

COMMISSIONERS RECORD 46
FRANKLIN COUNTY
Commissioners' Proceeding for July 25, 2005

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Frank H. Brock, Chairman; Neva J. Corkrum, Chair Pro Tem; Bob Koch, Member; Fred Bowen, County Administrator; and Mary Withers, Clerk to the Board.

OFFICE BUSINESS

Secretary Patricia Shults met with the Board.

Consent Agenda

Motion - Mr. Koch: I move for approval of the consent agenda as follows removing item 1:

(Clerk's Note: Item 1 was removed from the consent agenda.)

1. Approval of **Resolution 2005-___** adjusting the 2005 Miscellaneous Auditor O&M Fund, Budget Number 102-000-001, as outlined in Attachment A, thus changing the original expenditure contingency, line 514.75.00, from \$43,775 to \$67,995.
2. Approval of **Resolution 2005-294** for the agreement for county Medicaid assessment services between the Department of Social and Health Services, Division of Alcohol and Substance Abuse, and Benton and Franklin Counties' Department of Human Services, Agreement Number 0563-78729, Program Contract Number 9172-0, effective July 1, 2005 through June 30, 2007, and authorizing the Chairman to sign said agreement on behalf of the Board. (Exhibit 1)
3. Approval to submit a certificate and letter of appreciation to Jack Watson for his 23 years of dedicated service to the Franklin County Horticultural Pest and Disease Control Board. (Exhibit 2)

Second by Mrs. Corkrum. 3:0 vote in favor.

Auditor's O&M

Mrs. Corkrum said the Auditor's O&M budget is not going to get the revenue that was expected. She doesn't think the budget needs to be adjusted. It is a stand-alone budget. If you don't get the revenue, you don't spend it. Mr. Koch said the figures in the Auditor's O&M budget request presented to the Board on June 8, 2005, don't add up with the budget.

Certificate of Appreciation

COMMISSIONERS RECORD 46
FRANKLIN COUNTY
Commissioners' Proceeding for July 25, 2005

Motion – Mrs. Corkrum: I so move that we do a certificate of appreciation for Elmer Schuman's services to the county. Second by Mr. Koch. 3:0 vote in favor. (Exhibit 3)

PROSECUTOR

Chief Civil Deputy Prosecutor Ryan Verhulp met with the Board.

Affordable Housing

Mr. Brock asked Mr. Verhulp do we need to get an agreement from the cities involved before we go out for a request for proposal for someone to administer the affordable housing fund? Mr. Verhulp said yes.

Executive Session at 9:06 a.m. regarding potential litigation and claims brought against employees of the county expected to last 10 minutes.

Open Session at 9:17 a.m.

Claims

Motion – Mr. Koch: I so move that we sign and send certified letters to Mr. Merle Nash, Ms. Christina Nash and Ms. Nancy Nash. Second by Mrs. Corkrum. 3:0 vote in favor. (Exhibit 4)

COUNTY ADMINISTRATOR

County Administrator Fred Bowen met with the Board.

GIS Relocation

The GIS department cannot fit into the two unassigned offices in the basement of the Courthouse. Information Services (IS) can move to the Health District building. GIS could move into the IS office. Moving GIS to the Health District building is not viable because GIS is a department that needs to be nearer to Planning and Assessor Departments.

Dispatch Center

Mr. Brock asked Mr. Bowen to find out about the expansion needs for the Dispatch Center.

Salary Review Committee

The Salary Review Committee will meet today.

COMMISSIONERS RECORD 46
FRANKLIN COUNTY
Commissioners' Proceeding for July 25, 2005

Executive Session at 9:26 a.m. regarding contract negotiations expected to last five minutes.

Open Session at 9:31 a.m.

AUDITOR

Auditor Zona Lenhart met with the Board. Also present: Chief Accountant Tom Westerman, Accounting Coordinator Connie Curiel and Assessor Steve Marks.

Elections

Ms. Lenhart has asked to be on the agenda each week so she can keep the Board informed of all the changes in elections requirements.

The current elections software hasn't worked for us. Mr. Verhulp gave 30 days' notice to the ES&S Company. Ms. Lenhart explained what the software wouldn't do during the last election.

Requesting Election and Licensing Departments remain at the Annex

Ms. Lenhart would like to keep the Licensing Department and Elections Department here at the Courthouse Annex rather than moving them back to the Courthouse after the renovation. The Recording and Accounting Departments would move back to the Courthouse. That would give more space for Accounting and Recording. The vault could be used for permanent storage. Part of the vault will be utilized for accounting and part for recording. Some of the documents have been put in the State Archives. We have been able to image some documents at Cheney and make them available to the public on the internet. Marriages will be online first.

If the Licensing and Elections remain at the Annex, the big issue for the public is the ease of parking. They can walk 10 feet into the facility.

Mrs. Corkrum asked how is it going to be administered? Ms. Lenhart said one of us will be there and one will be here (Auditor Zona Lenhart and Administrative Assistant Sue Boothe).

Mrs. Corkrum said I think you're going to have plenty of room. Mr. Koch asked wasn't there space planning done two years ago? Mr. Bowen nodded yes. Ms. Lenhart said we did it in 1998 but the way we're going to go back is going to be different. They

COMMISSIONERS RECORD 46
FRANKLIN COUNTY
Commissioners' Proceeding for July 25, 2005

talked to us one time in the overall view, not in details. Mr. Bowen said the architects went to every office to figure out what each department wanted. He said originally you were going to move accounting in the vault. It was all planned for you to go back. The planning was already there and has been done. If you go back, you will fit. Ms. Lenhart said we'll be cramped. The vouchers take up a lot of space. The workload has increased. It requires more storage. Storage is still going to be an issue when we go back to the Courthouse. Ms. Lenhart said to her, administration is not going to be a problem because I'll be at both places during the day.

Mrs. Corkrum said I'm not in favor of it. We remodeled the Elections area of the Courthouse Annex to have the tabulation and other work done on election night and storage for elections. I just think it would be poor to have half of your office in one building and the rest of it in another.

Ms. Lenhart said the parking is an issue. Mrs. Corkrum said it won't be. Mr. Koch said it has been that way for many years. Mrs. Corkrum said we have plans for the space the Auditor's Office is currently using for the WSU Extension office to use and the Health District in the other building of the Courthouse Annex. Ms. Lenhart asked wouldn't there still be room for that to occur here in this facility? Mrs. Corkrum said no. The plan is for Extension to move where the Licensing Department is currently.

Mr. Brock said the portable trailer will be moved when the Health District moves to the Courthouse Annex so there will be more parking at the Courthouse.

Mrs. Corkrum said we need to go over the drawings we have.

Ms. Lenhart said election night activities will be here, not at the Courthouse. The Board was aware of that fact.

The parking will improve at the Courthouse also because there will no longer be people parking there who are using the Health District. Mr. Bowen said the biggest problem is we need to tell employees to not park on the street. Ms. Lenhart said you can't control it.

Mr. Bowen said we could have Senior Citizen parking spots. The Board and Ms. Lenhart agreed.

COMMISSIONERS RECORD 46
FRANKLIN COUNTY
Commissioners' Proceeding for July 25, 2005

COUNTY ADMINISTRATOR (continuing)

TRAC

Mr. Bowen listed some capital improvement items that are needed at TRAC with approximate costs: Neon sign that says "TRAC" on the outside of the arena costing \$10,000. Rock picker costing \$10,000. Storage units. He said the .08 money has been used for TRAC bonds so it can be used to purchase items at TRAC. Mr. Bowen asked if the Board would consider using some of the .08 economic development money to take care of the needs at TRAC. There is about \$109,000 available that is uncommitted for the bond payments. Bond attorney Jeff Nave is being consulted. He said the needs at TRAC have not been kept up with. If you want to even consider at this point using that money to make TRAC as whole as you can do with this money, this would be a resource that is available. Mrs. Corkrum asked are those funds available for that purpose? Mr. Bowen thinks they are available for capital improvements because they are being used for bond payments. Mr. Koch asked what would the city's involvement be? Mr. Bowen said the county commissioners have control of the money but the city can have input into the decision. If this money is used, then the city wouldn't have to pay half of the cost of the purchases.

Mr. Koch asked if we put in \$100,000, is the city going to do anything at all? Mr. Bowen said the fund belongs to the cities also. Connell, Kahlotus and Mesa all got a chunk of the money.

PUBLIC WORKS

Engineer Tim Fife met with the Board.

CRP 574 – Glade North and Selph Landing Intersection

Mr. Fife said Wayne Woodward will have to move his office to allow the safety project to occur at Glade North and Selph Landing intersection. He asked for approval of the \$1330 cost.

Motion – Mr. Koch: I so move that we approve the request for Glade North and Selph Landing Intersection, CRP 574, for relocation assistance to Wayne Woodward. Second by Mrs. Corkrum. 3:0 vote in favor. (Exhibit 5)

COMMISSIONERS RECORD 46
FRANKLIN COUNTY
Commissioners' Proceeding for July 25, 2005

Corps of Engineers Lease No. W912EF-1-04-12 – Chiawana Park

The Board reviewed a draft letter to the Corps of Engineers as a formal request to extend the lease for Chiawana and Wade Parks until December 21, 2005. The county will not be involved in the other park areas in the county as of September 1, 2005.

Motion – Mrs. Corkrum: I move we send a letter to Richard Carlton, Director of Real Estate Division of Army Corps of Engineers, regarding Lease No. W912EF-1-04-12 regarding Chiawana and Wade Park. Second by Mr. Koch. 3:0 vote in favor.

(Exhibit 6)

Safety Program on two-lane roadways

There is a half million dollars available for safety programs on Franklin County roadways that are major and minor collectors with traffic counts of at least 250 vehicles a day. A list of eligible roads has been prepared. Mr. Fife said we are trying to determine the hazards we would like to take care of. One is a deep ditch with water on Columbia River Road. An updated intersections report is being prepared. The last time it was updated was in 1993. Mr. Fife anticipates recommending installation of more rumble strips.

Mr. Brock said the fog lines are very helpful.

Speed Limits

Mr. Brock would like to have every gravel road in the county be 35 miles per hour.

Proposed 2/10ths of 1% tax

The flyer says if the tax is passed, the county will pave approximately 30 miles of road. Mr. Bowen asked if the roads that will be paved are prioritized now. Mr. Fife said we are working on it but not completed yet. The Board said they are not concerned about having the exact roads that would be paved identified at this time.

Road 54 Boat Launch

The City of Pasco has agreed to our proposal to spend money on the Road 54 boat launch. The county had agreed to commit \$75,000 from the Paths and Trails Fund for the

COMMISSIONERS RECORD 46
FRANKLIN COUNTY
Commissioners' Proceeding for July 25, 2005

other development in the Road 54 area in the future. Mr. Fife asked for approval of a agreement with the City of Pasco to formalize the commitment.

Motion – Mrs. Corkrum: I move that we sign the letter to the City of Pasco regarding an agreement with Road 54 Boat launch. This is Resolution 2005-295. Second by Mr. Koch. 3:0 vote in favor. (Exhibit 7)

Recessed at 10:07 a.m.

Reconvened at 10:17 a.m.

ASSESSOR

Assessor Steve Marks met with the Board. Engineer Tim Fife and Planning Director Jerrod MacPherson were also present.

Current Use Assessment and Administration presentation

Mr. Marks gave a presentation about the Open Space Act (RCW 84.34) procedures in Franklin County and changes that are being made. Currently all Franklin County parcels in open space are in the "Farm and Agricultural Land" classification. There is another classification called "Farm and Ag Conservation" that is outside of the Assessor's Office jurisdiction. It is administered by county commissioners or if it is inside the city limits, it would be administered by a board. A document is being prepared to set up the Open Space Land classification process. Any parcel greater than one acre can qualify. If the parcel is under 20 acres, income requirements must be met.

Mr. Marks said there are currently 809,441 acres in Franklin County with 596,396 in open space (about 73.73% of the total). This figure translates to a 40.1% value reduction of property in the county. The valuation based on the current use of the property extends only to the land value, not improvements.

To qualify for the Farm and Ag Conservation classification, a public hearing would be required by the Planning Commission followed by action by the Board of Commissioners.

OTHER BUSINESS

.08 economic development funds

Auditor Zona Lenhart joined the audience.

COMMISSIONERS RECORD 46
FRANKLIN COUNTY
Commissioners' Proceeding for July 25, 2005

The Board asked Mr. Bowen to proceed to get more information about using the economic development funds for improvements at TRAC. Mr. Bowen said the cost estimate for all the items is \$70,000.

The Board would like to have a nicer bigger portable sign near Road 68. Mr. Bowen said permanent signs have to be located within 150' of the building.

The ice equipment maintenance cost is estimated to be \$20,000. The manifold alone is around \$5000. The Board had not heard of this need before.

Auditor

Ms. Lenhart asked the commissioners to visit her office to look at space issues. She gave an example: Elections will have 22,000 envelopes for the upcoming election, plus secrecy sleeves and other items. The process will have to be supervised.

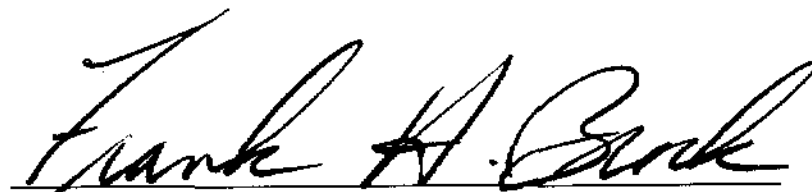
Mrs. Corkrum thinks people need to be able to register to vote at the courthouse. Ms. Lenhart said she has not decided yet where people would register to vote if her department has offices at both the Courthouse and the Courthouse Annex. However, anyone can register to vote by mail now.

Adjourned at 11:02 a.m.

COMMISSIONERS RECORD 46
FRANKLIN COUNTY
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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until July 27, 2005.

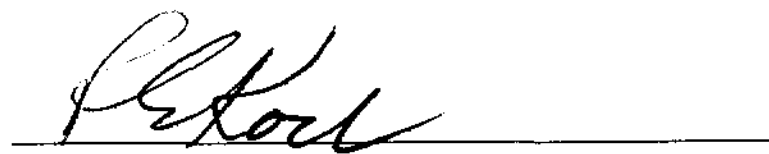
BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON



Chairman



Chairman Pro Tem



Member

Attest:



Clerk to the Board

Approved and signed August 8, 2005.

FRANKLIN COUNTY
RESOLUTION NO. 2005 294

BEFORE THE BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY,
WASHINGTON

**RE: AGREEMENT FOR COUNTY MEDICAID ASSESSMENT SERVICES BETWEEN
THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES, DIVISION OF ALCOHOL
AND SUBSTANCE ABUSE, AND BENTON AND FRANKLIN COUNTIES'
DEPARTMENT OF HUMAN SERVICES, AGREEMENT #0563-78729 / 9172-0**

WHEREAS, pursuant to RCW 36.01.010 and RCW 36.32.120, the legislative authority of each county is authorized to enter into contracts on behalf of the County and have the care of County property and management of County funds and business; and

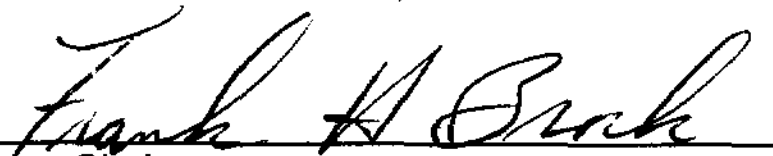
WHEREAS, the Board of Franklin County Commissioners constitutes the legislative authority of Franklin County and desires to enter into the attached agreement as being in the best interest of Franklin County;

NOW THEREFORE, BE IT RESOLVED that the attached agreement between Benton-Franklin Counties Department of Human Services and the Department of Social and Health Services, Division of Alcohol and Substance Abuse, is hereby approved by the Board.


BE IT FURTHER RESOLVED that the Chairman of the Board of Franklin County Commissioners is hereby authorized to sign said agreement.

APPROVED this 25th day of JULY, 2005.

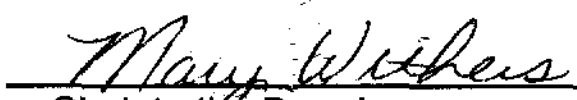
BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON


Chair


Pro Tem Chair


Member




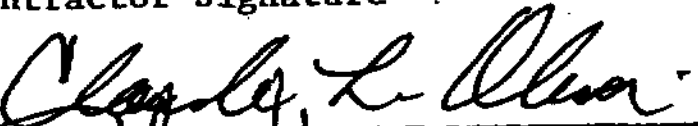
Attest:


Clerk to the Board

Originals: Auditor's Office
Department of Human Services
Minutes

cc: Resolution Notebook
Prosecuting Attorney's Office

COPY

		COUNTY PROGRAM AGREEMENT County Medicaid Provider Agreement		DSHS Contract Number: 0563-78729 Resulting From Solicitation Number: RECEIVED	
This Program Agreement is by and between the State of Washington Department of Social and Health Services (DSHS) and the County identified below, and is issued in conjunction with a County and DSHS Agreement on General Terms and conditions, which is incorporated by reference.				Program Contract Number: AUG 15 2005 9172-0 Contractor Contract Number: DASA/OFS	
CONTRACTOR NAME Benton County			CONTRACTOR doing business as (DBA) Benton & Franklin Counties Dept of Human Services		
CONTRACTOR ADDRESS 7207 W Deschutes Ave. Kennewick WA 99336-7777			WASHINGTON UNIFORM BUSINESS IDENTIFIER (UBI) 035-000-971		DSHS INDEX NUMBER 1122
CONTRACTOR CONTACT Dave Hopper		CONTRACTOR TELEPHONE (509) 783-5284 Ext:		CONTRACTOR FAX (509) 783-5981	
CONTRACTOR E-MAIL ADDRESS dave@bfdhs.org		DSHS ADMINISTRATION Health and Rehabilitative Services Administration		DSHS DIVISION Division of Alcohol and Substance Abuse	
DSHS CONTACT NAME AND TITLE Ella Hanks Region 2 Administrator		DSHS CONTACT ADDRESS 1002 North 16th, Third Floor Yakima WA 98909		DSHS CONTRACT CODE 4046CS	
DSHS CONTACT TELEPHONE (509) 225-6196 Ext:		DSHS CONTACT FAX (509) 575-2903		DSHS CONTACT E-MAIL ADDRESS hanksem@dshs.wa.gov	
IS THE CONTRACTOR A SUBRECIPIENT FOR PURPOSES OF THIS CONTRACT? Yes				CFDA NUMBER(S) 93.778	
CONTRACT START DATE 07/01/2005		CONTRACT END DATE 06/30/2007		CONTRACT MAXIMUM AMOUNT \$0.00	
EXHIBITS. The following Exhibits are attached and are incorporated into this Contract by reference: <input checked="" type="checkbox"/> Exhibits (specify): Exhibit A – Additional Billing Limitations; Exhibit B – Outpatient Reimbursement Schedule; Exhibit C – Detoxification Services Reimbursement Schedule. (No Exhibit C if just Treatment) <input type="checkbox"/> No Exhibits.					
The terms and conditions of this Contract are an integration and representation of the final, entire and exclusive understanding between the parties superseding and merging all previous agreements, writings, and communications, oral or otherwise, regarding the subject matter of this Contract. The parties signing below represent that they have read and understand this Contract, and have the authority to execute this Contract. This Contract shall be binding on DSHS only upon signature by DSHS.					
CONTRACTOR SIGNATURE 		PRINTED NAME AND TITLE Frank Brock, Chair, FC Commissioners		DATE SIGNED 7/25/05	
DSHS SIGNATURE 		PRINTED NAME AND TITLE Sheryl Turner, Contracts Administrator Division of Alcohol and Substance Abuse		DATE SIGNED 8/15/05	
Contractor Signature 		Printed Name and Title Claude Oliver, Chair, BC Commissioners		Date Signed 8-8-05	

Approved as to form:

Benton Co. Prosecutor's Office


 Franklin Co. Prosecutor's Office

complete document filed with Auditor

FRANKLIN COUNTY ACTION SUMMARY COVER SHEET

AGENDA ITEM	TYPE OF ACTION NEEDED	
DSHS Contract #0563-78729 DASA #9172-0	<input checked="" type="checkbox"/> Execute Contract	<input checked="" type="checkbox"/> Consent Agenda
	<input checked="" type="checkbox"/> Pass Resolution	<input type="checkbox"/> Public Hearing
Prepared By: Diana Ransom	<input type="checkbox"/> Pass Ordinance	<input type="checkbox"/> 1 st Discussion
	<input type="checkbox"/> Pass Motion	<input type="checkbox"/> 2 nd discussion
	<input type="checkbox"/> Other	<input type="checkbox"/> Other

BACKGROUND INFORMATION

The Counties' Substance Abuse Assessment Center performs chemical dependency assessments for Medicaid (Title XIX) individuals. This agreement between the Counties and the Department of Social and Health Services, Division of Alcohol and Substance Abuse allows for assessments provided to Medicaid individuals to be billed to the State.

SUMMARY

Award: Fee for Services provided.

Period: July 1, 2005 through June 30, 2007.

Funding Source: DSHS Division of Alcohol and Substance Abuse

RECOMMENDATION

- ☒ Sign the resolution to accept the proposed agreement.
- ☒ Approve the proposed agreement by signing all the copies where indicated.

FISCAL IMPACT

Funding for the services described in this Agreement is provided by the DSHS Division of Alcohol and Substance Abuse. **There is no impact on the current expense budget.** All revenues and expenditures are from the Fund 0108-101 Human Services Budget.

MOTION

To approve signing the County Medicaid Provider Agreement #05663-78729 (DASA #9172-0) with the Division of Social and Health Services, and to authorize the Chair to sign on behalf of the Board.

July 25, 2005

Neva J. Corkrum
District 1

Robert E. Koch
District 2

Frank H. Brock
District 3



Fred H. Bowen
County Administrator

Tiffany Coffland
Human Resources Director

Patricia Shults
Executive Secretary

Board of County Commissioners
FRANKLIN COUNTY

July 25, 2005

Mr. Jack Watson
Washington State University
Benton County Extension Office
1121 Dudley Avenue
Prosser, WA 99350

Dear Jack:

Please accept our deepest gratitude for the 23 years of dedicated service you have given to Franklin County. Your excellent work has not gone unnoticed. You will be greatly missed!

Enclosed please find a certificate of appreciation as a token of our gratitude. Congratulations on your retirement and may you embrace the new challenges ahead.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Frank H. Brock, Chairman

Neva J. Corkrum, Chairman Pro Tem

Robert E. Koch, Member

Enclosure

CERTIFICATE OF APPRECIATION

awarded to:

JACK WATSON

FOR 23 YEARS OF DEDICATED SERVICE TO THE
FRANKLIN COUNTY HORTICULTURAL
PEST AND DISEASE CONTROL BOARD
MARCH 1982 THROUGH JULY 2005

presented by

THE BOARD OF FRANKLIN COUNTY COMMISSIONERS

July 25, 2005

July 25, 2005

July 25, 2005

Frank H. Beach, Chairman

Neva U. Carls, Chairman Pro Tem

Robert E. Koch, Member

CERTIFICATE OF APPRECIATION

awarded to:

ELMER SCHUMAN

FOR 6.5 YEARS OF
DEDICATED SERVICE TO
FRANKLIN COUNTY
JANUARY 4, 1999 THROUGH JULY 29, 2005

presented by

THE BOARD OF FRANKLIN COUNTY COMMISSIONERS

July 23, 2005

July 23, 2005

July 23, 2005

Frank H. Brock, Chairman

Nancy J. Carls, Chairman Pro-Tem

Robert E. Koch, Member



July 25, 2005

Neva J. Corkrum
District 1

Robert E. Koch
District 2

Frank H. Brock
District 3

Fred H. Bowen
County Administrator

Tiffany Coffland
Human Resources Director

Patricia Shults
Executive Secretary

Board of County Commissioners
FRANKLIN COUNTY

July 25, 2005

Ms. Christina Nash
460 N. Arthur, Apt. B-101
Kennewick, WA 99336

Re: Hearing Request Letter

Dear Ms. Nash:

The Board of Franklin County Commissioners (Board) received your letter "requesting a hearing pursuant to RCW 42.41.040[(4)]" on July 22, 2005, in relation to your one (1) letter alleging improper governmental actions, retaliatory action, and claims for relief or damages.

As previously detailed to you in the Board's July 11, 2005 letter, you allege that "[o]n 2/18/2005, 4/25/2005, 4/27/2005, 5/2/2005, and numerous times throughout 2005" three (3) separate Trade Recreation Agricultural Center (TRAC) employees "informed" others about "a number of improper governmental actions."

RCW 42.41.030(1) provides in part that "[e]very local government employee has the right to report...an alleged improper governmental action." Further, Franklin County Resolution 93-207 (Franklin County Whistleblower Policy) provides in part that "Franklin County employees who become aware of improper governmental actions should raise the issue..." The language of RCW 42.41.030(1) and Franklin County Whistleblower Policy indicates that the employee must report the improper governmental action. The June 10, 2005 letter specifically states three (3) separate TRAC employees, other than yourself, "informed" others about "a number of improper governmental actions." As a result, this letter indicates that you individually, as the employee, did not report the alleged improper governmental action as required by RCW 42.41.030(1) and Franklin County Whistleblower Policy, but rather it was reported by other TRAC employees.

Due to the fact that you individually, as the employee, failed to report alleged improper governmental action, Chapter 42.41 RCW and Franklin County Whistleblower Policy provide no authority or basis for you to allege an improper governmental action on behalf of another individual without actually reporting it yourself. Franklin County Whistleblower Policy, in conjunction with RCW 42.41.010, provides in part that "[i]t is the policy of Franklin County to (1) encourage reporting by its employees of improper governmental action." As a result, since the June 10, 2005 letter evidences that you did not report improper governmental action, you are not entitled to the benefits or protections of Chapter 42.41 RCW or Franklin County Whistleblower Policy.

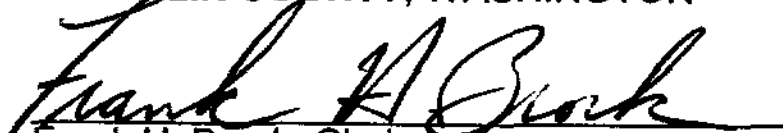
RE: Hearing Request Letter - Ms. Christina Nash
July 25, 2005
Page 2 of 2

It should be recognized your lack of entitlement to the benefits and protections of Chapter 42.41 RCW and Franklin County Whistleblower Policy extends to any and all basis by which you allege "retaliatory action" or make claim for relief or damages. Franklin County Whistleblower Policy, in conjunction with RCW 42.41.040(1), provides in part that:

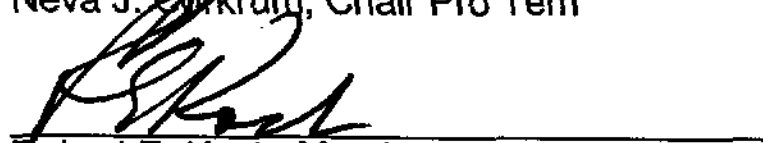
Franklin County officials and employees are prohibited from taking retaliatory action against a Franklin County employee because he or she has in good faith reported an improper governmental action in accordance with these policies and procedures."

This policy language indicates that in order for you to have a basis to allege "retaliatory action" or make claim for relief or damages based upon alleged retaliatory action, you must have actually reported an improper governmental action. The June 10, 2005 letter evidences that you did not make such a report. As a result, there is no basis for you to allege retaliatory action or to make claim for relief, including relief in the form of a hearing pursuant to RCW 42.41.040.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON


Frank H. Brock, Chair


Neva J. Corkrum, Chair Pro Tem


Robert E. Koch, Member

pc: Steve M. Lowe, Franklin County Prosecuting Attorney
Fred Bowen, Franklin County Administrator
Tiffany Coffland, Human Resources Director
Ryan Verhulp, Chief Civil Deputy Prosecuting Attorney

July 25, 2005

Neva J. Corkrum
District 1

Robert E. Koch
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County Administrator

Tiffany Coffland
Human Resources Director

Patricia Shults
Executive Secretary

Board of County Commissioners
FRANKLIN COUNTY

July 25, 2005

Mr. Merle (Rich) Nash
8208 Camano Drive
Pasco, WA 99301

RE: Hearing Request Letter

Dear Mr. Nash:

The Board of Franklin County Commissioners (Board) received your letter "requesting a hearing pursuant to RCW 42.41.040[(4)]" on July 19, 2005, in relation to your one (1) letter alleging improper governmental actions, retaliatory action, and claims for relief or damages.

As previously detailed to you in the Board's July 11, 2005 letter, you allege that "[o]n 2/18/2005, 4/25/2005, 4/27/2005, 5/2/2005, 5/11/2005, and numerous times throughout 2005" three (3) separate Trade Recreation Agricultural Center (TRAC) employees "informed" others about "a number of improper governmental actions."

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Due to the fact that you individually, as the employee, failed to report alleged improper governmental action, Chapter 42.41 RCW and Franklin County Whistleblower Policy provide no authority or basis for you to allege an improper governmental action on behalf of another individual without actually reporting it yourself. Franklin County Whistleblower Policy, in conjunction with RCW 42.41.010, provides in part that "[i]t is the policy of Franklin County to (1) encourage reporting by its employees of improper governmental action." As a result, since the June 10, 2005 letter evidences that you did not report improper governmental action, you are not entitled to the benefits or protections of Chapter 42.41 RCW or Franklin County Whistleblower Policy.

It should be recognized your lack of entitlement to the benefits and protections of Chapter 42.41 RCW and Franklin County Whistleblower Policy extends to any and all basis by which you allege "retaliatory action" or make claim for relief or damages. Franklin County Whistleblower Policy, in conjunction with RCW 42.41.040(1), provides in part that:

RE: Hearing Request Letter - Mr. Nash
July 25, 2005
Page 2 of 2

"Franklin County officials and employees are prohibited from taking retaliatory action against a Franklin County employee because he or she has in good faith reported an improper governmental action in accordance with these policies and procedures."

This policy language indicates that in order for you to have a basis to allege "retaliatory action" or make claim for relief or damages based upon alleged retaliatory action, you must have actually reported an improper governmental action. The June 10, 2005 letter evidences that you did not make such a report. As a result, there is no basis for you to allege retaliatory action or to make claim for relief, including relief in the form of a hearing pursuant to RCW 42.41.040.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON


Frank H. Brock, Chair


Neva J. Corkrum, Chair Pro Tem


Robert E. Koch, Member

pc: Steve M. Lowe, Franklin County Prosecuting Attorney
Fred Bowen, Franklin County Administrator
Tiffany Coffland, Human Resources Director
Ryan Verhulp, Chief Civil Deputy Prosecuting Attorney

July 25, 2005

Neva J. Corkrum
District 1

Robert E. Koch
District 2

Frank H. Brock
District 3

Fred H. Bowen
County Administrator

Tiffany Coffland
Human Resources Director

Patricia Shults
Executive Secretary

Board of County Commissioners
FRANKLIN COUNTY

July 25, 2005

Ms. Nancy Nash
8208 Camano Drive
Pasco, WA 99301

RE: Hearing Request Letter

Dear Ms. Nash:

The Board of Franklin County Commissioners (Board) received your letter "requesting a hearing pursuant to RCW 42.41.040(4)" on July 19, 2005, in relation to your three (3) letters alleging improper governmental actions, retaliatory action, and claims for relief or damages.

Chapter 42.41.040(2) RCW provides in part that "[i]n order to seek relief under this chapter, a local government employee shall provide a written notice of the charge of retaliatory action to the governing body of the local government..." As previously detailed to you in the Board's July 11, 2005 letter, RCW 42.41.040(3) in conjunction with Franklin County Whistleblower Policy (Resolution 93-207), requires that "[t]he charge shall be delivered to the local government no later than thirty [30] days after the occurrence of the alleged retaliatory action." All three (3) of your letters allege "retaliatory action" was taken against you on either May 1 or 11, 2005. Further, all three (3) of your letters were provided and received by the Board on June 13, 2005. Therefore, at minimum thirty-two (32) days elapsed between your claims that "retaliatory action" was taken against you and your actual providing of such claims to the Board. As a result, your claims of "retaliatory action" in all three (3) letters were not timely made within the thirty (30) day requirement. Subsequently, your failure to timely provide written notice of "retaliatory action" within thirty (30) days as required is in violation of the aforementioned law and policy hereby negating your basis for relief, including relief in the form of a hearing pursuant to RCW 42.41.040.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON


Frank H. Brock, Chair


Neva J. Corkrum, Chair Pro Tem


Robert E. Koch, Member

pc: Steve M. Lowe, Franklin County Prosecuting Attorney
Fred Bowen, Franklin County Administrator
Tiffany Coffland, Human Resources Director
Ryan Verhulp, Chief Civil Deputy Prosecuting Attorney



FRANKLIN COUNTY

PUBLIC WORKS DEPARTMENT

Tim Fife, P.E., Public Works Director/County Engineer
 Guy F. Walters, Assistant Public Works Director

DATE: July 25, 2005
 TF-05-073

TO: Board of County Commissioners
 Franklin County, Washington

FROM: Tim Fife, P.E.
 Public Works Director/County Engineer

SUBJECT: Glade North & Selph Landing Intersection (CRP 574)

Consider this our formal request for your concurrence and authorization to offer "Relocation Assistance" to the following individual(s):

<u>Parcel No.</u>	<u>Name</u>	<u>2 movers 32 hrs @ \$30.00 per hr</u>	<u>16 hrs. forklift rental</u>
574-01	Wayne Woodward (et al) #124-240-188	\$960.00	\$370.00


Total \$1,330.00

Dated this 25 day of July, 2005.

Recommended:


 Tim Fife, P.E.
 Public Works Director/County Engineer

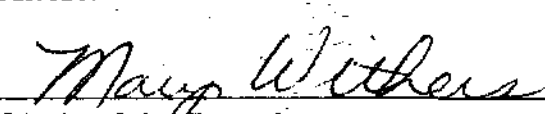
Approved:


 Frank H. Brock, Chair


 Neva J. Corlum, Chair Pro Tem


 Robert E. Koch, Member

Attest:


 Clerk of the Board

July 25, 2005

Neva J. Corkrum
District 1

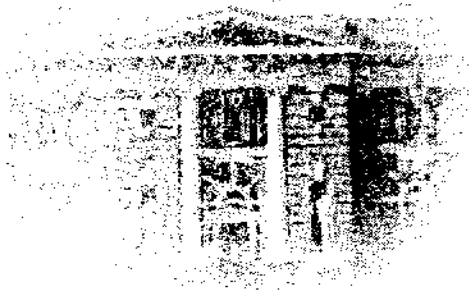
Robert E. Koch
District 2

Frank H. Brock
District 3

Fred H. Bowen
County Administrator

Tiffany Coffland
Human Resources Director

Patricia Shults
Executive Secretary



Board of County Commissioners
FRANKLIN COUNTY

July 25, 2005

Richard Carlton, Director
Real Estate Division
Walla Walla District
U.S. Army Corps of Engineers
Walla Walla, WA 99362-6265

Lease No. W912EF-1-04-12
Extension of Lease - Chiawana & Wade Park

Dear Mr. Carlton:

We recently signed a cost sharing agreement with the City of Pasco to keep Chiawana Park open and continue to operate the park through December 31, 2005.

Our letter dated September 1, 2004 gave you formal notice of our intent to relinquish Lease No. W912EF-1-04-12 effective September 1, 2005. Chiawana Park and Wade Park are a portion of said lease.

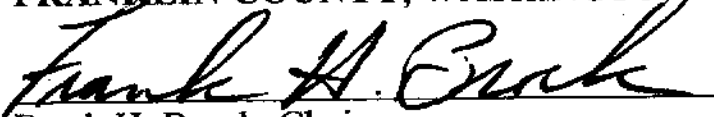
Therefore, please consider this our formal request to extend the lease for Chiawana and Wade Park. Those specific areas are defined on the attached sheets.

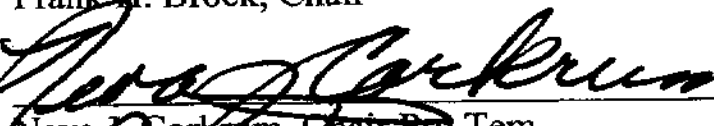
We look forward to hearing from you in regards to this issue.


Please feel free to contact Tim Fife, 3416 Stearman Avenue, Pasco, WA 99301, (509) 545-3514 should you have any questions.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON


Frank H. Brock, Chair


Neva J. Corkrum, Chair Pro Tem


Robert E. Koch, Member

cc: Tim Fife
File/LB

FRANKLIN COUNTY RESOLUTION NO. 2005-295

BEFORE THE BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY,
WASHINGTON

**RE: AGREEMENT REGRADING PATHS AND TRAILS FUNDS BETWEEN
FRANKLIN COUNTY AND CITY OF PASCO**

WHEREAS, pursuant to RCW 36.01.010 and RCW 36.32.120 the legislative authority of each county is authorized to enter into contracts on behalf of the county and have the care of county property and management of county funds and business; and

WHEREAS, the Board of Franklin County Commissioners constitutes the legislative authority of Franklin County and desires to enter into the attached agreement as being in the best interest of Franklin County.

NOW, THEREFORE, BE IT RESOLVED that the attached agreement between Franklin County and City of Pasco is hereby approved by the Board.

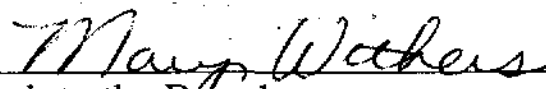
APPROVED this 25th day of July, 2005.

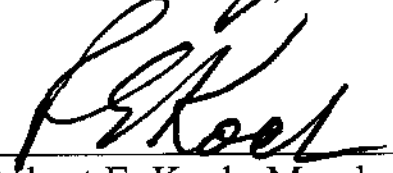
BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON


Frank H. Brock, Chairman


Neva J. Corkrum, Member

Attest:


Clerk to the Board


Robert E. Koch, Member

July 25, 2005



CITY MANAGER

(509) 545-3404 / Scan 726-3404 / Fax (509) 545-3403

P.O. Box 293 (525 North 3rd Avenue) Pasco, Washington 99301

July 20, 2005

Franklin County Commissioners
1016 N. 4th
Pasco WA 99301

RE: Road 54 Boat Launch

Dear Commissioners:

The Pasco City Council has considered the County's request that the City share the local match commitment for the County's IAC Road 54 Boat Launch grant application. The City appreciates the County's leadership in this project and the partnership that has resulted in well-used improvements along the rivershore.

The City will commit to funding one-half of the local match for the grant (up to \$75,000) if Franklin County will commit \$75,000 from its Paths and Trails fund for the balance of the development of the Road 54 area per the County's master plan (i.e. restroom, additional parking, picnic area). In view of the County's source of funding, the project would include at least \$75,000 in expenditures related to Bike Path/Trail construction or modification.

The County's commitment would be further conditioned to expire, if not exercised by the City, on July 1, 2015; that the City would not request funding for at least three years from the date of this agreement; and that the City would give the County one year notice prior to formally requesting such payment (thus allowing the payment to be budgeted).

The City appreciates the opportunity to work cooperatively on this project and believes that this proposed agreement for cost sharing will allow us to maximize our efforts to serve the citizens of the greater Pasco urban area. If this proposal is acceptable, please sign below indicating the County's agreement to this proposal.

Sincerely,


Gary Crutchfield
City Manager

GC/SS/tlz

Franklin County Commissioners:


Frank Brock, Chair Neva Corkrum Robert Koch