Commissioners' Proceeding for June 25, 2007

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Bob Koch, Chairman; Neva J. Corkrum, Chair Pro Tem; and Rick Miller, Member; Fred Bowen, County Administrator; and Mary Withers, Clerk to the Board. Bob Koch was absent at the beginning of the meeting to attend a Greater Columbia Behavioral Health meeting in Walla Walla, Washington.

OFFICE BUSINESS

Secretary Patricia Shults met with the Board. Superior Court Administrator Pat Austin was also present and answered the Board's questions about Consent Agenda item 1.

Consent Agenda

<u>Motion</u> - Mr. Miller: I move that we accept the consent agenda for June 25, 2007, as listed:

- 1. Approval of **joint Resolution 2007-294** in the matter of establishing a salary grade for the extended temporary part-time judicial law clerk in the Superior Court Administrator's Office. (Exhibit 1: Information sheet)
- 2. Approval of **joint Resolution 2007-295** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties Superior Court (civil defense), Juvenile Division, between the Juvenile Justice Center and Diana Anderson, thus amending Benton County Resolution 02-453 and Franklin County Resolution 2002-373, extending the termination date of the existing PSA from June 30, 2007, to July 31, 2007. (Exhibit 2: Information sheet)
- 3. Approval of **joint Resolution 2007-296** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties Superior Court (civil defense), Juvenile Division, between the Juvenile Justice Center and Darin R. Campbell, thus amending Benton County Resolution 05-557 and Franklin County Resolution 2005-342, extending the termination date of the existing PSA from June 30, 2007 to July 31, 2007. (Exhibit 3: Information sheet)
- 4. Approval of **joint Resolution 2007-297** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation of indigent

Commissioners' Proceeding for June 25, 2007

individuals in Benton and Franklin Counties Superior Court (civil defense), Juvenile Division, between the Juvenile Justice Center and Donna Patricia Mannion, thus amending Benton County Resolution 04-212 and Franklin County Resolution 2004-254A, extending the termination date of the existing PSA from June 30, 2007 to July 31, 2007. (Exhibit 4: Information sheet)

- 5. Approval of **joint Resolution 2007-298** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties Superior Court (civil defense), Juvenile Division, between the Juvenile Justice Center and Kathleen Moreno, thus amending Benton County Resolution 03-397 and Franklin County Resolution 2003-400, extending the termination date of the existing PSA from June 30, 2007 to July 31, 2007. (Exhibit 5: Information sheet)
- 6. Approval of **joint Resolution 2007-299** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties Superior Court (civil defense), Juvenile Division, between the Juvenile Justice Center and Jared D. Paulsen, thus amending Benton County Resolution 03-318 and Franklin County Resolution 2003-334, extending the termination date of the existing PSA from June 30, 2007 to July 31, 2007. (Exhibit 6: Information sheet)
- 7. Approval of **Resolution 2007-300** regarding alternate dates for the 2008 Franklin County budget hearings.
- 8. Approval to submit a letter to Washington State University, Office of Grants and Research Development, supporting the *Literacy and Educational Pathways for Latino Child Care Providers Program*, and authorizing the Chairman to sign upon his return. (Exhibit 7)
- 9. Approval to submit a letter to the Gates Foundation identifying Franklin County's intention to partner in the *Literacy and Educational Pathways for Latino Child Care Providers Program*, and authorizing the Chairman to sign upon his return. (Exhibit 8)
- 10. Approval of **Resolution 2007-301** for additional voluntary transfer of annual leave in the amount of 227 hours for Sonya Symons, pursuant to Resolution 2001-246.
- 11. Approval of *Voluntary Transfer of Annual Leave Request* as per Resolution 2001-246 for Sonya Symons (Corrections) for a total of 48 hours as follows:

Commissioners' Proceeding for June 25, 2007

- > Chad Redfield (Jail) to transfer 16 hours.
- > Sandra Schroeder (Corrections) to transfer 8 hours.
- > Patricia E. Klukkert (Corrections) to transfer 8 hours.
- > Lori Schmidt (Jail) to transfer 16 hours.

Second by Mrs. Corkrum. 2:0 vote in favor.

Vouchers/Warrants

Motion – Mr. Miller: I move for approval of the vouchers as listed in the amount of \$269,109.92: Current Expense warrants 57613 through 57676 for \$54,164.79; TRAC warrant 409 for \$823.08; DOC Building Inspection warrant 37 for \$30.00; Boating Safety warrant 398 for \$482.48; Jail Commissary warrants 2343 through 2346 for \$2,917.53; Franklin County Enhanced 911 warrants 1259 through 1260 for \$756.55; Law Library warrants 1032 through 1033 for \$801.84; Current Expense warrants 57677 through 57719 for \$36,293.65; Election Equipment warrants 419 through 424 for \$2,139.98; TRAC warrants 410 through 460 for \$52,134.61; Grand Old 4th warrants 140 through 147 for \$68,807.46; Franklin County Capital Projects Fund warrant 276 for \$9,220.02; Veteran's Assistance warrant 1349 for \$60.00; Franklin County RV Facility warrants 352 through 355 for \$18,406.78; and Current Expense warrants 57720 through 57755 for \$22,071.15; for a total of \$269,109.92. Second by Mrs. Corkrum. 2:0 vote in favor. (Exhibit 9) Final Approval: Short Plat SP 2007-09, Grant Morris

Motion – Mr. Miller: I move for approval of Resolution 2007-302, final approval of Short Plat 2007-09. Second by Mrs. Corkrum. 2:0 vote in favor.

PROSECUTOR

Chief Civil Deputy Prosecutor Ryan Verhulp met with the Board.

Expenditure of Funds: Auditor's Elections Remodeling Project

Mr. Verhulp answered the Board's questions about expenditures of grant funds for a remodeling project.

Facilities Director Christopher Giles joined the meeting.

Mr. Giles gave the Board a breakdown showing the budget of the actual anticipated costs for the remodel of the Elections area at the Courthouse Annex, as well

Commissioners' Proceeding for June 25, 2007

as a copy of the estimate prepared by an architect for Auditor Zona Lenhart (Exhibit 10). Mr. Giles does not think there is enough money to do the project. Mr. Giles said that Ms. Lenhart wants the work done by August 1 but realistically he does not think it can be done by that date. He does not think the work can be done while an election process is going on. He understands the auditor plans to meet with a contractor today. The contractor says he can get it done within six weeks but Mr. Giles does not think it is realistic.

Mrs. Corkrum asked where the contractor's fees would be paid from. Mr. Giles said the budget he prepared is the cost if the Facilities Department did the project. He believes the Auditor used the architect's estimate in the grant application. Mr. Giles said his figures include a \$25,000 contingency because of all the asbestos work that needed to be done during the Health Department remodel, as well as other unknowns. Mr. Giles said again that the time frame to do the work is also the other big concern. Mr. Bowen said the Facilities Department does not have time to do it.

Mr. Giles said if another company did the work, it will probably cost twice as much for the electrical labor. If the county employees do the work, it is included as part of a regular salary.

Mr. Bowen asked if any of the project has been bid. Mr. Giles said no.

Mr. Bowen asked are there any plans and specifications that were provided by the architect? Mr. Giles said yes, the auditor does have a final set, but already she would like to deviate from the electrical portion. We need a final set of plans, unless we start doing change orders. Change orders are very expensive. Mr. Giles said he understands the auditor would like to apply for a building permit.

Mr. Bowen said the Board has control of the Facilities Department. It was created to handle these types of projects. Mrs. Corkrum would imagine any shortfall would be paid from the Elections O&M fund. Mr. Giles said we did talk about some water damage repairs that were done in one of the garages. With this remodel, that would have to be demolished to make sure there was not mold damage. Mr. Giles said the auditor told him she was going to ask the Commissioners for some funding for that work.

Commissioners' Proceeding for June 25, 2007

Mr. Giles said looking at it as a contractor, the overhead wouldn't be actually figured into the construction costs. He said the auditor's estimate included spending \$27,000 for furniture, which would leave about \$59,000 to do the remodel for supplies and labor. He feels the auditor will be about \$77,000 short.

Mr. Bowen said we had a list of facilities projects that were planned but now this would be another added project. The projects already planned and/or finished include: security project (bids will be opened soon), Work Release remodel, remodeling old Health Department building, moving WSU Extension back to the courthouse area, and dealing with the portable buildings. When the Jail staff asked for the Work Release facility to be remodeled, they did not say it would require additional security work. That additional work ended up costing \$90,000. Mr. Bowen said we only have X amount of money. It's the Board's choice to do additional work, but for every dollar we spend here, you're taking away from other projects. Every little piece keeps eating away at the funds. We weren't planning on spending money on District Court furniture. There are only so many dollars and so many projects. He said maybe we need to re-prioritize the projects.

Mr. Verhulp said it sounds like the Board needs to have Auditor Zona Lenhart educate you further on the grant. It sounds like we don't have enough background on the terms of her grant.

The architect's estimate includes architectural/engineering fees of \$7195.

Mr. Giles said every time the auditor adds additional work or makes changes, there will be an additional charge.

Chairman Bob Koch joined the meeting at 10:00 a.m.

The Board discussed the formal process that may be required. They asked Mr. Bowen to talk with Auditor Zona Lenhart about the project.

Executive Session at 10:06 expected to last less than 10 minutes regarding potential litigation based on RCW 42.30.110(1)(i). (Clerk's Note: This Executive Session matter did not relate to the Auditor's Elections Remodeling but to a claim.)

Open Session at 10:16 a.m.

Auditor's Elections Remodeling

Commissioners' Proceeding for June 25, 2007

Mrs. Corkrum said we need a copy of the grant and the true budget. She said we can't go ahead with the project unless we know where the shortfall is. Mr. Bowen asked are you willing to allow the auditor to use a company other than the Facilities Department? Mrs. Corkrum said the Facilities Department does not have time. Mr. Bowen recommended that the Facilities Department not be involved. Mrs. Corkrum agreed.

Mr. Bowen said there is room in the basement of the Franklin County Annex for storage of the Auditor's records. The auditor had requested approval to use the old Health District building for a storage area. The Board members said we wanted to get the old Health Department building ready to remodel so they do not want the auditor to use it for storage at this time. The Board said the State Auditor can use a small portion of the Health District building.

Mr. Koch said his memory is that the auditor will not be using the area that was used by the auditor and her assistant when the entire Auditor's Office was at the Franklin County Annex. His memory is that only a hallway to access the restrooms would be used by the auditor. The rest of the area would be used by the Health District.

Mr. Bowen expressed his concern about giving up the space to the Health District when the county might need the space in the future, at least for storage. His memory is that the auditor would be allowed to use the two office areas at some time in the future.

Mr. Bowen said right now the Extension Office has all the space they need. He does not know where the funds will come from to pay for remodeling the old Health District building to allow Extension to move into it.

To make it clear at the end of the discussion, the following was reiterated: The Facilities Department will not be involved in the remodeling work. Ms. Lenhart can move forward, following the proper procedures for using bids from the Small Works Roster. Mrs. Corkrum said we also need a budget.

PUBLIC WORKS

Engineer Tim Fife met with the Board.

Resolution: Revising City of Pasco Boundary

Commissioners' Proceeding for June 25, 2007

An Interlocal Agreement has been previously signed. The resolution is also required. It specifies whether the City of Pasco or Franklin County is responsible for the particular roads that are listed. The City of Pasco expects to sign an ordinance tonight. It will take effect July 1, 2007.

<u>Motion</u> – Mrs. Corkrum: I move we approve the revising of Franklin County corporate boundaries to coincide with public street, road and highway right-of-ways with the city of Pasco. Second by Mr. Miller. 3:0 vote in favor. This is Resolution 2007-303.

Six-Year Transportation Improvement Plan (TIP): Setting Public Hearing

Mr. Fife asked for approval to set a public hearing for the Six-Year TIP. He said we moved Dent Road up in the plan because it will need to be done sooner.

Mrs. Corkrum said she doesn't think the Road 100/Dent Road extension project is going to help from Taylor Flats Road because of that intersection. Mr. Fife said right, we need to do something to the intersection. We can't use arterial preservation funds on it.

Mrs. Corkrum said any large trucks coming down Taylor Flats are not going to go on Dent to go to Road 100. It would be ideal if they could. Mr. Fife said the improved road will pick up a lot of car traffic.

Mr. Koch referred to item #20, access road to Juniper Dunes. A staff member of Representative Doc Hastings office would like to meet with county officials on July 9 but neither Mr. Koch nor Mr. Fife will be available. Mr. Koch asked Mr. Fife to prepare some pertinent information to give to Doc Hastings' staff. Mr. Koch will also be working with Mary Hunt from Douglas County when they attend a National Association of Counties (NACo) conference in Washington, D.C.. They plan to meet with an official from the Bureau of Land Management about the Juniper Dunes area. Mr. Koch asked for pictures, drawings, histories, whatever is available, so he can take it with him.

Mrs. Corkrum asked if we had all the funds to construct a Juniper Dunes access road, will the property owner allow the road to become a public road? Mr. Fife said we would have to purchase right-of-way for public purposes. The property is owned by a trust in Illinois but managed by a local person. Mrs. Corkrum asked do we have an alternative route? Mr. Fife said the alternative routes are not practical. They're all

Commissioners' Proceeding for June 25, 2007

affected by circle sprinklers. Mr. Koch asked if Mr. Fife has any indication from the trust about releasing the private road to be a public road. Mr. Fife said the manager indicated a long time ago that he thinks the trust will release it.

Motion – Mr. Miller: Mr. Chairman, I move that we set up a public hearing for the six-year Transportation Improvement Program to be held on July 18, 2007. Second by Mrs. Corkrum. 3:0 vote in favor. This is Resolution 2007-304.

Letter of Credit: BDI Transfer for Solid Waste Transfer and HHW Facilities

Mr. Fife asked for approval of two letters regarding the Solid Waste Transfer Station and HHW Collection Facility. The letters have been reviewed by Chief Civil Deputy Prosecutor Ryan Verhulp. They are basically letters of credit. Mr. Fife has signed the letters. He said Mr. Verhulp requested that the chairman of the Board also sign the letters.

<u>Motion</u> – Mrs. Corkrum: I move that we approve the letters and authorize the chairman's signature regarding:

Solid Waste Transfer Station and Household Hazardous Waste Collection Station facility at 1721 Dietrich Road, Financial Assurance for Closure and Post-Closure with Basin Disposal and Franklin County; and

Irrevocable Letter of Credit, Columbia Basin, L.L.C., to Washington Trust Bank. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 11)

2007 Water Follies Draft Agreement

Mr. Fife said the City of Pasco is taking the lead for the Water Follies, doing the primary coordinating role. Some changes are being made that Mr. Fife feels are for the better. He reviewed the changes with the Board. The Board asked Mr. Fife to have the agreement reviewed by Chief Civil Deputy Prosecutor Ryan Verhulp. The Board did not see any issues with the changes.

State Association of County Engineers

Mr. Fife said the state association of county engineers has decided to hire a parttime director. The Washington State Association of Counties (WSAC) has created a halftime position for coordinating streamlining of environmental matters. The engineers

Commissioners' Proceeding for June 25, 2007

association thinks maybe the person could do both jobs initially. The engineer position will cost Franklin County about \$3000 a year additional for our share of that position. The person will be housed in the WSAC building. Mrs. Corkrum said there may not be enough room in the WSAC building.

Road 100/Dent Road

Mrs. Corkrum told Mr. Fife that she met with Jack McElroy and Bruce Reid. They would like to have a change made to the Road 100/Dent Road project for Phase 5. She has since received an email from Mr. McElroy. She asked Mr. Fife to review it and discuss it (Exhibit 12).

Mr. Fife said we have funding for phases 1, 2, 3 and 4 now, except for \$200,000 which we will receive in the next biennium. The project can be done and then later the \$200,000 will be reimbursed.

Mr. Koch said we approved the first four phases two years ago. Mrs. Corkrum said now that we're ready to construct it, she feels that the dynamics for usage have changed.

Mr. Fife said if there is a change, we have to come up with a reason to say that it is warranted. We can have the engineering company do that, re-evaluate the needs for that portion. If there isn't a change, he would suggest we don't change anything.

Mrs. Corkrum thinks there has been a lot of development in the area. Mr. Fife can find out how much it would cost to have a re-evaluation done.

Mrs. Corkrum said she is talking about LaPorte Road. Mr. Fife said the report you have now says it is not needed. Mrs. Corkrum said that was done two years or longer ago and the study was way before that. She doesn't want to spend a whole lot of money. Mr. Koch said either spend the money and find out or let it go. Mrs. Corkrum said is it worth pursuing and proving me wrong – Mr. Koch said "Or right" – or let it go.

Mr. Koch asked about the time frame right now to do the project to Fanning Road. Mr. Fife said the biggest problem with time frame is right-of-way. Phase 1 does not have any circles. Mr. Koch asked does it make sense to address Phases 4 and 5 when you get there instead of doing them now? Mr. Fife said you can, but if you don't address them

Commissioners' Proceeding for June 25, 2007

now, what they're saying is going to be accurate, that trucks can't get through there. He said you can't do it without Phase 3. Mrs. Corkrum asked how much funding is dedicated to improve the Fanning-Columbia River Road intersection? Mr. Fife would have to find out. It's not substantial because it's a very short piece, probably 400 to 500 feet total. Mr. Koch said basically it's the corner on Easy Street and Fanning Road and then the corner on Fanning Road and Columbia River Road. That will be a more expensive part because it will require deceleration lanes and right-of-way.

Mr. Koch asked what would it cost to reopen the study? Mr. Fife will find out.

COUNTY ADMINISTRATOR

County Administrator Fred Bowen met with the Board.

Public Hearing: To take testimony for and against increasing the revenue and expenditure bottom lines of the 2007 Miscellaneous Expense Franklin County Capital Projects Fund Budget, #300-000-001, by \$1,860,000 due to increased revenue and expenditures, from \$353,530 to \$2,213,530.

Public Hearing convened at 11:06 a.m. Present: Commissioners Koch, Corkrum and Miller; County Administrator Fred Bowen; and Clerk to the Board Mary Withers.

No one was present in the audience.

Mr. Bowen said we are transferring money from the Rainy Day Fund into the Capital Projects fund and leaving \$1 million in the Rainy Day Fund. The bookwork has been coordinated between the Commissioners Office, Treasurer's Office and Auditor's Office. It is moving the money to allow more accurate tracking. The figure was rounded up from \$1,857,125 to \$1,860,000.

No one was present in the audience to comment.

<u>Motion</u> – Mr. Miller: I move for approval of Resolution 2007-305. Second by Mrs. Corkrum. 3:0 vote in favor.

Executive Session 11:11 a.m. regarding potential litigation based on RCW 42.30.110(1)(i) expected to last at least 15 minutes.

Open Session at 11:21 a.m. No decisions were made.

Adjourned at 11:23 a.m.

Commissioners' Proceeding for June 25, 2007

There being no further business, the Franklin County Board of Commissioners meeting was adjourned until June 27, 2007.

BOARD OF COUNTY COMMISSIONERS FRANKLIN COUNTY, WASHINGTON

Chairman

Chairman Pro Te

Member

Attect.

Clerk to the Board

Approved and signed July 18, 2007.

FRANKLIN COUNTY AGENDA ITEM

AGENDA ITE	EM:	Type of Action	
MEETING DA	ATE: 06/20/07	Execute Contract	CONSENT AGENDA X
SUBJECT:	Temporary Part-Time	Pass Resolution	x PUBLIC HEARING
	Law Clerk for	Pass Ordinance	1 ST DISCUSSION
	Superior Court	Pass Motion	2 ND DISCUSSION
Prepared By:	Pat Austin	Other	OTHER
Reviewed By:	,	Approve for Hearing	**************************************

BACKGROUND INFORMATION

The Superior Court has requested funding by the Trial Court Improvement Committee to utilize funds to hire a temporary part-time judicial law clerk for a one year period of time. The judicial law clerk will assist the judges with legal research, prehearing memorandums, summarizing the facts of the case and authority cited, attend hearings to assist the judicial officer with drafting of decisions in complex cases, assist with motions for reconsideration and assist on special projects. Three special projects have been identified: Superior Court Personnel Policies and Procedures, Emergency Preparedness Plan for the Court, and a Language Assistance Plan. The Language Assistance Plan will be a prerequisite to applying for interpreter funding as a result of the 2007 Legislative session.

The Benton County Trial Court Improvement Committee and the Franklin County Trial Court Improvement Committee have both considered the request and believe that it is an appropriate use of Trial Court Improvement funds, and therefore, have approved the expenditure.

SUMMARY

RECOMMENDATION

Recommend approval a the bi-county resolution establishing a salary grade for an extended temporary part-time judicial law clerk position and approve a transfer of \$9,000 from the Franklin County Trial Court Improvement Account to the Superior Court Administrative salary and benefits budget.

FISCAL IMPACT

No additional impact. Funds are available in the Trial Court Improvement Account and have been authorized by the Trial Court Improvement Committee for a one year temporary part-time judicial law clerk for Superior Court.

MOTION

Move to approve the bi-county resolution establishing a salary grade for the extended temporary part-time judicial law clerk in the Superior Court Administrator's office and authorize expenditure of \$9,000 from the Trial Court Improvement Account.



JOINT RESOLUTION

BEFORE THE BOARDS OF THE COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES, WASHINGTON.

IN THE MATTER OF ESTABLISHING A SALARY GRADE FOR THE EXTENDED TEMPORARY PART TIME JUDICIAL LAW CLERK IN THE SUPERIOR COURT ADMINISTRATOR'S OFFICE

WHEREAS, the County Commissioners of Benton and Franklin Counties, the duly constituted legislative authority having budgetary responsibilities for the Benton and Franklin Counties Superior Court, upon the request and recommendation of Superior Court; and

WHEREAS, the Board of Benton County Commissioners approved Resolution 05-797, Personnel Policies and Procedures for Non-Bargaining Employees; and

WHEREAS, that Resolution includes a process for "new" position and/or substantially changed position (re)classification/grade requests to be processed for a determination by the Board of Benton County Commissioners; and

WHEREAS, the Board of Benton County Commissioners has suspended the Non-Bargaining Position Evaluation Committee; NOW THEREFORE,

BE IT RESOLVED that the Board of Benton County Commissioners hereby establishes a temporary grade of a 19 on the bi-county non-bargaining salary schedule to the Judicial Law Clerk; and

BE IT FURTHER RESOLVED, that the position of Judicial Law Clerk immediately be sent to the Non-Bargaining Position Evaluation Committee for classification once the committee is re-established; and

BE IT FURTHER RESOLVED, that the Board of Benton County Commissioners retains the right to modify or repeal this determination at their discretion and without prior notification; and

BE IT FUTHER RESOLVED, that this Resolution is not intended nor shall be interpreted as limiting or compromising the County's "at will" employer status.

NOW THEREFORE, BE IT RESOLVED that the County Commissioners of Benton County and Franklin County do hereby approve the creation of the Judicial Law Clerk extended temporary part-time position, established at a Grade 19 on the Bi-County non-bargaining salary scale; as approved under the 2007 Benton County and Franklin County Superior Court Budget and according to statute.

Dated at <u>Prosser</u>, Washington, this <u>18</u> day of

BENTON COUNTY BOARD OF COMMISSIONERS

Leo Bowman, Chairperson

Max Benitz

Claude Oliver,

ATTEST:

Clerk of the Board

FRANKLKIN COUNTY BOARD OF COMMISSIONERS

ABSENT

Robert E. Koch, Chairperson

Richard Miller, Member

Attest:

Clerk of the Board

EXHIBIT 1

BENTON COUNTY CLASSIFICATION DESCRIPTION Judicial Law Clerk

05/07

TITLE:

Judicial Law Clerk

DEPARTMENT:

Superior Court Administrator

REPORTS TO:

Superior Court Administrator

SUMMARY: Provides legal assistance to a Superior Court Judges and/or Commissioners. Performs legal research and writing, analysis, and evaluation of arguments raised on appeal.

EXAMPLES OF JOB DUTIES: (Any one position may not include all of the duties listed nor do the listed examples include all tasks which may be found in positions of this class.)

Reviews records of cases to determine whether they support the facts of the case.

Reviews cited authorities, laws and statutes and conducts original research. Consults with judges, commissioners, or staff attorney.

Prepares prehearing memoranda, summarizing the facts of the case and authority cited, with conclusions and comment; may recommend disposition of the case.

May attend oral argument of cases coming before the court.

Prepares draft opinions supporting the decisions of the court as directed by the judge or commissioner; may prepare draft dissents.

Prepares memoranda on motions to modify and motions for reconsideration.

Performs other related duties as assigned.

KNOWLEDGE, SKILLS, AND ABILITIES:

Knowledge of: Washington State appellate process; court and administrative procedures, including comprehensive knowledge of the law of Washington, state and federal constitutions; Washington statutes and judicial decisions; state, county and municipal administrative regulations; court rules, including rules of evidence, criminal, civil and juvenile procedural rules, and rules on appeal; legal research techniques and resources; relevant citation and cite-checking sources; legal forms; principles of judicial review and grammar rules.

Knowledge of federal law is desirable.

EXHIBIT 1

BENTON COUNTY CLASSIFICATION DESCRIPTION Judicial Law Clerk

05/07

Ability to: identify, organize, research and analyze complex legal issues; to communicate in clear, cogent and concise legal writing and effective oral expression; to read voluminous records on appeal, legal argument and authorities; to maintain effective and confidential relationships with all court personnel; to work independently and effectively under deadline; to demonstrate a degree of insight, thoroughness and reliability sufficient to merit the confidence of the appellate bench.

EDUCATION AND EXPERIENCE:

Graduation from an accredited law school. Computer literacy, including word processing and the Internet. Moot court and/or law review experience desirable.

LICENSES, CERTIFICATES & OTHER REQUIREMENTS:

Valid Washington State Driver's License.

Benton County Trial Court Improvement Committee

Judge Eugene Pratt
Judge Vic VanderSchoor
Clerk Josie Delvin
Superior Court Administrator Pat Austin
District Court Administrator Jackie Lahtinen

May 22, 2007

Benton County Board of Commissioners P.O. Box 1900 Prosser, WA 99350

Re: Trial Court Improvement Fund Expenditure Authorization

Dear Board of Commissioners:

The Trial Court Improvement Committee has reviewed a request for a Law Clerk to assist the Superior Court Judges for one year and agree the expenditure is in compliance with the Trial Court Improvement Fund guidelines as outlined by the Washington Administrative Office of the Courts. The Trial Court Improvement Committee recommends approval of up to \$27,000 for Benton County's share of the wages for a Law Clerk to assist the judicial staff for one year.

Judge/Eugene Pratt

Presiding Judge - District Court

Judge Vic VanderSchoor

Presiding Judge - Superior Court

Jackie Lahtinen

District Court Administrator

Patricia Austin

Superior Court Administrator

Josie Delvin

Benton County Clerk

Trial Court Improvement Fund Authorization Committee Judge Jerry Roach

Judge Vic VanderSchoor
Clerk Mike Killian
Superior Court Administrator Pat Austin
District Court Administrator Terrier Yonts

January 17, 2007

Franklin County Board of Commissioners 1016 North 4th Avenue Pasco, WA 99301-32706

Re: Trial Court Improvement Fund Expenditure Authorizations

Dear Board of Commissioners:

The Trial Court Improvement Fund Authorization Committee hereby authorizes expenditures as follows:

\$4,875.00 to Franklin County Clerk for Appeals module that will be added to ApplicationXtender.

\$1,264.38 to District Court for their share of the cost for the purchase of 4 Audio technical Microphones and bases for Courtroom #224.

Up to \$9,000.00 to Superior Court for Franklin County's share of wages for a Law Clerk to assist the judicial staff for the year 2007.

Judge Jerry Roach

Mike Killian, Clerk

Judge Vic VanderSchoor

Pat Austin, Court Administrator

Terrie Yonts

District Court Administrator

Jualel F. Roach

A few jurisdictions also report funding information technology in the form of equipment and software. The small number likely reflects the fact that the state, through the Judicial Information System replacement program, provides much of the computer equipment courts need.

Several jurisdictions reported expenditures for programs and improvements that enhance access to justice. This includes equipment and facilities changes that are directed toward people with disabilities, and the translation of court documents and forms into other languages. Two courts reported using the funds for new programs that significantly improve time and geographic access to the courtroom; one operates a new night court and the other established a satellite court facility.

In those jurisdictions using the funds for purposes other than personnel it can be anticipated that the areas of court operations impacted by the accounts will change over time.

Jurisdictions reported that TCIA uses can be broken down in these ways:

- 5 Funds a new program or service not previously provided by the court.
- 4 Funds expand an existing program or service currently provided by the court.
- 0 Funds restore a previously de-funded program.
- 1 Funds capital facilities or equipment for the court.
- 16 Funds equipment, technology, or software.
- 15 Funds a one-time expense for a project or service.
- 15 Funds a recurring expense for which TCIA funds will likely be used in future years.
- 4 Funds are primarily used to increase salaries and benefits of judicial officers.
- 0 Funds are primarily used to increase salaries and benefits of non-judicial personnel.
- 3 Funds are primarily used for new or increased (e.g., part-time to full-time) position for judicial officers.
- 6 Funds are primarily used for new or increased (e.g., part-time to full-time) position for non-judicial personnel.

AGENDA ITEM: Consent	TYPE OF ACTION NEEDED	
MEETING DATE: B/C 06-18-07 F/C 06-25-07	Executive Contract xx	CONSENT AGENDA XX
SUBJECT: Contract Amendment for Civil	Pass Resolution xx	PUBLIC HEARING
Defense Panel Attorney	Pass Ordinance	1ST DISCUSSION
Prepared By: Kathryn M. Phillips	Pass Motion	2ND DISCUSSION OTHER
Reviewed By: Sharon Paradis	Other	OTHER

BACKGROUND INFORMATION

Attached for Board review and approval is the Personal Service Agreement Amendment between Benton County and Defense Panel Attorney, Diana Anderson. The Agreement is being amended to extend the Agreement until July 31, 2007 and with an increased rate of compensation until a new contract is fully approved and executed.

SUMMARY

The Benton and Franklin County Boards of Commissioners signed the original Personal Service Agreement for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division for Diana Anderson on September 16, 2002 and October 7, 2002, respectively.

RECOMMENDATION

We recommend that the Boards of County Commissioners approve the Personal Service Agreement Amendment for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division, as written.

FISCAL IMPACT

Compensation for the panel attorney is set forth in the amendment.

MOTION:

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and hereby are authorized to sign, on behalf of their respective county, the Personal Services Agreement Amendment with Ms. Anderson.

AGENDA ITEM: Consent	TYPE OF ACTION NEEDED	
MEETING DATE: B/C 06-18-07 F/C 06-25-07 SUBJECT: Contract Amendment for Civil Defense Panel Attorney	H Trecation contract was	CONSENT AGENDA <u>xx</u> PUBLIC HEARING 1ST DISCUSSION
Prepared By: Kathryn M. Phillips Reviewed By: Sharon Paradis	Pass Motion Other	2ND DISCUSSION OTHER

BACKGROUND INFORMATION

Attached for Board review and approval is the Personal Service Agreement Amendment between Benton County and Defense Panel Attorney, Darin R. Campbell. The Agreement is being amended to extend the Agreement until July 31, 2007 and with an increased rate of compensation until a new contract is fully approved and executed.

SUMMARY

The Benton and Franklin County Boards of Commissioners signed the original Personal Service Agreement for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division for Darin R. Campbell on August 29, 2005 and August 22, 2005, respectively.

RECOMMENDATION

We recommend that the Boards of County Commissioners approve the Personal Service Agreement Amendment for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division, as written.

FISCAL IMPACT

Compensation for the panel attorney is set forth in the amendment.

MOTION:

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and hereby are authorized to sign, on behalf of their respective county, the Personal Services Agreement Amendment with Mr. Campbell.

AGENDA ITEM: Consent MEETING DATE: B/C 06-18-07 F/C 06-25-07 SUBJECT: Contract Amendment for Civil Defense Panel Attorney Prepared By: Kathryn M. Phillips Reviewed By: Sharon Paradis	TYPE OF ACTION NEEDED Executive Contract xx Pass Resolution xx Pass Ordinance Pass Motion Other	CONSENT AGENDA <u>xx</u> PUBLIC HEARING 1ST DISCUSSION 2ND DISCUSSION OTHER
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BACKGROUND INFORMATION

Attached for Board review and approval is the Personal Service Agreement Amendment between Benton County and Defense Panel Attorney, Donna Patricia Mannion. The Agreement is being amended to extend the Agreement until July 31, 2007 and with an increased rate of compensation until a new contract is fully approved and executed.

SUMMARY

The Benton and Franklin County Boards of Commissioners signed the original Personal Service Agreement for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division for Donna Patricia Mannion on May 17, 2004 and May 24, 2004, respectively.

RECOMMENDATION

We recommend that the Boards of County Commissioners approve the Personal Service Agreement Amendment for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division, as written.

FISCAL IMPACT

Compensation for the panel attorney is set forth in the amendment.

MOTION:

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and hereby are authorized to sign, on behalf of their respective county, the Personal Services Agreement Amendment with Ms. Mannion.

TYPE OF ACTION NEEDED AGENDA ITEM: Consent CONSENT AGENDA Executive Contract MEETING DATE: B/C 06-18-07 F/C 06-25-07 XX PUBLIC HEARING Pass Resolution SUBJECT: Contract Amendment for Civil XX 1ST DISCUSSION Pass Ordinance Defense Panel Attorney 2ND DISCUSSION Pass Motion Prepared By: Kathryn M. Phillips OTHER Other Reviewed By: Sharon Paradis

BACKGROUND INFORMATION

Attached for Board review and approval is the Personal Service Agreement Amendment between Benton County and Defense Panel Attorney, Kathleen Moreno. The Agreement is being amended to extend the Agreement until July 31, 2007 and with an increased rate of compensation until a new contract is fully approved and executed.

SUMMARY

The Benton and Franklin County Boards of Commissioners signed the original Personal Service Agreement for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division for Kathleen Moreno on July 28, 2003 and August 4, 2003, respectively.

RECOMMENDATION

We recommend that the Boards of County Commissioners approve the Personal Service Agreement Amendment for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division, as written.

FISCAL IMPACT

Compensation for the panel attorney is set forth in the amendment.

MOTION:

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and hereby are authorized to sign, on behalf of their respective county, the Personal Services Agreement Amendment with Ms. Moreno.

AGENDA ITEM: Consent

MEETING DATE: B/C 06-18-07 F/C 06-25-07

SUBJECT: Contract Amendment for Civil
Defense Panel Attorney
Prepared By: Kathryn M. Phillips

Reviewed By: Sharon Paradis

TYPE OF ACTION NEEDED

Executive Contract xx
Pass Resolution xx
Pass Ordinance
Pass Motion
Other

CONSENT AGENDA X:
PUBLIC HEARING
1ST DISCUSSION
2ND DISCUSSION
OTHER

BACKGROUND INFORMATION

Attached for Board review and approval is the Personal Service Agreement Amendment between Benton County and Defense Panel Attorney, Jared D. Paulsen. The Agreement is being amended to extend the Agreement until July 31, 2007 and with an increased rate of compensation until a new contract is fully approved and executed.

SUMMARY

The Benton and Franklin County Boards of Commissioners signed the original Personal Service Agreement for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division for Jared D. Paulsen on June 16, 2003 and June 23, 2003, respectively.

RECOMMENDATION

We recommend that the Boards of County Commissioners approve the Personal Service Agreement Amendment for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division, as written.

FISCAL IMPACT

Compensation for the panel attorney is set forth in the amendment.

MOTION:

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and hereby are authorized to sign, on behalf of their respective county, the Personal Services Agreement Amendment with Mr. Paulsen.

Neva J. Corkrum District 1

Robert E. Koch District 2

> Rick Miller District 3



June 25, 2007
Fred H. Bowen
County Administrator

Rosie H. Rumsey Human Resources Director

> Patricia L. Shults Executive Secretary

Board of County Commissioners FRANKLIN COUNTY

June 25, 2007

Daniel Nordquist, Director Washington State University Office of Grants and Research Development 423 Neill Hall PO Box 643140 Pullman, WA 99164-3140

Dear Director Nordquist

Franklin County is in full support of the proposed *Literacy and Educational Pathways for Latino Child Care Providers Program*. We have dedicated contributions of \$90,183.30 to this program. Details of the commitment are enclosed.

We look forward to providing this successful project to the people of Franklin County.

Sincerely,

BOARD OF COUNTY COMMISSIONERS FRANKLIN COUNTY, WASHINGTON

Robert E. Koch, Chairman

Neva J. Corkram, Chair Pro Tem

Rick Miller, Member

Enclosure

Washington State University

Letter of Support for the Pathways Literacy Project

Franklin County

Must be attached to Introductory Letter & Agreement.

Benton/Franklin Counties Program Year 2007 to 2010

PROPOSED CONTRIBUTIONS

	Co	ntribution -
	\$	Amount
11,120.40		
2,005.80		
\$		
L SALARIES & WAGES	\$	13,126.20
2,415.60		
\$		
SUBTOTAL BENEFITS	\$	2,415.60
35,000		
29,925		
1,500		
2,500		
2,960		
\$		
L GOODS & SERVICES	\$	71,885.00
\$		
SUBTOTAL TRAVEL	\$	
	\$	87,426.80
(21% of salary only)	\$	2,756.50
	\$	90,183.30
	2,005.80 \$ L SALARIES & WAGES 2,415.60 \$ SUBTOTAL BENEFITS 35,000 29,925 1,500 2,500 2,960 \$ L GOODS & SERVICES \$	\$ 11,120,40 2,005.80 \$ \$ 2,415.60 \$ \$ \$ 29,925 1,500 2,500 2,960 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$

Please complete:

Source(s) of government (state, county, city) funds for above expenses: Non-Departmental Contingency

We attest that the intended contributions of support are government, <u>non-federal funds</u> that have not been used to match other federally-funded programs. I certify that I am a fiscal authority authorized to sign this letter of support and agreement.

Robert E.Koch	Chairman / E	Koch
Name of Fiscal Authority (type or print)	Title	Signature
Franklin County Organization		June 25, 2007 Date
1016 North 4th Avenue Pasco, WA 99301-3706		(509) 545-3535
Address (Street, City, State, ZIP code)		Phone Number

Neva J. Corkrum District 1

Robert E. Koch District 2

> Rick Miller District 3



June 25, 2007

Fred H. Bowen

County Administrator

Rosie H. Rumsey Human Resources Director

> Patricia L. Shults Executive Secretary

Board of County Commissioners FRANKLIN COUNTY

June 25, 2007

Valisa Smith, Program Officer Pacific Northwest Program Bill & Melinda Gates Foundation PO Box 23350 Seattle, WA 98102

Dear Ms. Smith

Franklin County is very pleased to be a partner in the Literacy and Educational Pathways for Latino Child Care Providers Program (Pathways). It is important to us to have an educated population. With over 50% of the population in Pasco being Spanish speaking this project certainly fills a critical need in our area. Because we are committed to making Pathways succeed and expand, we have committed the following resources:

- 1) \$35,000 for the computer lab—This will include the computers, software, networking, security, and connectivity needed to access the CONEVyT curriculum.
- 2) Built-in computer tables lining the classroom
- 3) Classroom furniture
- 4) Maintenance of the computers will be done by the Information Services Department (money for .1 FTE has been included in the budget for Pathways)
- 5) Classroom space for Stages 1 and 2 of the program
- 6) Classroom utilities, telephones, and janitorial services as needed
- 7) Work space for the part time secretary, program coordinator and mentors
- 8) Promotion of the program to the people living in our community
- 9) Some clerical support (when part time secretary is unavailable)
- 10) Technical assistance for the mentors on how to operate the computer lab
- 11) Training of part time secretary
- 12) Copying of program and curriculum materials
- 13) Steering Committee meeting space and support

Ms. Valisa Smith June 25, 2007 Page 2

We are looking forward to working with the Gates Foundation to make Pathways available in Franklin County. Please be assured we want to be a full partner providing dedicated resources for the success of the project. We have partnered for many years with WSU Extension and are confident the proposed project will be handled in a professional, capable, and enthusiastic manner. If we can be of further assistance to you as you decide on your support for the project, please let us know.

Sincerely,

BOARD OF COUNTY COMMISSIONERS FRANKLIN COUNTY, WASHINGTON

Robert E. Koch, Chairman

Nevad. Corkrum, grair Pro Tem

Rick Miller, Member

Tranklin County Auditor

1016 North 4th Avenue Pasco, WA 99301

ZONA LENHART, Auditor 509-545-3840 • Fax: (509) 545-2142 www.co.franklin.wa.us

P.O. Box 1451 Pasco, WA 99301

June 25, 2007

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, 2007

Move that the following warrants be approved for payment:

EIND E	WARRANT Range			
FUND Expenditures				Amount Issued
	From:	To:		
Current Expense	57613	57676	\$	54,164.79
TRAC	409	409		\$823.08
DOC Building Inspection	37	37		\$30.00
Boating Safety	398	398		482.48
Jail Commissary	2343	2346		2,917.53
FC Enahanced 911	1259	1260		756.55
Law Library	1032	1033		801.84
Current Expense	57677	57719		36,293.65
Election Equipment	419	424		2,139.98
TRAC	410	460		52,134.61
Grand Old 4th	140	147		68,807.46
FC Capital Projects Fund	276	276		9,220.02
Veteran's Assistance	1349	1349		60.00
FC RV Facility	352	355		18,406.78
Current Expense	57720	57755		22,071.15

In the amount of

The motion was seconded by

And passed by a vote of

\$269,109.92

Recording 545-3536

Licensing 545-3533

Elections

Doors and Cameras \$ 27,000.00						
Doors doors hardware \$ 1,400.00 Electric \$ 19,000.00 windows \$ 1,000.00 200 ft new wall	Doors and Cameras			\$ 2	27,000.00	•
Sector S				\$	4,500.00	
Electric \$ 19,000.00 windows \$ 1,000.00 200 ft new wall Framing				\$	1,400.00	
windows \$ 1,000.00 200 ft new wall \$ 1,500.00 Framing Drywall Paint \$ 1,800.00 Paint \$ 650.00 HVAC \$ 13,600.00 Roof Repair \$ 650.00 Trim \$ 1,250.00 Gas \$ 400.00 Site Work \$ 3,200.00 Tool Rent \$ 500.00 Ceiling \$ 6,700.00 Tool Replacement \$ 250.00 Dump Fees \$ 2,500.00 Site Protection \$ 1,800.00 Demo \$ 1,500.00 Site Cleaning \$ 850.00 Labor \$ 17,400.00 (696 man hours) Over Time \$ 1,875.00 (50 man hours) Admin \$ 25,000.00					•	
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Over Time Admin \$ 1,875.00 (50 man hours) Sub Total \$ 111,825.00 Conti. \$ 25,000.00				\$	17,400.00	(696 man hours)
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Sub Total \$ 111,825.00 Conti. \$ 25,000.00					\$2,500	
Conti. \$ 25,000.00	, , , , , , , , , , , , , , , , , , , ,					
			Sub Total	\$ 1	11,825.00	
TOTAL \$ 136,825.00	•		Conti.	\$	25,000.00	
		· .	TOTAL	\$1	36,825.00	

PROIECT COST SUMMARY	%		
Div 01, General Requirements	3.50%	\$3,050.00	
Div. 07 - Site Work	4.93%	\$4,300.00	
Div. 03 Concrete	%00.0	\$0.00	
	0.00%	\$0.00	
Div. 05 Matals	12.84%	\$11,200.00	
Div. 06 Wood & Plastics	0.00%	\$0.00	
	0.34%	\$300.00	
	10.32%	\$9,000.00	
	17.49%	\$15,250.00	
Div. 10 Specialties	%69.0	\$600.00	
	6.88%	\$6,000.00	
Div. 17 Eumishings	31.54%	\$27,500.00	
12 1	0.00%	\$0.00	
. CI	%00 0	\$0.00	
Div. 14 - Conveying Systems	5 73%	\$5,000.00	
Div. 15 - Mechanical Div. 16 - Electrical	5.73%	\$5,000.00	
Subtotal - Division 01 - 16	100.00%	\$87,200.00	
G.C. Bonds/Insurance/Taxes - 2.5%		\$2,180.00	
Overhead & Profit - 15%		\$13,407.00	
Subtotal		\$107,101,00	
		\$8 222.96	
Estimate Contigency - 8.0%		\$8,531.32	
Sales I ax - 8.3%		\$7,195.09	
A/t ree		\$823.25	
Permit (Lump Sum)		\$127.559.62	
Total Estimated Construction Cost		1000	_



ABLE TANK & TOILET BASIN RECYCLING BDI TRANSFER NW CONTAINER RENTALS

P. O. Box 3850 Pasco, WA 99302-3850

(509)547-2476 800-642-6447 (509)547-8617 fax www.basindisposal.com 2021 N. Commercial Ave. Pasco, WA 99301

June 7, 2007

Mr. Tim Fife, P.E.
Public Works Director / County Engineer
3416 Stearman Ave.
Pasco, WA 99301

Re:

Solid Waste Transfer Station and HHW Collection Facility

1721 Dietrich Road, Franklin County, Washington Financial Assurance for Closure and Post-Closure

Dear Mr. Fife:

This letter confirms the agreement and understanding between BDI Transfer and Franklin County regarding Financial Assurance for Closure and Post-Closure Care at the Solid Waste Transfer Station and the Household Hazardous Waste Collection Facility operated by BDI Transfer and located at 1721 Dietrich Road, in Franklin County, Washington (the "Facility"). Assuming this letter meets your approval, please sign where indicated below, and return a copy to us.

BDI Transfer, as operator of the Facility, is responsible for Closure and Post-Closure Care of the Facility, in full compliance with all applicable laws, regulations, and permits.

The Washington Department of Ecology and the Benton-Franklin Health District have adopted rules and regulations requiring the operator of such a facility to provide Financial Assurance to cover the costs of such Closure and Post-Closure Care (WAC 173-350-600 and/or "Financial Assurance Regulations"). Pursuant to such rules and regulations, the costs of Closure and Post-Closure Care at the Facility are estimated at \$14,000.00, as shown on Schedule A attached hereto.

To ensure that funds will be available to cover the cost of such Closure and Post-Closure Care, in compliance with the Financial Assurance Regulations, BDI Transfer has established an irrevocable Letter of Credit ("LOC"), issued by Washington Trust Bank, in favor of the County as the Beneficiary, in the amount of \$14,000.00 (copy attached).

If BDI Transfer does not perform Closure and Post-Closure Care at the Facility as required by applicable law, regulation, or permit, then the County may provide written notice to BDI Transfer, specifying the deficiencies and advising that if they are not cured within 30 days after delivery of such notice, the County may exercise its right to draw funds from Washington









Mr. Tim Fife
Public Works Director / County Engineer
Franklin County, Washington
June 7, 2007
Page 2

Trust Bank pursuant to the LOC. If the deficiencies are not cured within 30 days after such notice, the County may proceed to draw funds from Washington Trust Bank, pursuant to the LOC. The County shall hold such funds in trust, to be used solely for payment of the costs of Closure and Post-Closure Care at the Facility. The County may disburse such funds as necessary to accomplish such Closure and Post-Closure Care at the Facility, as required by applicable law, regulation, or permit.

When all required Closure and Post-Closure Care at the Facility has been completed, and the costs thereof have been paid, any unused remainder of the funds drawn by the County from Washington Trust Bank pursuant to the LOC shall be disbursed to BDI Transfer, and both BDI Transfer and Washington Trust Bank shall be released from any further obligations under or relating to the LOC.

If at any time Washington Trust Bank elects not to renew the LOC, then BDI Transfer shall, upon written notice to the County, replace the LOC with either (1) a comparable LOC issued by a comparable financial institution, or (2) an alternate form of Financial Assurance for Closure and Post-Closure Care, in compliance with WAC 173-350-600. BDI Transfer may, at any time, upon written notice to the County, elect to replace the LOC with either (1) or (2) above, provided that such replacement meets the requirements of WAC 173-350-600. Any such replacement shall be subject to the terms set forth in this letter.

This letter, and the arrangements described herein, supercede and replace all previous agreements and arrangements relating to Financial Assurance for Closure and Post-Closure Care at the Facility (specifically, but without limitation, Security Deposit Agreement dated January 1996), and all such previous agreements and arrangements are hereby rendered null and void. All funds held in any Closure Account described in such previous agreements and arrangements shall be released and disbursed as directed by BDI Transfer. The County shall execute all documents necessary to accomplish such release and disbursement.

Please let me know if you have any questions about the foregoing. As always, we consider it a pleasure and a privilege to work with you and your community.

Very truly yours,

BDI Transfer

Darrick Dietrich

Mr. Tim Fife Public Works Director / County Engineer Franklin County, Washington June 7, 2007 Page 3

APPROVED:	\sim
(t)	
d]/	the

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

Franklin County, Washington

APPROVED THIS 25 day of June, 2007

BOARD OF COUNTY COMMISSIONERS FRANKLIN COUNTY, WASHINGTON

ATTEST:

Mr. Tim Fife Public Works Director / County Engineer Franklin County, Washington June 7, 2007 Page 4

SCHEDULE A

SCHEDULE A: Identification of Facilities and Cost Estimates.

This schedule must be updated within 60 days after a change in the amount of the current cost estimate covered by the agreement. Submit updated Schedule A to both the Benton-Franklin Health District and the Beneficiary or its designee.

Facility Name:

Solid Waste Transfer Station

Facility address:

1721 Dietrich Road, Franklin County, WA

Title of Sold Waste Unit:

Solid Waste Transfer Station

Current closure costs:

\$6,524.00

Current post-closure cost:

N/A

Facility Name:

Household Hazardous Waste Collection Station

Facility address:

1721 Dietrich Road, Franklin County, WA

Title of Sold Waste Unit:

Household Hazardous Waste Collection Station

Current closure costs:

\$ 2,035.00

Current post-closure cost:

N/A

Washington Trust Bank

May 31, 2007

Franklin County, Washington 3416 Stearman Ave. Pasco, WA 99301

RE:

Irrevocable Letter of Credit No. 24164

COLUMBIA BASIN, L.L.C.

Gentlemen:

Attached is an amendment on the above referenced Letter of Credit. Please acknowledge your acceptance or refusal of this amendment by signing the acknowledgement below and return this letter to us in the envelope provided.

Thank you for your prompt response regarding this amendment.

Sincerely,

Rashell Wight

Assistant Vice President

Commercial Services Group

ACKNOWLEDGEMENT:

We hereby acknowledge that we X ACCE	EPT OR REFUSE the amendment on the
above referenced Letter of Credit.	
Franklin County, Washington	
By: Robert E. Koch, Chair	Title: Franklin County Commissione
ATTEST:	DATED:
May Withers Clerk to the Board	June 25, 2007

Washington Trust Bank

AMENDMENT #01 TO IRREVOCABLE STANDBY LETTER OF CREDIT NO. 24164 DATED: MAY 23, 2007

AMOUNT: \$14,000.00

MAY 31, 2007

Franklin County, Washington 3416 Stearman Ave. Pasco, WA 99301

Ladies and Gentlemen:

This letter will serve as our Amendment to Letter of Credit No. 24164 in your favor for the account of Columbia Basin, LLC, PO Box 3850, Pasco, WA 99302-3850, up to the aggregate amount of FOURTEEN THOUSAND AND NO/100 ———Dollars (\$14,000.00) U.S. currency, covering: The costs of closure and post-closure care of the Solid Waste Transfer Station and the Household Hazardous Waste Collection Facility operated by BDI Transfer and located at 1721 Dietrich Road, Pasco, Washington as follows:

Amend draw condition #1 FROM:

A signed statement from the Beneficiary reading exactly as follows:

"I, the undersigned duly authorized representative of Franklin County, Washington of the Benton-Franklin Health District, hereby certify that the draft drawn under this Letter of Credit represents costs of closure and/or post-closure care of the Solid Waste Transfer Station and/or the Household Hazardous Waste Collection Facility operated by BDI Transfer and located at 1721 Dietrich Road, Pasco, Washington."

TO:

A signed statement from the Beneficiary reading exactly as follows:

"I, the undersigned duly authorized representative of Franklin County, hereby certify that the draft drawn under this Letter of Credit represents costs of closure and/or post-closure care of the Solid Waste Transfer Station and/or the Household Hazardous Waste Collection Facility operated by BDI Transfer and located at 1721 Dietrich Road, Pasco, Washington.

All other terms and conditions of Letter of Credit No. 24164 remain unchanged.

Sincerely,

Rashell Wright

Assistant Vice President
Commercial Services Group

Once this project is complete, the surrounding area will develop quickly (five year time frame) and we will be stuck with the consequence of what we do now. The already underway Quail Bluff development on Dent and Ed Ray's plans just beyond us at the end of CRR are examples of this rapid development occurring now, rather than 20 years distant.

Thank you very much for you assistance. We hope we get this one right.

Sincerely.

Jack McElroy and Bruce Reid, representing River Ridge Estates Homeowners Association

PS: I (Jack) drove Laporte and Easy Street twice Saturday AM. Laporte requires 0.6 miles of road surface improvement, and is actually in better condition than Easy St. There is about 0.3 miles of a very small concrete irrigation ditch and a power line on the west side of Laporte; however, it would appear that if widening Laporte is required it should be done on the east side with nil impact as there is only a dirt irrigation ditch.

See what's free at AOL.com.

Patricia Shults

From:

Jacklmc@aol.com

Sent:

Sunday, June 24, 2007 11:11 AM

To:

ncorkrum@co.franklin.wa.us

Cc:

reidclan@clearwire.net; Jacklmc@aol.com

Subject: Summary Comments From Our Meeting With You To Discuss Road 100 Extension

Dear Neva:

Thank you for meeting with us on June 22, 2007. We very much appreciate your interest in our issues. We have taken a look at some of the material that you left with us and would like to comment primarily on the recommendations provided in the Road 100 Extension January Final Report.

- 1. The report says that there was significant public involvement to identify issues and concerns. We very much believe that people north of Selph Landing Road that are most impacted by the choices for connecting to Columbia River Road (CRR) were not properly kept in the communications loop. For example, it was by chance that we learned of the most recent hearing this past month. Neither Bruce nor I could attend as we only learned of this hearing the day before it occurred.
- 2. There was only one Public Response favoring Option #2, extending to CRR at Fanning. There were five Public Responses favoring option #4 which uses La Porte to connect to CRR.
- 3. We believe that the Final Report is largely inadequate as a basis for making decisions for the Phase 4 and Phase 5 improvements. The Final Report identifies Alternative #3 as the lowest cost, most direct (therefore also the safest) route and yet recommends another alternative. While functionality was the first criteria listed for the study, the option chosen for intersecting with CRR is largely dysfunctional! We think there should be strong consideration given to the alternative that is the most functional, cost effective and safest, and represents the best vision for the county over the next several decades.
- 4. Based upon our discussions, we know that Alternative #3 is controversial because of the possible impact on Alexander's farm. We suggest that someone look closely at all of the pertinent information, and determine if there are compensating actions which can be taken to lessen the adverse impacts on the viability of this farm under Alternative #3 (e.g. move roadway slightly to the west).

To summarize our discussion with you.

- We do not want to hold up or delay this project, we fully support it.
- 2. We think the county should proceed with Phase 1, 2 and 3 ASAP.
- 3. Phase 4, the improvements at Fanning and CRR, should be delayed (only to save the money for a possible different option) while Phase 5 gets a fresh look, and other options such as Laporte receive further detailed evaluation.
- 4. In looking at Laporte, consider both temporary (minimum cost road surface upgrade) and permanent improvements, depending on the level of funding required and available now or in the near future. At minimum, Laporte should receive upgrades for the same expected increased traffic reasons that Dent Rd east of Road 100 is proposed to undergo improvements.

We have very strong feelings that the work planned in Phase 4 is short sighted and will lead to great frustration and future head aches. It is dysfunctional and represents a problematic intersection for semi-trucks. We already have a number of unsafe intersections, let's not add to the list. The proposed Phase 4 will result in much more traffic on Laporte, which as currently configured is not up to the task for increased traffic.