

COMMISSIONERS RECORD 47
FRANKLIN COUNTY
Commissioners' Proceeding for June 27, 2006

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

WORKSHOP SESSION

Note: The Board met in workshop session on Monday, June 26, 2006, regarding the Hay Group classification study.

BI-COUNTY MEETING WITH BENTON COUNTY COMMISSIONERS

Meeting convened at 8:04 a.m.

Benton County Commissioners Max Benitz, Claude Oliver and Leo Bowman represented Benton County. Present in audience: Franklin County Administrator Fred Bowen, Franklin County Chief Civil Deputy Prosecutor Ryan Verhulp, Franklin County Human Resources Director Rosie Rumsey, Benton County Director of Administrative Services David Sparks, Benton County Deputy Prosecutor Sarah Villanueva, Benton County Human Resources Director Melina Wenner, and Tri-City Herald Reporter Melissa Hoyos.

Executive Session at 8:04 a.m. to review the performance of a public employee – RCW 42.30.110(1)(g) expected to last approximately one hour.

Open Session at 9:04 a.m.

Executive Session continued at 9:04 a.m. expected to last 15 minutes.

Recessed at 9:04 a.m.

Reconvened at 9:15 a.m.

Executive Session at 9:16 a.m. expected to last 15 minutes.

Open Session at 9:31 a.m.

Sharon Paradis, Shannon Jones and Terry Tanneberg joined the audience.

Mrs. Corkrum said no decisions have been made.

Mr. Benitz said he would recommend that two commissioners be the representatives to meet with Human Services Director Dave Hopper to get some clarity on some issues, then come back to the board. Benton County's representative will be

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Commissioner Claude Oliver. Franklin County's representative will be Commissioner Frank Brock.

JUVENILE JUSTICE CENTER (JJC)

JJC Director Sharon Paradis met with the Board. Present in audience: Dave Sparks, Ryan Verhulp, Sarah Villanueva, Melina Wenner, Fred Bowen and Rosie H. Rumsey. Melissa Hoyos was in the room briefly.

Ms. Paradis reviewed the cost comparisons for food service at the JJC between the current service and proposed service. (Exhibit 1)

The ARAMARK bid was the lowest but had also incorporated a Meals on Wheels portion. It has since been determined that the county cannot participate in the Meals on Wheels portion. The new ARAMARK bid is a \$38,000 cost plus a one-time cost of \$18,000 for equipment that ARAMARK would require.

The Board members reviewed a handout showing the six-month cost and yearly cost and the 2007 cost to the counties. Ms. Paradis reviewed with the Board a list of risk factors and concerns that caused the JJC to consider changing the food service which is currently provided by CFM. The Office of Superintendent of Public Instruction (OSPI) reimburses the JJC approximately \$60,000 yearly for meals that meet standards.

The proposed ARAMARK contract would bring ARAMARK staff into the JJC to cook the meals.

Mr. Bowman said he is hearing there is some liability risk under the current conditions and for \$38,000 we can eliminate the risk for the transportation of food. Ms. Paradis said yes.

Ms. Paradis said another concern is that OSPI told us they had some concerns with CFM in a few other places in the state. ARAMARK is one of OSPI's preferred provider. There is some risk of losing the reimbursement by continuing to use CFM. Mr. Brock said the main concern relates to temperature control on the food.

Mr. Bowman asked have we given consideration to continuing the same basic operation we have but reheating the food? Ms. Paradis said we can talk with CFM and the Health Department to determine if that makes sense but it is really the time of

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preparation to delivery of the food and making sure it stays in the appropriate temperature range within the appropriate time period.

Ms. Paradis recommended approval of the ARAMARK bid. It is the least costly of the bids. It reduces the risk of losing the OSPI reimbursement and eliminates the problems with transportation of food.

Mr. Bowman asked Mr. Sparks if Benton County has a depreciation fund that the \$18,000 can be taken from. Mr. Sparks said no.

Mr. Benitz said as of June 18 the Board is aware that we have a contract with CFM to provide services at the JJC. He understands there are concerns about food safety. Our Health Department does a pretty good job of making sure none of us get sick. As we have reviewed it, we want to compare the contract and we have asked that it be included in the 2007 budget process so that we can totally understand the dynamics because there is an \$18,000 bill but also utilities and garbage. We're not opposed to ensuring that we have good, safe food at the JJC. That's not the point. If there is an issue that needs to be corrected, I think if we work with our current provider to address these issues, then I think we need to make a re-evaluation because the terms of the contract have been violated. I think we need to look at the cost savings that need to be addressed in the 2007 budget.

Mrs. Corkrum asked when the contract expires. Ms. Paradis said at the end of the year. There is an out clause to get out of the contract with 30 days' notice.

Mrs. Corkrum said the six points of concern from the OSPI audit are a concern to her for liability. CFM is not a preferred provider in other institutions for OSPI. We're dealing with children, which makes the rules a little more stringent. She has a concern by staying with the current provider.

Mr. Brock said he agrees. He said the six points are real serious issues that OSPI is concerned about.

Mrs. Corkrum said not meeting nutrition standards is a concern.

Mr. Koch asked what did CFM indicate when they were told of these shortcomings? Ms. Paradis said they will do what they can to work with us. They did

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modify menus to try to meet the OSPI recommendations. She thinks another on-site review will be needed by a nutrition specialist next year to determine if they have actually done so. We believe on paper they have done so. Mrs. Corkrum said maybe CFM can be put on notice and then if they don't meet that expectation, that is probably the right way to go, and then not renew the contract in January.

Mr. Oliver reviewed some budget figures. He said we need to find out if the food services are that substandard for the Benton County Jail. In response to Mr. Oliver's question, Ms. Paradis said the OSPI audit was very specific regarding transportation of food. In addition, nutritional value is specific to reimbursement by OSPI. The subcontract with CFM says you will meet OSPI's nutritional contract. She does not believe the jail contract has those specifications.

Mr. Oliver asked what the costs would be at year end if we wait to make the change. Ms. Paradis said she thinks we're holding onto the risk. She would be remiss in her responsibilities to the Boards if she did not let them know. Sarah Villanueva said the contract requires 60-day notice.

Mr. Bowman said food-borne illnesses and the loss of reimbursement are the risks. Mr. Bowman feels three of the issues are easily handled. There is a transportation issue. There is a risk of loss of reimbursement. How real is that for the rest of the six months? Ms. Paradis said she doesn't believe it's high risk. She said there is a cost and OSPI will probably be more critical of us in terms of potential cost knowing that we have had a history. Mr. Bowman said "and an awareness."

Mr. Bowman said he thinks the \$37,000 cost is not worth the risk. He said, "I don't want to be on record of taking that risk with kids." Mrs. Corkrum said that was our Board's concern. We wanted to bring this up with the two boards to clarify the issue. Mr. Brock said the issue of the total liability is also important. Mr. Oliver concurs with Mr. Bowman. If our administrator wants to make a move, we need to expedite the process and move forward.

Motion - Mr. Bowman moved that Benton County instruct staff in conjunction with Franklin County to move forward with the ARAMARK bid and give notice of

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cancellation of contract with CFM, to move forward within 60 days. Second by Mr. Oliver. 3:0 vote in favor.

Motion - Mr. Brock: Madam Chairman, I would like to make the same motion as our Honorable Commissioner from Benton County. Second by Mr. Koch. 3:0 vote in favor.
Schedule

The Chairmen will discuss the setting of a future bi-county meeting.

Recessed at 9:55 a.m.

The Franklin County Board of Commissioners reconvened at 2:00 p.m. at TRAC, continuing their Franklin County Board meeting.

Reconvened at 2:00 p.m. at TRAC

SALE OF COUNTY-OWNED PROPERTY

Western Real Estate Auction conducted a multi-parcel real estate auction. Merle Booker was the auctioneer.

Merle Booker introduced some of the people who were present. He reviewed some of the terms and conditions of the auction including: The property is sold as-is, where-is, without warranty and with contingencies. We are selling a legal description, not acres and not square feet. The legal descriptions are very specific, having had a survey by a legal surveyor. The property is legally described by lot number and site plan. A 10% buyer's premium will be added to the price. Earnest money is 10% of the purchase price. The \$25,000 cashier's check will be applied to that percentage. Buyers must be prepared to issue a check to Cascade Title Company to complete the full 10% that is required. All purchase offers are subject to the seller's acceptance. The seller is willing to consider purchase offers on portions of the entire acreage or the entirety. Selling terms are cash at closing on or before July 27, 2006, by Cascade Title Company in Kennewick.

This auction will be conducted by multi-par real estate auction method whereby bids will be accepted on individual tracts, combination of tracts or the entire six tracts. Bidding remains open at all times on all tracts to any of the registered bidders until the auctioneer closes the bidding. The auction reserves the right to bid on behalf of the seller

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and/or pre-qualified absentee bidders. The auction reserves the right to call a recess or restart the bidding. Bid increments are solely at the auctioneer's discretion.

Merle Booker announced there are some bidders on the phone.

The auction commenced at 2:19 p.m. Bids were taken on tracts 1, 2, 3, 4, 5 and 6 individually. Tract 1: \$700,000, bidder 359. Tract 2: \$275,000, bidder 335. Tract 3: \$425,000, bidder 339. Tract 4: \$275,000, bidder 360. Tract 5: \$150,000, bidder 340. Tract 6: \$260,000, bidder 339.

Merle Booker announced if you want to buy a combination or put the whole thing together, you can do so now. The bidding continued on combinations and individual parcels.

Auction recessed at 2:51 p.m.

Executive Session at 2:51 p.m. to consider the minimum price at which real estate will be offered for sale or lease according to RCW 42.30.110(c). Present: Commissioners Corkrum, Koch and Brock; County Administrator Fred Bowen; Treasurer Tiffany Coffland; Chief Civil Deputy Prosecutor Ryan Verhulp; Western Real Estate Company representatives Merle Booker, Ted Potter and John Byers; and Clerk to the Board Mary Withers.

Merle Booker, Ted Potter and John Byers left the meeting at 3:03 p.m.

Executive Session continued at 3:03 p.m.

Merle Booker, Ted Potter and John Byers returned to the Executive Session.

Open Session at 3:05 p.m.

Auction continued.

Merle Booker announced an absolute sale.

The final bids were completed. The tracts were sold as follows:

Tract 1

Parcel # 117-490-107 was purchased by WAM Enterprises, Inc., and/or Assigns, bid price \$715,000. (Also known as Lot 1.)

Tract 2

Parcel #117-490-108 was purchased by Kelvin Properties, LLC, or Assigns, bid price \$410,000. (Also known as Lot 2.)

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Tract 3

Parcel #117-490-109 was purchased by Mohinder Sohal and Guudiesh Sohal, bid price \$425,000. (Also known as Lot 3.)

Tract 4

Parcel #117-490-110 was purchased by CMV Holdings, LLC, and/or Assigns, bid price \$355,000. (Also known as Lot 4.)

Tracts 5 and 6

Parcel #117-490-074 and Parcel #117-490-075 were purchased by Ronald E. and Tracey L. Asmus. Lot 5 bid price was \$265,000. Lot 6 bid price was \$355,000. (Also known as Lots 1 and 2.)

Adjourned at 4:40 p.m.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until June 28, 2006.

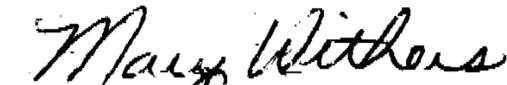
BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON


Chairman


Chairman Pro Tem


Member

Attest:


Clerk to the Board

Approved and signed July 12, 2006.

BALANCE OF 2006 (6 months)			
	Benton County	Franklin County	Total
Current Situation - CFM	\$56,320	\$21,042	\$77,362
ARAMARK	\$70,131	\$26,203	\$96,334
6 Month Difference	\$13,811	\$5,160	\$18,972
Equipment - Steam kettle	\$12,960	\$5,040	\$18,000
6 Month Increase	\$26,771	\$10,200	\$36,972
2007 (12 months)			
Current Situation - CFM	\$112,639	\$42,085	\$154,724
ARAMARK	\$140,262	\$52,405	\$192,667
Yearly Increase	\$27,623	\$10,320	\$37,943

Current vs. RFP Comparison

Costs based on average of 51 meals per meal time

Process	Description	Average Per Meal Cost	Average Per Snack Cost	Average Total Annual Cost Including Utilities	Cost / Savings Compared to Original 2004 Process Amt	Cost / Savings Compared to Current CFM/Jail Process Amt
Original 2004 Process	3 full-time BFJJC Cooks	\$5.92	\$0.00	\$330,602		
Current Situation	CFM prepares and trays meals at BC jail and transports to BFJJC	\$2.64	\$0.41	\$154,724	\$175,878	53.20%
Less: ongoing expenses approved using kitchen savings:	Metal Detector Security Officer & Screener				-\$32,800	
	Metal Health Counselor - Detention				-\$61,403	
Revised Net Savings					\$81,675	24.70%
RFP - CFM	To prepare meals in BFJJC kitchen	\$4.01	\$1.15	\$250,513	\$80,089	24.23%
RFP - ARAMARK	To prepare meals in BFJJC kitchen	\$3.18	\$0.54	\$192,667	\$137,935	41.72%
One-time equipment purchase	50 gallon steam kettle			\$18,000		

\$12,000 per year currently paid to Benton County Jail for M&O can be budgeted for kitchen capital expenditures.

Concerns / potentially unsafe situations expressed by OSPI Audit:

- 1) "Potentially hazardous foods must be maintained above 140 degrees Fahrenheit and below 45 degrees Fahrenheit, which is a challenge when transporting food from the central kitchen to satellite kitchens."
 - 2) Considers situation a high risk for food borne illnesses.
 - 3) Possibility of inmates cooking food.
 - 4) Van which delivers the meals is parked right next to the garbage dumpster with no lid which could lead to cross contamination.
 - 5) Van used to haul meals and dirty trays is not sanitized between retrieving the dirty trays and delivering new trays.
 - 6) Some meals did not meet nutrient standards and 1030 meals were denied OSPI reimbursement totaling \$2,410.20 lost revenue.
- May risk losing OSPI reimbursement - yearly average of \$60,000