

COMMISSIONERS RECORD 52
FRANKLIN COUNTY
Commissioners' Proceedings for June 25, 2014

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 Robert E. Koch, Chairman (by speaker phone); Brad Peck, Chair Pro Tem; and Rick Miller, Member; Fred Bowen, County Administrator; and Mary Withers, Clerk to the Board. Meeting convened at 9:00 am with the Pledge of Allegiance. Chair Pro Tem Brad Peck conducted the meeting.

WASHINGTON COUNTIES RISK POOL (WCRP)

WCRP Executive Director Vyrle Hill and Director of Administrative Services David Goldsmith met with the Board. Present in audience: Paige and Robin Stanco, Tim Dickerson, Tracy Diaz, Bill Middleton, Margo Hines, Matt Mahoney, Matthew Rasmussen and another man.

Annual Report

Mr. Hill and Mr. Goldsmith gave the WCRP Annual Report, using a Power Point presentation on the screen and answering the Board's questions.

Certificate of Membership

Mr. Hill presented the Franklin County Certificate of Membership . (Exhibit 1)

PUBLIC WORKS

Public Works Director Matt Mahoney and Engineer Matthew Rasmussen met with the Board.

Public Hearing: Adoption of 2015-2020 Transportation Improvement Program

Public Hearing convened at 9:47 am. Present: Commissioners Koch (by speaker phone), Peck and Miller; County Administrator Fred Bowen; Public Works Director Matt Mahoney; Engineer Matthew Rasmussen; and Clerk to the Board Mary Withers. Present in audience: Margo Hines, Tim Dickerson, Bill Middleton, Paige Stanco, Tracy Diaz and one other man.

Mr. Peck opened the hearing to public comment at 9:53 am.

Bill Middleton commented, both personally and as a representative of the Good Roads Committee of the Franklin County Farm Bureau. He asked that the county include improvement

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of feeder roads and farm-to-market roads in its plan for the areas east of Pasco in the southern end of the county. He said Martindale Road has been paved. Peterson Road is still a private road with landowners providing and hauling dirt and gravel. He said when a public hearing was held before the Commissioners a few weeks ago regarding a petition for an access road to Beus feedlot, the City of Pasco was not represented, and said the City of Pasco uses a lot of land for its re-use water facility in the area but there are not access roads to it. He said we've been paying taxes just like any other resident. He mentioned the Juniper Dunes area, saying it serves quite a community with a lot of recreational use. He said we took our turn and waited for all the irrigation project block roads to get paid off. Those loans are done. He said Ken Piekarski was promised a road in the late 1970s that has never been built.

Mr. Peck talked about the efforts being made to access the Juniper Dunes area. He suggested Mr. Middleton talk to the Public Works Department. Mr. Middleton said he has done that repeatedly over many years. Mr. Mahoney and Mr. Rasmussen stated they did not receive input from the City of Pasco.

Mr. Peck asked if anyone else would like to comment. An unidentified man expressed concerns about proposed freeway on- and off-ramps at Road 52 and Road 44. He was told that they are part of the state highway plans going into city property.

Hearing was closed to public comment.

Motion – Mr. Miller: I move for approval of adoption of 2015-2020 Transportation Improvement Program. Second by Mr. Peck. 3:0 vote in favor. Resolution 2014-281 was approved.

Amending CRP 609 - Basin City Alternative Transportation Route Improvements Local Agency Agreement between Franklin County and Washington State Department of Transportation
(10:07 am)

Motion – Mr. Miller: Mr. Chairman, I move that we amend CRP 609 Basin City Alternative Transportation Route Improvements Local Agency Agreement between Franklin County and Washington State Department of Transportation and authorize the chairman to sign. Second by Mr. Peck. 3:0 vote in favor. Resolution 2014-282 was approved.

HUMAN SERVICES (HS) (10:13 am)

HS Interim Director Tracy Diaz met with the Board.

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Termination of Agreement #CHG-DVSBF-2014 between Benton and Franklin Counties
Department of Human Services and Domestic Violence Services of Benton and Franklin
Counties

Motion – Mr. Miller: I move approval of termination of Agreement #CHG-DVSBF-2014 between Benton and Franklin Counties Department of Human Services and Domestic Violence Services of Benton and Franklin Counties, adopted by Benton County Resolution #2014 181 and Franklin County Resolution Number 2014-102. Second by Mr. Peck. 3:0 vote in favor. Resolution 2014-283 was approved.

PROSECUTOR (10:19 am)

Deputy Prosecuting Attorney Tim Dickerson met with the Board.

Ordinance related to the filing of a claim for damages and designation of the county individual to receive claims served upon Franklin County

Motion – Mr. Peck: I move for approval of an ordinance related to the filing of a claim for damages and designation of the county individual to receive claims served upon Franklin County as presented by the Prosecutor's Office. Second by Mr. Miller. 3:0 vote in favor. Ordinance 2-2014 was approved. (Exhibit 2)

OFFICE BUSINESS (10:23 am)

Administrative Assistant Margo Hines met with the Board. Present in audience: Paige Stanco.

Vouchers

Motion – Mr. Miller moved for approval of County Road and Motor Vehicle payroll in the total amount of \$120,486.02, signed by Matt Beaton and Julie Jordan. Second by Mr. Peck. 3:0 vote in favor. (Exhibit 3)

<u>Fund</u>	<u>Warrant</u>	<u>Amount</u>
County Road		
Payroll	99943 – 99965	\$ 27,188.10
Direct Deposit		<u>39,514.64</u>
		\$ 66,702.74
Benefits	99966 – 99975	<u>35,571.22</u>
	Total	\$ 102,273.96

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Motor Vehicle		
Payroll	99915 – 99932	\$ 6,142.57
Direct Deposit		<u>5,383.14</u>
		\$ 11,525.71
Benefits	99933 – 99942	<u>6,686.35</u>
	Total	<u>\$ 18,212.06</u>
	Grand Total	\$ 120,486.02

Motion – Mr. Miller moved for approval of Salary Clearing payroll vouchers totaling \$15,877.37, signed by Julie Jordan and Jeff Burckhard, to pay the retroactive portion of 2014 1.5% COLA as per Resolutions 2014-233 and 2014-235. Second by Mr. Peck. 3:0 vote in favor. (Exhibit 4)

<u>Fund</u>	<u>Warrant</u>	<u>Amount</u>
Salary Clearing Payroll:		
Payroll	60881-60890	\$2,766.08
Direct Deposit		<u>10,820.46</u>
		13,586.54
Benefits	60891-60893	<u>2,290.83</u>
	Total	<u>\$15,877.37</u>

Motion – Mr. Miller moved for approval of County Road and Motor Vehicle payroll for total amount of \$8,582.13, signed by Jeff Burckhard and Julie Jordan, to pay the retroactive portion of 2014 1.5% COLA as per Resolutions 2014-233 and 2014-235. Second by Mr. Peck. 3:0 vote in favor. (Exhibit 5)

<u>Fund</u>	<u>Warrant</u>	<u>Amount</u>
County Road		
Payroll	100015 – 100017 and 100019 - 100023	\$ 1,457.70
Direct Deposit		<u>4,608.29</u>
		\$ 6,065.99
Benefits	100024 – 100026	<u>1,022.74</u>
	Total	\$ 7,088.73
Motor Vehicle		
Payroll	100018 and 100019 – 100023	\$ 391.74
Direct Deposit		<u>866.21</u>
		\$ 1,277.95
Benefits	100027 – 100029	<u>215.45</u>
	Total	<u>\$ 1,493.40</u>
	Grand Total	\$ 8,582.13

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Current Expense vouchers (10:26 am)

The Board reviewed a cover sheet for expenditures for a total amount of \$693,819.51 (reduced by \$30,542.36) that has been signed by Margaret Mathia and Fred Bowen and an attached statement signed by Auditor Matt Beaton approving all vouchers excluding #100222 for TRAC Operations Fund. Mr. Peck said the approval of the voucher is being withheld to accommodate an open question on the proper process for advanced funding of subsidies to TRAC. The question rests on whether or not we can move money from Current Expense to pre-pay an anticipated subsidy or whether it needs to be done in some form of interfund loan.

Motion – Mr. Peck moved for approval with the changes that he had highlighted and noted we're doing it this way to make sure the other vouchers are paid in a timely fashion. Second by Mr. Miller. Mr. Koch asked who is going to do the review on the voucher in question. 3:0 vote in favor. Mr. Peck asked Mr. Bowen to do the research.

<u>Fund Expenditures</u>	<u>Warrants</u>		<u>Amount Issued</u>
Current Expense	100030	100033	\$726.00
Auditor O & M	100034	100036	\$3,023.54
Election Equipment Revolving	100037	100038	\$500.37
Crime Victims/Witness Assist	100039	100040	\$6,266.37
Jail Commissary	100041	-	\$66.00
Enhanced 911	100042	100043	\$4,381.86
Law Library	100044	100048	\$6,501.74
Ending Homelessness Fund	100049	100056	\$2,924.00
County Roads	100057	100074	\$516,383.87
Solid Waste	100075	100078	\$1,834.76
Motor Vehicle/Public Works	100079	100098	\$38,140.66
TRAC Operations Fund	100099	100110	\$13,332.33
Franklin County RV Facility	100111	100115	\$3,170.88
Current Expense	100116	100148	\$62,419.55
Current Expense	100149	100152	\$6,433.48
Enhanced 911	100153	100161	\$31,200.49
FC Capital Projects Fund	100162	-	\$345.00
.3% Criminal Justice Const Fnd	100163	100166	\$9,736.12
Current Expense	100167	100205	\$15,600.47
Current Expense	100216	-	\$115.38
Veteran's Assistance	100217	100221	\$1,259.00
TRAC Operations Fund (<i>not approved</i>)	100222	-	<u>\$30,542.36</u>
	Grand Total:		\$754,904.23
	Grand Total approved:		\$693,819.51

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Consent Agenda

Motion – Mr. Miller: I move that we approve the consent agenda 1 through 8. Second by Mr. Peck.

1. Approval of Resolution 2014-284, approval for Franklin County Auditor to enter into an agreement with Data Services, Inc., to receive documents for recording electronically
2. Approval of Resolution 2014-285, authorizing a one-time payment of \$215.67 to Domestic Violence Services of Benton and Franklin Counties for the cost of performing housing quality standard inspections
3. Approval of Resolution 2014-286, Intra-Budget Transfer of \$257,336 within the 2014 Current Expense Non-Departmental Budget #001-000-700 from “Ending Fund Balance” to “Transfer Out-Reserves” to increase the reserve funds transfer to the Miscellaneous Fund Franklin County Reserve Fund Budget 100-000-001
4. Approval of Resolution 2014-287, Inter-Budget Transfer of \$25,000 from the 2014 Current Expense Non-Departmental Budget 001-000-700, line item 519.90.00.0001, Contingency, to the County Clerk Budget 001-000-160, line item 512.30.49.0002, Jury Fees, and inter budget transfer of \$4000 from 2014 Current Expense Non-Departmental Budget 001-000-700, line item 519.90.00.0001, Contingency, to County Clerk Budget 001-000-160, line item 512.30.49.0003, Witness Fees
5. Approval of Resolution 2014-288, extension of temporary office assistant position in Human Resources
6. Approval of Resolution 2014-289, reappointing Mark Nielson as an alternate member of the Franklin County Water Conservancy Board for a six-year term expiring September 21, 2020
7. Approval of Resolution 2014-290, approving contract between E-911 and Intergraph for SG&I, CAD software services.
8. Approval of Franklin County Commissioner Proceedings for June 11 and June 13, 2014

Recessed at 10:34 am.

Reconvened at 10:39 am.

PROSECUTOR

Deputy Prosecutor Janet Taylor and Jenna Hall met with the Board. No one was present in the audience.

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Executive Session at 10:40 am pursuant to RCW 42.30.140(4), contract negotiations, expected to last 30 minutes.

Open Session at 11:11 am.

Executive Session continued at 11:12 am, expected to last 10 minutes.

Open Session at 11:27 am.

COUNTY ADMINISTRATOR

County Administrator Fred Bowen met with the Board. No one was present in the audience.

Executive Session at 11:22 am pursuant to RCW 42.309.110(1)(c), real estate sale, expected to last 10 minutes.

Open Session at 11:42 am.

TRAC

Mr. Bowen asked if the Board would allow an inter-fund loan to TRAC of about \$100,000 with interest until he has the time to work details out with the Auditor's Office.

Mr. Peck said he expected a request for a \$200,000 interfund loan with interest and that TRAC would use half of the loan to pay back \$100,000 to the county from a previous transaction. The Board members asked Mr. Bowen to check with the legal staff before proceeding. Mr. Bowen expressed his concern about cash flow and paying bills at TRAC. He will be talking with the TRAC manager.

Adjourned at 11:49 am.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until July 2, 2014.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON



Robert E. Koch, Chairman



Brad Peck, Chairman Pro Tem



Rick Miller, Member

Attest:



Clerk to the Board

Approved and signed July 16, 2014.

CERTIFICATE OF MEMBERSHIP

Presented to
FRANKLIN COUNTY

*in recognition and appreciation of
your WCRP membership since*

October 1, 1988



Created by Counties for Counties

**WASHINGTON
COUNTIES
RISK POOL**

Lyell Hill

Executive Director

Joseph [Signature]

President, PY 2014

ORDINANCE NUMBER 2-2014

AN ORDINANCE RELATED TO THE FILING OF A CLAIM FOR DAMAGES AND DESIGNATION OF THE COUNTY INDIVIDUAL TO RECEIVE CLAIMS SERVED UPON FRANKLIN COUNTY.

WHEREAS, EHB 1553 amending RCW 4.96.020, 4.92.100, and 4.92.110 was effective as of July 26, 2009;

WHEREAS, EHB 1553 amended the requirements in the language of the tort claim form against either the state or a local government, and the presentment of the tort claim; it is

THEREFORE, ORDAINED that, a completed and notarized Franklin County Claim For Damages Form is to be served upon Franklin County by presenting it upon the Clerk to the Board of County Commissioners, Franklin County Courthouse, 1016 North Fourth Avenue, Pasco, Washington or Administrative Assistant to the County Administrator, Franklin County Courthouse, 1016 North Fourth Avenue, Pasco, Washington during normal business hours as set forth on said Franklin County Claim For Damages Form (Appendix A); and

BE IT FURTHER ORDAINED, that the Franklin County Claim for Damages Form, Appendix A, be posted on the County web-site.

BE IT FURTHER ORDAINED, that Ordinance 15-2001 passed on July 2, 2001 and all amendments thereto are hereby repealed and superseded by this ordinance.

BE IT FURTHER ORDAINED that a copy of this ordinance shall be recorded with the County Auditor.

PASSED this 25 day of June, 2014.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

APPROVED

Robert E. Kech, Chair

Brad Peck

Brad Peck, Chair Pro Tem

Rick Miller

Rick Miller, Member

ATTEST:

Mary Wilkes

Clerk to the Board

APPROVED AS TO FORM:

By: *Timothy E. Dickerson*

Timothy E. Dickerson
Deputy Prosecuting Attorney

FRANKLIN COUNTY CLAIM FOR DAMAGES FORM

This Franklin County Claim For Damages Form (claim form) is provided pursuant to RCW 4.96.020 as an accommodation to claimants, and Franklin County makes no representations as to its legal sufficiency. Responsibility for complying with all requirements of state law regarding claims rests with the claimant. No Franklin County employee is authorized to advise a claimant in completing this claim form or reviewing its sufficiency. Franklin County expressly disclaims responsibility for any such advice or review. (If more space is needed to answer any items, attach additional sheets and specify the item number.)

INSTRUCTIONS:

Per Franklin County Ordinance _____-2014 send this completed and notarized claim form to the following appointed agent(s) of Franklin County during the normal business hours of 8:30 a.m. to 5:00 p.m.:

Clerk to the Board County Commissioners
Board of County Commissioners
Franklin County Courthouse
1016 North Fourth Avenue
Pasco, Washington 99301-3706

-or- Administrative Assistant to the County Administrator
Franklin County Courthouse
1016 North Fourth Avenue
Pasco, Washington 99301-3706

STATE OF WASHINGTON)
) ss
COUNTY OF _____)

_____, being first duly sworn on oath, deposes and
(print full name)
says that I am the claimant herein and believe the contents of this claim to be true. I hereby present a claim for damages against Franklin County, Washington, based upon the following information as required by RCW 36.45.010 and Chapter 4.96 RCW:

1. My full legal name is:
2. My date of birth is:
3. My current contact information is (i.e. telephone, phone number, email, etc.):
4. My actual residence at the time of presenting and filing this claim is:
5. My actual residence at the time this claim arose was:

6. The incident for which I make claim against the county occurred on the _____ day of _____, _____, at _____ a.m./p.m.
(month) (year) (time)

7. The incident occurred at the following location:

8. The names of all persons involved or witnessing the incident and their contact information (i.e. telephone number, address, etc.) are:

9. My injury or damages were caused or happened as follows:

10. The nature of the injury or damages I sustained are:

- 11. The amount of damages sustained are itemized. (A billing or two (2) estimates of the cost of repairs must be attached to this claim, together with the name of your insurance agency.):

\$ _____

DATED this _____ day of _____, 20_____.

Claimant or Attorney for Claimant Signature

Telephone Number: _____

Cell Phone Number: _____

SUBSCRIBED and SWORN to before me this _____ day of _____, 20_____.

Notary Public

Residing at _____

Appointment Expires: _____

June 25, 2014



FRANKLIN COUNTY AUDITOR

Matt Beaton, Auditor

June 25, 2014

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, June 25, 2014  move that the following warrants be approved for payment.

<u>FUND</u>	<u>WARRANT</u>	<u>AMOUNT</u>
County Road		
Payroll	99943-99965	27,188.10
Direct Deposit		39,514.64
		66,702.74
Benefits	99966-99975	35,571.22
	Total	\$102,273.96
 Motor Vehicle		
Payroll	99915-99932	\$6,142.57
Direct Deposit		5,383.14
		\$11,525.71
Benefits	99933-99942	6,686.35
	Total	\$18,212.06
 Grand Total All Payrolls		\$120,486.02

In the total amount of **\$120,486.02** (\$102,273.96 + \$18,212.06)

The motion was seconded by  and passed by a vote of 3 to 4.


The attached payroll has been approved by Auditor or Deputy


Payroll Prepared By Julie Jordan



FRANKLIN COUNTY AUDITOR

Matt Beaton, Auditor

June 25, 2014

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, June 25, 2014  move that the following warrants be approved for payment.


This payroll is for the retroactive portion of 2014 1.5% COLA as per resolutions 2014-233 and 2014-235.

<u>FUND</u>	<u>WARRANT</u>	<u>AMOUNT</u>
Salary Clearing Payroll:		
Payroll	60881-60890	\$2,766.08
Direct Deposit		10,820.46
		13,586.54
Benefits	60891-60893	2,290.83
	Total	\$15,877.37

Grand Total For Payroll

\$15,877.37

In the total amount of **\$15,877.37**

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 Julie Jordan



FRANKLIN COUNTY AUDITOR

Matt Beaton, Auditor

June 25, 2014

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.

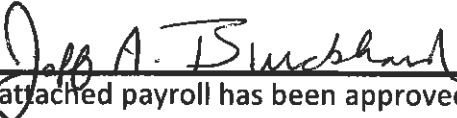
Action: As of this date, June 25, 2014  move that the following warrants be approved for payment.

This payroll is for the retroactive portion of 2014 1.5% COLA as per resolutions 2014-234 and 2014-233.

<u>FUND</u>	<u>WARRANT</u>	<u>AMOUNT</u>
County Road		
Payroll	100015-100017 and 100019-100023	1,457.70
Direct Deposit		4,608.29
		6,065.99
Benefits	100024-100026	1,022.74
	Total	\$7,088.73
 Motor Vehicle		
Payroll	100018 and 100019-100023	\$391.74
Direct Deposit		886.21
		\$1,277.95
Benefits	100027-100029	215.45
	Total	\$1,493.40
	 Grand Total All Payrolls	 \$8,582.13

In the total amount of **\$8,582.13** (\$7,088.73 + \$1,493.40)

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 Julie Jordan



FRANKLIN COUNTY AUDITOR

Matt Beaton, Auditor

6/25/2014

Franklin County Commissioners:

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

Action: As of this date, 6/25/2014

David Paul

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	100030	100033	\$726.00
Auditor O & M	100034	100036	\$3,023.54
Election Equipment Revolving	100037	100038	\$500.37
Crime Victims/Witness Assist	100039	100040	\$6,266.37
Jail Commissary	100041	-	\$66.00
Enhanced 911	100042	100043	\$4,381.86
Law Library	100044	100048	\$6,501.74
Ending Homelessness Fund	100049	100056	\$2,924.00
County Roads	100057	100074	\$516,383.87 → .86 on sheet
Solid Waste	100075	100078	\$1,834.76
Motor Vehicle/Public Works	100079	100098	\$38,140.66
TRAC Operations Fund	100099	100110	\$13,332.33
Franklin County RV Facility	100111	100115	\$3,170.88
Current Expense	100116	100148	\$62,419.55
Current Expense	100149	100152	\$6,433.48
Enhanced 911	100153	100161	\$31,200.49
FC Capital Projects Fund	100162	-	-\$345.00
.3% Criminal Justice Const Fnd	100163	100166	\$9,736.12
Current Expense	100167	100205	\$15,600.47
Current Expense	100216	-	\$115.38
Veteran's Assistance	100217	100221	\$1,259.00
TRAC Operations Fund	100222	-	\$30,542.36

In the amount of

[Signature]

\$754,904.23

The motion was seconded by

~ 30,542.36

And passed by a vote of 3 to 0

693,819.51

[Handwritten initials]

Reviewed by County Administrator

[Signature]

See Attached Letter and Support

Margaret Mathia

The attached vouchers have been approved by Auditor or Deputy

Vouchers Audited By : Margaret Mathia

Commissioners,

The voucher form dated 6/25/2014 raised several concerns in the audit process. There is a voucher charging the entire annual budget for management of the park when only half of the year has passed. While there is clearly a need for cash flow in the "slow" season we do not recommend this method. Our research suggests that to prepay services can be interpreted by the SAO as a loan and that as one fund cannot benefit another it should not be done.

Through my research another condition came to light. The \$100,000 beginning fund balance that Franklin County has provided to TRAC is considered "advanced funds" and falls under section 8.4 of the Interlocal Cooperation Agreement, see attached page. The recommendation is that an analysis of the TRAC's cash flow needs be prepared and presented to the board. At such time the amount should be equally funded by County and the City or the "advanced funds" should be paid interest per the Interlocal.

As I have stated in the past, to have proper transparency, accountability, integrity and efficiency it is recommended that the Franklin RV Park budgetary development and control be assigned to a manager that does not have a vendor relationship with the RV Park.

I will be attaching these comments to the Voucher Form dated 6/25/2014. My signature below is for the approval of all of the vouchers excluding #100222 TRAC Operations Fund.

Matt Beaton

Franklin County Auditor



The attached vouchers have been approved by Auditor or Deputy

continue this Agreement in full force and effect; or (2) terminate this Agreement.

If and to the extent the County receives insurance proceeds as a result of such Major Damage, if the County has elected to repair the TRAC Facility, such proceeds shall be applied to such repair, and if the County has elected to terminate the Agreement, the County shall apply such proceeds first to pay off or defease the Bonds, pay the costs of demolition, pay any other costs associated with the TRAC Facility, and distribute any surplus funds to the County and City in equal amounts.

Section 8.3. Modifications and Additions to the TRAC Facility.

The County shall undertake all modifications and additions to the TRAC Facility necessary to comply with Government Regulations.

Section 8.4. Payment of Operating Costs.

The Parties covenant they will each pay 50% of any Operating Costs that exceed Revenues from operation of the TRAC Facility in any calendar year. If any Party advances funds for the other Party, such funds shall bear interest at the rate paid by the State of Washington local government investment pool. Each Party reserves the right to determine the source of such payment.

Section 8.5. Emergency Expenditures.

The County or its manager may undertake emergency expenditures without review of the Advisory Board where such expenditures are necessary to meet operating commitments and are required prior to the next regularly scheduled meeting of the Advisory Board.