by the Landfill Group to Aspect Consulting LLC for professional services
25. Approval of letter to Auditor authorizing voucher release for December 28, 2011 (Exhibit 6)

COMMISSIONERS RECORD 51  
FRANKLIN COUNTY  
Commissioners' Proceedings for December 21, 2011

26. Approval of Resolution 2011-463, authorizing reimbursement of certain capital expenditures with bond proceeds
27. Approval of Resolution 2011-464, Homeless Housing Assistance Standard Service Agreement between Franklin County and Benton County Community Action Committee, effective January 1, 2007 through December 21, 2011 Amendment 01

### **HUMAN SERVICES (HS)**

HS Administrator Ed Thornbrugh met with the Board. Present in audience: Prosecutor Shawn Sant and Treasurer Josie Koelzer.

#### Homeless Housing Assistance contract

The Board signed a contract extension as item #27 on the consent agenda.

Mr. Thornbrugh told the Board briefly about the history of the contract. The contract is being extended until January 31, 2012, while contract negotiations continue so that people will not be left homeless or without a provider.

**Executive Session** at 10:14 am based on RCW 42.30.110(1)(d) for contract negotiations expected to last 10 minutes.

**Open Session** at 10:24 am.

### **PROSECUTOR**

Prosecutor Shawn Sant and Treasurer Josie Koelzer met with the Board.

**Executive Session** at 10:25 am based on RCW 42.30.110(1)(i) to consider the legal risks of a proposed action that relates to Wenatchee Public Facility District investment expected to last up to 30 minutes.

**Executive Session** continued at 10:58 am expected to last five minutes.

**Open Session** at 11:06 am.

Mr. Sant recommended that the Board should authorize the return of \$300,000 as requested by the bank. Mr. Peck said he doesn't think we have any ethical choice but to return the money to the bank, separate and aside from the legal issues. The Board had **consensus agreement** that the treasurer would be asked to return the funds as recommended by the Prosecutor.

**Recessed** at 11:12 am.

COMMISSIONERS RECORD 51  
FRANKLIN COUNTY  
Commissioners' Proceedings for December 21, 2011

**Reconvened** at 11:18 am.

**COUNTY ADMINISTRATOR** (11:18 am)

County Administrator Fred Bowen met with the Board.

**Executive Session** at 11:18 am regarding union contract negotiations based on RCW 42.30.140(4)(b) expected to last up to 20 minutes.

**Open Session** at 11:37 am.

**OTHER BUSINESS**

Minutes

**Motion** – Mr. Miller: I move for approval of Commissioners Proceedings for December 14, November 30 and December 7. Second by Mr. Peck. 3:0 vote in favor.

McNary Shoreline Plan

Mr. Peck gave a brief update on action by the Corps of Engineers regarding the McNary Shoreline Plan and its effects on docks.

**Adjourned** at 11:41 am.

COMMISSIONERS RECORD 51  
FRANKLIN COUNTY  
Commissioners' Proceedings for December 21, 2011

There being no further business, the Franklin County Board of Commissioners meeting was adjourned until January 4, 2012.

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 January 4, 2012.