

COMMISSIONERS RECORD 51
FRANKLIN COUNTY
Commissioners' Proceedings for May 30, 2012

This document is a summarized version of the Board of Commissioners proceedings. The minutes are paraphrased, not verbatim. Access to an electronic audio recording of the meeting is available upon request.

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Brad Peck, Chairman; Rick Miller, Chair Pro Tem; and Robert E. Koch, Member; Fred Bowen, County Administrator; and Mary Withers, Clerk to the Board. Meeting convened at 9:00 am.

TRAC

TRAC Manager Troy Woody and Alysa Wyrick, Energy Engineer from the Washington State Department of Enterprise Services, met with the Board. Present in audience: Rich Lahtinen, Al Yenney, Jim Follansbee, Lester Storms, Roger Lenk, Patrick Barnett and Tri-City Herald Reporter John Trumbo.

Energy Savings Company (ESCO) and Energy Conservation Project Management Services discussion

Mr. Woody explained the process of conducting an energy audit at a cost of \$15,000 which would be deducted if Franklin County accepts the audit and proceeds further. The scope of the proposed project would be for the TRAC Pavilion, TRAC Expo Hall and the Public Safety Building. Mr. Woody and Ms. Wyrick answered the Board's questions.

Mr. Koch said he can support it. Mr. Miller expressed approval to proceed.

Mr. Peck said the idea is that the county would pay a loan back over time with the energy savings.

Mr. Peck said he is not opposed to it. He does have a reservation in terms of the future of TRAC and explained that typically in transitioning to other owners, you don't enter into long-term agreements. He noted it may be seen as an added value as opposed to an encumbrance.

Mr. Peck said you've got your support from the Board to move to the next step. Just keep us posted.

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OFFICE BUSINESS (9:29 am)

Present in audience: Rich Lahtinen, Al Yenney, Jim Follansbee, Lester Storms, Roger Lenk, Patrick Barnett and Tri-City Herald Reporter John Trumbo.

Vouchers

Motion – Mr. Koch moved for approval of vouchers for fund expenditures in the bottom line amount of \$409,970.31. It is approved by Matt Beaton and vouchers were prepared by Julie Jordan. Second by Mr. Miller. 3:0 vote in favor.

Fund Expenditures	<u>Warrants</u>		Amount Issued
Current Expense	66770	66804	\$24,606.03
Current Expense	66805	66852	\$78,006.19
Election Equipment Revolving	66853	66854	\$236.06
Boating Safety Fund	66855	66862	\$2,760.44
Sheriff Sex Offender Grant	66863	-	\$2,392.89
Jail Commissary	66864	66865	\$1,903.36
FC Capital Projects Fund	66866	66868	\$230,559.35
.3% Criminal Justice Const Fnd	66869	-	\$49,566.42
TRAC Operations Fund	66870	66894	\$18,172.21
Franklin County RV Facility	66895	66896	\$1,767.36

(Exhibit 1)

Motion – Mr. Koch moved for approval of vouchers from the Franklin County Auditor for Salary Clearing payroll, Emergency Management payroll, and Irrigation payroll. The Salary Clearing is \$764,175.53, Emergency Management is \$14,036.96, and Irrigation payroll is \$16,832.11, with a bottom line of \$795,044.60. This is approved by Mr. Burckhard and Ms. Curiel. Second by Mr. Miller. 3:0 vote in favor.

<u>Fund</u>	<u>Warrants</u>	<u>Amount</u>
Salary Clearing Payroll:		
Payroll	56139-56257	191,067.53
Direct Deposit		334,312.50
		525,380.03
Benefits	56258-56272	238,795.50

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	Total	\$764,175.53
 Emergency Mgmt Payroll:		
Payroll	66707-66716	\$3,015.34
Direct Deposit		6,604.66
		\$9,620.00
Benefits	66717-66725	4,416.96
	Total	\$14,036.96
 Irrigation Payroll:		
Payroll	66726-66739	\$7,039.88
Direct Deposit		3,729.83
		\$10,769.71
Benefits	66740-66747	6,062.40
	Total	\$16,832.11

(Exhibit 2)

Other Business

Motion – Mr. Koch: I would move approval of a resolution and certificate congratulating the Connell High School Girls Fast Pitch Softball team on their state championship. Second by Mr. Miller. 3:0 vote in favor. Resolution 2012-179 was approved. (Exhibit 3)

Consent Agenda

Motion - Mr. Miller: Mr. Chairman, I move that we approve the consent agenda items 1 through 6. Second by Mr. Koch.

1. Approval of Resolution 2012-180, Interlocal Agreement with the Washington State Office of Public Defense for use of grant funding (second half of fiscal year 2012 funding), amending Resolution 2012-056
2. Approval of Resolution 2012-181, Agreement #2012-HHAA-CFCSHA to assist the counties with meeting the goals of the ten-year Homeless Housing Plan through the Benton and Franklin County Homeless Housing and Assistance Program, between Benton and Franklin Counties Department of Human Services and Catholic Family and Child Service of the Tri-Cities
3. Approval of engagement letter dated May 16, 2012, signed by Attorney Jeffrey C. Nave of Foster Pepper, LLC, regarding Issuance of Limited Tax General Obligation Bonds (Exhibit 4)

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4. Approval of letter to Leonard Barnett expressing appreciation for his service to the Basin City Water and Sewer District (Exhibit 5)
5. Approval of Resolution 2012-182 authorizing expenditures of \$2000 utilizing funds from the Miscellaneous Trial Court Improvement Fund #128-000-001 as requested from the Trial Court Improvement Fund Authorization Committee
6. Approval of Resolution 2012-183, payment of Franklin County's portion (\$1978.09) of an invoice accrued by the Landfill Group to Aspect Consulting LLC for professional services

REGULAR AGENDA (9:36 am)

Resolution regarding responsible environmental policies

Mr. Miller explained why he felt a resolution is needed regarding environmental policies. The Board discussed the proposed resolution and decided to put it on the next consent agenda.

COUNTY ADMINISTRATOR (9:48 am)

County Administrator Fred Bowen met with the Board. Present in audience: Rich Lahtinen, Al Yenney, Jim Follansbee, Lester Storms, Roger Lenk, Patrick Barnett, Tri-City Herald Reporter John Trumbo and Dan Blasdel.

Job Descriptions for Public Works Director and County Engineer/Assistant Public Works Director

Following review of two job descriptions and salary grade levels, the Board instructed staff to advertise both positions publicly.

Transportation Allowance Policy (9:57 am)

Auditor Matt Beaton joined the audience briefly.

Mr. Peck asked for Board approval of a Transportation Allowance Policy by resolution. Mr. Koch asked for some words to be inserted. Mr. Peck and Mr. Miller agreed.

Motion - Mr. Koch: I would move for approving the resolution setting the Transportation Allowance Policy for Franklin County Commissioners and the Prosecuting Attorney and rescinding Resolutions 2008-229 and 97-258A with the insertion of our discussion in item #2.

Second by Mr. Miller. 3:0 vote in favor. Resolution 2012-184 was approved.

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OTHER BUSINESS (10:03 am)

Present in audience: Rich Lahtinen, Al Yenney, Jim Follansbee, Lester Storms, Roger Lenk, Patrick Barnett, Tri-City Herald Reporter John Trumbo and Dan Blasdel.

NACo

The Board briefly discussed the voting credentials form sent by the National Association of Counties (NACo) for its annual meeting.

Public Comment on Agenda

Mr. Peck asked would there be an objection to add as a regular item on our agendas an opportunity for public comment? Mr. Miller said I have no problem with that at all. Mr. Koch nodded his head in approval.

Mr. Peck asked if anyone in the audience would like to comment.

Lester Storms thanked all three Commissioners for looking into the UN Agenda 21 policy.

ADJOURNMENT

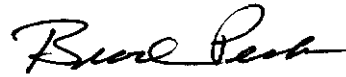
Motion – Mr. Miller: I move to adjourn. Second by Mr. Koch. 3:0 vote in favor.

Adjourned at 10:08 am.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until June 5, 2012.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON



Brad Peck, Chairman



Rick Miller, Chairman Pro Tem



Robert E. Koch, Member

Attest:


Clerk to the Board

Approved and signed June 6, 2012.



FRANKLIN COUNTY AUDITOR

Matt Beaton, Auditor

5/30/2012

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims.

Action: As of this date, 5/30/2012

Move that the following warrants be approved for payment:

certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.

FUND Expenditures	WARRANTS		AMOUNT ISSUED
Current Expense	66770	66804	\$24,606.03
Current Expense	66805	66852	\$78,006.19
Election Equipment Revolving	66853	66854	\$236.06
Boating Safety Fund	66855	66862	\$2,760.44
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.3% Criminal Justice Const Fnd	66869	-	\$49,566.42
TRAC Operations Fund	66870	66894	\$18,172.21
Franklin County RV Facility	66895	66896	\$1,767.36

In the amount of

\$409,970.31

The motion was seconded by

And passed by a vote of 3 to

The attached vouchers have been approved by Auditor or Deputy

Vouchers Audited By



FRANKLIN COUNTY AUDITOR

Matt Beaton, Auditor

May 30, 2012

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.

Action: As of this date, May 30, 2012
move that the following warrants be approved for payment.

A handwritten signature in black ink, appearing to read "R. Kod".

<u>FUND</u>	<u>WARRANT</u>	<u>AMOUNT</u>
Salary Clearing Payroll:		
Payroll	56139-56257	191,067.53
Direct Deposit		334,312.50
		525,380.03
Benefits	56258-56272	238,795.50
	Total	\$764,175.53
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Direct Deposit		3,729.83
		\$10,769.71
Benefits	66740-66747	6,062.40
	Total	\$16,832.11
Grand Total All Payrolls		\$795,044.60

In the total amount of **\$795,044.60**

(\$583,278.17+\$11,069.53+\$12,433.28)

The motion was seconded by 

and passed by a vote of 3 to 0

The attached payroll has been approved by Auditor or Deputy

Payroll Prepared By

FRANKLIN COUNTY RESOLUTION NUMBER 2012 179

BEFORE THE BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY,
WASHINGTON

**CONGRATULATING THE CONNELL HIGH SCHOOL GIRLS FAST PITCH
SOFTBALL TEAM ON THEIR STATE 1-A CHAMPIONSHIP**

WHEREAS, the Connell High School Girls Fast Pitch Softball Team has played extraordinarily well in a full season of games and placed first in their league; and

WHEREAS, the Connell High School Girls Fast Pitch Softball Team subsequently placed first in the State 1-A Championship;

NOW, THEREFORE, BE IT RESOLVED that the Franklin County Board of Commissioners hereby congratulates the Connell High School Girls Fast Pitch Softball Team on their accomplishment of winning the State 1-A Football Championship on Saturday, May 26, 2012.

APPROVED this 30th day of June, 2012

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON



Brad Peck, Chair



Rick Miller, Chair Pro Tem



Robert E. Koch, Member

Attest:



Mary Withers
Clerk to the Board

Originals: Connell High School
Auditor

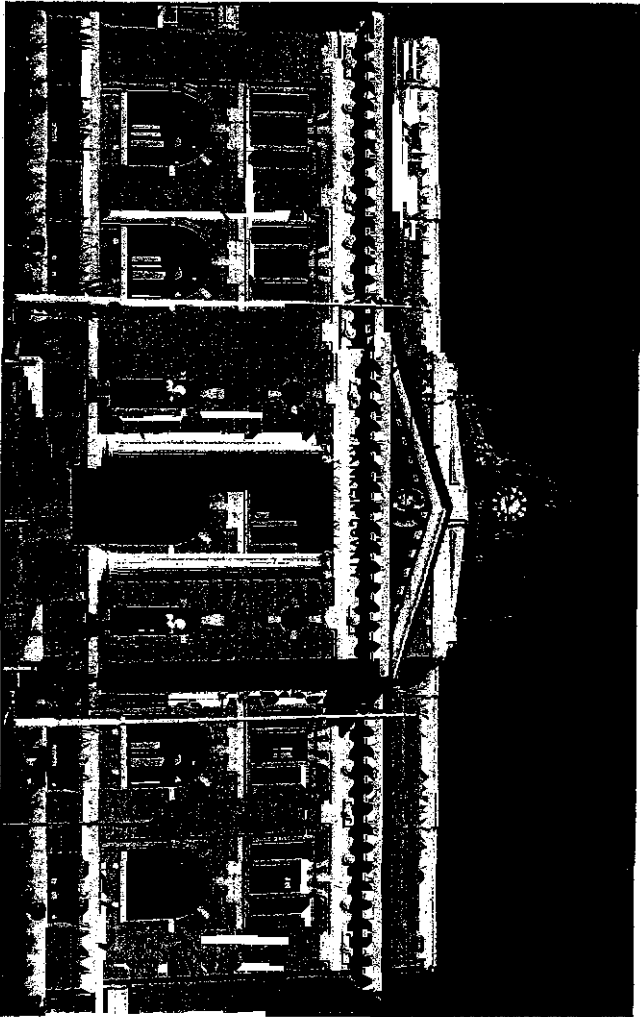
cc: Franklin County Graphic

CERTIFICATE OF APPRECIATION

awarded to:

CONNELL HIGH SCHOOL
GIRLSFAST-PITCH SOFTBALL TEAM

THE FRANKLIN COUNTY BOARD OF COMMISSIONERS CONGRATULATES YOU ON
WINNING THE
1A STATE CHAMPIONSHIP
MAY 26, 2012



THE BOARD OF FRANKLIN COUNTY COMMISSIONERS

Brad Peck
Brad Peck, Chairman

Rick Miller
Rick Miller, Chairman Pro Tem

Robert E Koch
Robert E Koch, Member



Direct Phone (509) 777-1601
Direct Facsimile (800) 533-2202
E-Mail navej@foster.com

May 16, 2012

Board of County Commissioners
Franklin County
1016 North Fourth Avenue
Pasco, WA 99301

Re: Issuance of Limited Tax General Obligation Bonds

Honorable Commissioners:

It is a pleasure to continue working with Franklin County as its bond counsel. As set forth in previous engagement letters, the ethics rules governing lawyers require that I provide the County with a written agreement pertaining to our proposed bond counsel service because our fee is contingent upon the issuance of the bonds. Further, RCW 36.27.040 requires that the Prosecuting Attorney appoint me as a special deputy prosecuting attorney for the limited purpose of providing the legal services described below. This has occurred on previous financings, but I think it is best to renew that appointment.

We understand that the County desires to issue limited tax general obligation bonds (the "Bonds") to pay costs of (i) acquiring, constructing, installing and equipping improvements to the County's courthouse, criminal justice facilities and jail facilities; and (ii) acquiring computer software. We further understand that the Bonds will be purchased by Martin Nelson & Company, Inc. The purpose of this engagement letter is to set forth certain matters concerning the services Foster Pepper PLLC will perform as bond counsel to the County in connection with the issuance of the Bonds.

SCOPE OF ENGAGEMENT

In this engagement, we expect to perform the following duties: (i) subject to the completion of proceedings to our satisfaction, render our legal opinion (the "Opinion") regarding the validity and binding effect of the Bonds, the source of payment and security for the Bonds, and the excludability of interest on the Bonds from gross income for federal income tax purposes; (ii) prepare and review documents necessary or appropriate to the authorization, issuance and delivery of the Bonds, and coordinate the authorization and execution of such documents; (iii) review legal issues relating to the structure of the Bond issue; and (iv) review the section of the official statement, private placement memorandum or other form of offering or disclosure document to be disseminated in connection with the sale of the Bonds involving the federal income tax treatment of interest on the Bonds.

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The Opinion will be addressed to the County and will be delivered by us on the date the Bonds are exchanged for their purchase price (the "Closing"). The Opinion will be based on facts and law existing as of its date. In rendering the Opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation, and we will assume continuing compliance by the County after the Bonds are issued with applicable laws relating to the Bonds. During the course of this engagement, we will rely on the County to provide us with complete and timely information on all developments pertaining to any aspect of the Bonds and their security. We understand that officials and employees of the County will cooperate with us in this regard.

ATTORNEY-CLIENT RELATIONSHIP

Upon execution of this engagement letter, the County will be our client and an attorney-client relationship will exist between us. In this transaction we represent only the County, we are not counsel to any other party, and we are not acting as an intermediary among the parties. Our services as bond counsel regarding the Bonds are limited to those contracted for in this letter. The County's execution of this engagement letter will constitute an acknowledgment of those limitations. Our representation of the County regarding the Bonds will be concluded upon issuance of the Bonds. Nevertheless, subsequent to the Closing, we will mail the appropriate Internal Revenue Service Form 8038, and prepare and distribute to the participants in the transaction a transcript of the proceedings pertaining to the Bonds.

CONFLICTS

As you are aware, our firm represents many political subdivisions, companies and individuals. It is possible that during the time that we are representing the County, one or more of our present or future clients will have transactions with the County. It is also possible (but unlikely) that we may be asked to represent, in an unrelated matter, one or more of the entities involved in the issuance of the Bonds. We do not foresee that any such representation, if it occurs, will adversely affect our ability to represent the County as provided in this letter, either because such matters will be sufficiently different from the issuance of the Bonds so as to make such representations not adverse to our representation of the County, or because the potential for such adversity is remote or minor and outweighed by the consideration that it is unlikely that advice given to the other client will be relevant to any aspect of the issuance of the Bonds. Execution of this letter will signify the County's consent to our representation of others consistent with the circumstances described in this paragraph.

FEES

Based upon: (i) our current understanding of the terms, structure, size and schedule of the financings represented by the Bonds; (ii) the duties we will undertake pursuant to this engagement letter; and (iii) the responsibilities we will assume in connection therewith, our fee, including out-of-pocket costs, will be \$39,300, including out-of-pocket costs. Our fee may vary if: (a) the aggregate principal amount of Bonds issued are significantly greater or less than the current estimate of \$20,345,000; (b) material changes in the structure or schedule of the financings occur; or (c) if unusual or unforeseen circumstances arise that require a significant increase in our time or responsibility. If, at any time, we believe that circumstances require an

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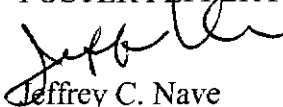
adjustment of our original fee estimate, we will advise you. Our fee will be paid (*via wire transfer*) at Closing from Bond proceeds by the Purchaser. The Board of Commissioners consents to payment of our fee in this manner.

RECORDS

Upon request, papers and property furnished by you will be returned promptly. Our own files, including lawyer work product, pertaining to the transaction will be retained by us. For various reasons, including the minimization of unnecessary storage expenses, we reserve the right to dispose of any documents or other materials retained by us after the termination of this engagement.

If the foregoing terms are acceptable to the County, please cause two copies of this letter to be executed by the appropriate County officials. One copy should be returned to me and the other should be retained in the County's files. We look forward to working with you again.

FOSTER PEPPER PLLC


Jeffrey C. Nave

Accepted and approved this 30 day of May, 2012.

FRANKLIN COUNTY, WASHINGTON



Brad Peck, Chairman
Board of County Commissioners

The terms of engagement set forth herein are accepted and approved this 30 day of May, 2012, and Foster Pepper PLLC is appointed as special deputy prosecuting attorney for the County pursuant to RCW 36.27.040.

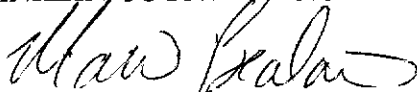
FRANKLIN COUNTY, WASHINGTON



Ryan Verhulp, Deputy Prosecuting Attorney

Filed with the Franklin County Auditor this 30 day of May, 2012.

FRANKLIN COUNTY, WASHINGTON



Matt Beaton, Auditor

cc: Fred Bowen
Ryan Verhulp



FRANKLIN COUNTY

BOARD OF COMMISSIONERS

BRAD PECK
DISTRICT 1

ROBERT E. KOCH
DISTRICT 2

RICK MILLER
DISTRICT 3

Fred H. Bowen
County Administrator

Rosie H. Rumsey
Human Resources Director

May 23, 2012

Leonard Barnett
19411 S. Malloy Prairie Road
Cheney WA 99004

Dear Len:

We want to express our deep appreciation to you for your many years of service to improve the drinking water and septic systems at Basin City. Your dedication, perseverance, and hard work both as a community member and a Basin City Water and Sewer District Commissioner have been exemplary.

Thank you, too, for your willingness to continue as a volunteer until the current Phase III water tower project is completed.

Sincerely,

Handwritten signature of Brad Peck in cursive.

Brad Peck, Chairman
Franklin County Commissioner

Handwritten signature of Rick Miller in cursive.

Rick Miller, Chair Pro Tem
Franklin County Commissioner

Handwritten signature of Robert E. Koch in cursive.

Robert E. Koch, Member
Franklin County Commissioner