

COMMISSIONERS RECORD 51
FRANKLIN COUNTY
Commissioners' Proceedings for February 8, 2012

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

LOBBYIST

Lobbyist Jim Potts talked with the Board by speaker phone to give a legislative report. Present in audience: Dan Blasdel, Lauri Sherfey, Tri-City Herald Reporter Kristi Pihl and TV reporter Claire Graham.

WSU EXTENSION

WSU Extension Director Lauri Sherfey met with the Board. Present in audience: Dan Blasdel, Matt Beaton, Kristi Pihl and Claire Graham.

Benton-Franklin Asset Building Coalition

Ms. Sherfey told the Board about the new Benton-Franklin Asset Building Coalition and extended an invitation for representation from the Franklin County Commissioners.

OFFICE BUSINESS

Administrative Assistant Toni Fulton met with the Board. Present in audience: Dan Blasdel, Janet Taylor, Kristi Pihl and Claire Graham.

Vouchers

Motion – Mr. Koch: Mr. Chairman, I move for approval of Salary Clearing payroll in the amount of \$369.44. Second by Mr. Miller. The payroll is from the Auditor's Office. 3:0 vote in favor.

Salary Clearing Payroll warrants 558379 through 55383 for \$297.24; Benefits warrants 55384 through 55387 for \$72.20; for a total amount of \$369.44. (Exhibit 1)

Motion – Mr. Koch: I move for approval of fund expenditures as of 2/8/2012 in the amount of \$138,623.26. Second by Mr. Miller. 3:0 vote in favor.

<u>Fund Expenditures</u>	<u>Warrants</u>		<u>Amount Issued</u>
Veteran's Assistance	61451		\$360.00
Current Expense	61452		\$373.80
Auditor O & M	61453	61454	\$621.44

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Courthouse Facilitator Program	61455		\$205.72
Clerk LFO Collection Fund	61456	61457	\$271.13
Enhanced 911	61458	61459	\$863.88
Veteran's Assistance	61460		\$750.89
Current Expense	61461	61499	\$8,586.47
Current Expense	61500	61561	\$50,199.93
Boating Safety Fund	61562		\$76,390.00

(Exhibit 2)

Motion – Mr. Koch: I move for approval of vouchers from Public Works dated February 2nd: County Road Payroll of \$120,305.69 and Motor Vehicle payroll of \$14,204.84, for the bottom line of \$134,510.53. This one is signed by Mr. Fife and Ms. Osborne. Second by Mr. Miller. Mr. Peck noted for the record this is for Public Works payroll through January 26, 2012, and said that Mr. Huston, who is now on unpaid leave, was on paid status throughout this entire time period. He said it is appropriate for all these people to be paid. He had the Auditor's Office scrutinize these vouchers as well. 3:0 vote in favor.

County Road Payroll warrants 61375 through 61395 for \$37,171.50; Direct Deposit for \$45,079.98; and Benefits warrants 61396 through 61400 for \$38,054.21; total \$120,305.69; and

Motor Vehicle Payroll warrants 61401 through 61414 for \$5405.09; Direct Deposit for \$6596.41; and Benefits warrants 61415 through 61419 for \$2203.34; total \$14,204.84.

Grand total is \$134,510.53. (Exhibit 3)

County Road Administration Board (CRAB)

The Board had **consensus approval** to send a letter to Jay Weber, Executive Director, CRAB, giving notification of Franklin County's contract with Benton County for Professional Engineer (PE) services by Malcolm Bowie. (Exhibit 4)

Minutes

Motion – Mr. Koch: I move for approval of Commissioners Proceedings for February 1, 2012. Second by Mr. Miller. 3:0 vote in favor.

Consent Agenda

Motion - Mr. Miller: I move for approval of the consent agenda 1 through 6. Second by Mr. Koch.

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Mr. Peck asked to remove item #1 from the consent agenda. Mr. Miller and Mr. Koch agreed pending review by the interim PE in the Public Works Department.

Mr. Peck asked to remove item #4 from the consent agenda pending preparation of further paperwork. Mr. Miller and Mr. Koch agreed.

Mr. Peck noted his concern about the termination clause in item #6 but stated he is willing to approve it.

Malcolm Bowie, Franklin County interim engineer, joined the audience.

Amended Motion – Mr. Miller amended his motion to not approve items 1 and 4. Second by Mr. Koch. 3:0 vote in favor.

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

1. Approval of Resolution 2012-_____, equipment rental rates for the period January 1, 2012, through December 31, 2012
2. Approval of Resolution 2012-056, Interlocal Agreement #ICA 12189 with the Washington State Office of Public Defense for use of grant funding of \$34,836
3. Approval of Resolution 2012-057, Agreement #11-99693-000-USP between the Juvenile Justice Center and The John D. and Catherine T. MacArthur Foundation (Models for Change)

(Clerk's Note: Item #4 was removed from the consent agenda.)

4. Approval of award of bid for funeral home services to Hillcrest Bruce Lee Memorial Center
5. Approval of Resolution 2012-058, Electronic Payment Services Agreement between Point and Pay and Franklin County Treasurer
6. Approval of Resolution 2012-059, Electronic Payment Services Agreement between DOXO and Franklin County Treasurer

COUNTY ADMINISTRATOR

County Administrator Fred Bowen and Deputy Prosecutor Janet Taylor met with the Board.

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Executive Session at 9:55 am based on RCW 42.30.140(4) regarding union negotiations expected to last up to 30 minutes. All those in the audience left the meeting. Prosecutor Shawn Sant joined the meeting at 10:06 am.

Open Session at 10:13 am.

Kristi Pihl and Claire Graham joined the audience.

OTHER BUSINESS

Prosecutor Shawn Sant requested executive session.

Executive Session at 10:15 am pursuant to RCW 42.30.110(1)(f) and RCW 42.30.110(1)(i) to evaluate complaint(s) brought against public employee Dennis Huston and legal risks of proposed actions related thereto, not to exceed 30 minutes. Shawn Sant and Janet Taylor remained in the meeting. Fred Bowen, Mary Withers, Kristi Pihl and Claire Graham left the meeting.

Open Session at 10:44 am. Kristi Pihl and Claire Graham joined the audience.

Recessed at 10:45 am.

Reconvened at 10:56 am.

Present: Commissioners Peck, Miller and Koch; and Clerk to the Board Mary Withers.
Present in audience: Kristi Pihl, Claire Graham and Auditor Matt Beaton.

OTHER BUSINESS

Present in audience: Kristi Pihl, Claire Graham and Matt Beaton.

Annexation

Mr. Peck will be attending a meeting about the City of Pasco's and Franklin County Fire District #5's request for annexation. It is not a public meeting.

TRIDEC

Mr. Miller told the Board about recent TRIDEC Ag Business meetings.

Storage Areas

The Board decided to ask staff to do some work in the storage areas at the Franklin County Annex.

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OTHER BUSINESS (continuing)

Prosecutor Shawn Sant and Deputy Prosecutor Janet Taylor joined the meeting. Present in audience: Kristi Pihl, Claire Graham and Matt Beaton.

Motion – Mr. Koch: Mr. Chairman, based on information received about Public Works employee Dennis Huston, I move that Mr. Huston's employment be and hereby is terminated for misconduct, effective immediately; that the prosecuting attorney work with Human Resources to handle the termination in accordance with County policy and state and Federal law; that, in accordance with state and Federal law, Mr. Huston be provided with the opportunity to participate in a name clearing hearing; that the chairman be authorized to sign documents necessary to carry out termination of Mr. Huston's employment. Second by Mr. Miller. 3:0 vote in favor.

Adjourned at 11:11 am.

This document is a summarized version of the Board of Commissioners proceedings. Access to an audio recording of the meeting is available upon request.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until February 15, 2012.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON



Brad Peck, Chairman

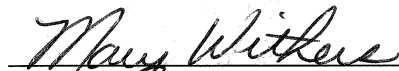


Rick Miller, Chairman Pro Tem



Robert E. Koch, Member

Attest:



Clerk to the Board

Approved and signed February 22, 2012.



FRANKLIN COUNTY AUDITOR

Matt Beaton, Auditor

February 1, 2012

Franklin County Commissioners:

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

Action: As of this date, 2/1/2012

move that the following warrants be approved for payment.

FUND	WARRANT	AMOUNT
Salary Clearing Payroll:		
Salary Clearing Payroll:		
Payroll	558379-55383	297.24
Direct Deposit		0.00
		<hr/> 297.24
Benefits	55384-55387	72.20
	Total	<hr/> \$369.44 <hr/>

In the total amount of **\$369.44**

The motion was seconded by *Parker* and passed by a vote of 3 to 0.

Jeff A. Surabian
The attached payroll has been approved by Auditor or Deputy

Christina C. C.
Payroll Prepared By



FRANKLIN COUNTY AUDITOR

Matt Beaton, Auditor

2/8/2012

Franklin County Commissioners:

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

Action: As of this date, 2/8/2012 *[Signature]*

Move that the following warrants be approved for payment:

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

<u>FUND Expenditures</u>	<u>WARRANTS</u>	<u>AMOUNT ISSUED</u>
Veteran's Assistance	61451	\$360.00
Current Expense	61452	\$373.80
Auditor O & M	61453 61454	\$621.44
Courthouse Facilitator Program	61455	\$205.72
Clerk LFO Collection Fund	61456 61457	\$271.13
Enhanced 911	61458 61459	\$863.88
Veteran's Assistance	61460	\$750.89
Current Expense	61461 61499	\$8,586.47
Current Expense	61500 61561	\$50,199.93
Boating Safety Fund	61562	\$76,390.00

In the amount of

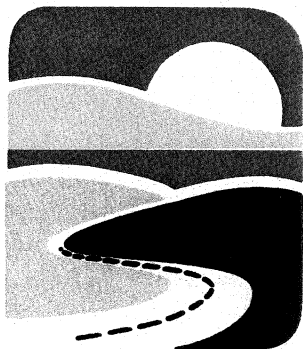
\$138,623.26

The motion was seconded by

And passed by a vote of 3 to 0

Jeff A. Burchard
The attached vouchers have been approved by Auditor or Deputy

Julie Jordan
Vouchers Audited By



FRANKLIN COUNTY

PUBLIC WORKS DEPARTMENT

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

February 2, 2012

Franklin County Commissioners:

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

Action: As of this date, February 2, 2012 *PEHock*,
 move that the following warrants be approved for payment:

<u>FUND</u>	<u>WARRANT</u>	<u>AMOUNT</u>
County Road		
- Payroll	61375 - 61395	37,171.50
- Direct Deposit (3196-3222)		45,079.98
		<u>\$82,251.48</u>
- Benefits	61396 - 61400	38,054.21
	Total	<u>\$120,305.69</u>
Motor Vehicle		
- Payroll	61401 - 61414	5,405.09
- Direct Deposit (3223 - 3227)		6,596.41
		<u>\$12,001.50</u>
- Benefits	61415 - 61419	2,203.34
	Total	<u>\$14,204.84</u>

in the total amount of **\$134,510.53** (\$120,305.69 + \$14,204.84). The motion was seconded
 by *Shea* and passed by a vote of 3 to 0.

The attached payroll has been approved by the Public Works Director

Whitney Olson
 Payroll Prepared By

February 8, 2012



FRANKLIN COUNTY

BOARD OF COMMISSIONERS

BRAD PECK
DISTRICT 1

ROBERT E. KOCH
DISTRICT 2

RICK MILLER
DISTRICT 3

Fred H. Bowen
County Administrator

Rosie H. Rumsey
Human Resources Director

February 8, 2012

Jay Weber, Executive Director
County Road Administration Board
2404 Chandler CT SW, Suite 240
Olympia WA 98502

Re: Notification of status of Franklin County Professional Engineer (PE)

Dear Jay:

Due to a temporary vacancy of a PE in the Franklin County Public Works Department, Franklin County has entered into a contract with Benton County for Malcolm Bowie, PE, to work as a temporary PE in Franklin County.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

A handwritten signature in cursive script, appearing to read "Brad Peck".

Brad Peck
Chairman

Attachment: Franklin County Resolution 2012-055

cc: Benton County Public Works Department

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. 2012-093

FRANKLIN COUNTY RESOLUTION NO. 2012 055

BEFORE THE BOARDS OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON AND FRANKLIN COUNTY, WASHINGTON;

RE: INTERLOCAL AGREEMENT FOR PROVISION OF ENGINEERING SERVICES BETWEEN COUNTY OF BENTON AND COUNTY OF FRANKLIN, EFFECTIVE THROUGH APRIL 30, 2012

WHEREAS, Franklin County is in temporary need of a part-time county road engineer and has requested the use of Malcolm Bowie, Benton County Engineer, on a part-time basis; and

WHEREAS, RCW 36.80.010 authorizes the county legislative body to contract with another county for the engineering services of a county road engineer from another county; and


WHEREAS, the Benton County Board of Commissioners deems it appropriate to enter into an agreement with Franklin County to provide engineering services on a part-time basis; and

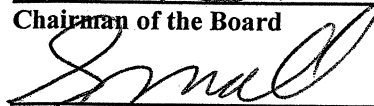
WHEREAS, the Board of Benton and Franklin County Commissioners constitutes the legislative authority of their respective county and desires to enter into the arrangement; NOW, THEREFORE

BE IT RESOLVED, the Benton and Franklin County Board of Commissioners hereby approves the attached Interlocal Agreement for Provision of Engineering Services between County of Benton and County of Franklin, effective through April 30, 2012, and authorizes the Chairman to sign the Agreement on behalf of their respective county.

Dated this 7 day of Feb, 2012

Dated this 6 day of February, 2012.

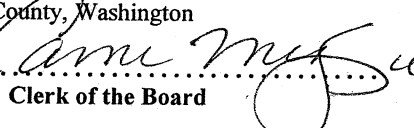

Chairman of the Board


Chairman Pro-Tem



Member

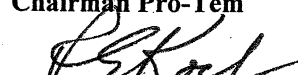
Constituting the Board of County Commissioners,
Benton County, Washington

Attest:


Clerk of the Board


Chairman of the Board


Chairman Pro-Tem


Member

Constituting the Board of County Commissioners,
Franklin County, Washington

Attest:


Clerk of the Board

**INTERLOCAL AGREEMENT FOR PROVISION OF ENGINEERING SERVICES
BETWEEN
COUNTY OF BENTON AND COUNTY OF FRANKLIN**

THIS AGREEMENT is made on the 6 day of February, 2012 by and between Franklin and Benton Counties, political subdivisions of the State of Washington, to wit (collectively referred to herein as "Counties"):

WHEREAS, RCW 39.34 authorizes local governmental units to enter into agreements with other public agencies to make efficient use of their powers on a basis of mutual advantage to provide services to the local community; and

WHEREAS, RCW 36.80.010 states that the county legislative authority of each county shall employ a county road engineer on either a full-time or part time basis, or may contract with another county for the engineering services of a county road engineer from such other county; and

WHEREAS, Benton County has on a staff full time county road engineer; and

WHEREAS, Franklin County is temporarily in need of a part-time county road engineer to meet the requirements of RCW 36.80.010, and

WHEREAS, the Board of County Commissioners for Franklin and Benton Counties have agree to enter into this agreement;

NOW, THEREFORE, in consideration of the mutual benefits of this agreement, the parties agree as follows:

1. It is the purpose of this agreement and agreed upon between the Counties of Franklin County shall be able to utilize Malcolm Bowie, Benton County Engineer for county road engineering and other Benton County Public Works staff as needed, as available and as approved by the Benton County Board of Commissioners on a part time basis as specified herein.

2. The duration of this agreement shall begin immediately upon the duly authorize signatures of both parties and shall expire on, or before, April 30, 2012.
3. Franklin County shall reimburse Benton County at the present hourly plus overhead per hour for professional engineering services provided by Malcolm Bowie and other Benton County Public Works staff, plus 51¢ per mile for mileage. Any additional expenses shall be invoiced at cost with no additional mark up.
4. Benton County shall bill Franklin County by the 10th (tenth) of the month following the month in which costs were incurred. Franklin County will reimburse Benton County within 30 (thirty) days of billing for service.
5. Malcolm Bowie's duties shall include:
 - a. Examine and certify documents required by CRAB and WSDOT.
 - b. Review survey data within county right-of-way, cross sections and design projects.
 - c. Review plans, specifications, and engineering estimates.
 - d. Contract administration.
 - e. Project inspection.
 - f. Review and sign engineering section vouchers and payrolls
 - g. Any other county road engineer duties deemed necessary by Franklin County and Malcolm Bowie.
6. This agreement shall be in effect until April 30, 2012, unless terminated sooner, in-writing, by authorized representatives of either party. Either party may terminate this agreement at anytime for convenience as set forth herein this section.
7. Venue for any action hereunder shall be in Benton County, Washington. If any term of provision of this agreement is in whole or part, held invalid or unenforceable by any court of competent jurisdiction, the remainder of this agreement shall continue in full force and effect.
8. Franklin County shall defend, indemnify and hold harmless Benton County, its officials, or agents and employees from and against any and all claims, losses, damages, judgments, or liabilities of whatever nature, including attorney fees, made by any person or entity as a result of Malcolm Bowie exercising his responsibilities of Franklin County, and any omissions related thereto, under the terms of this agreement.
9. This agreement does not contemplate the creation of a separate legal or administrative entity per RCW 39.34.030(3)(b).
10. All property provided by either party in the performance of this agreement shall remain that of the providing party and shall only be disposed of by said party.

11. The County Administrator of Benton County and the Chairman of the Franklin County Board County Commissioners shall serve as administrators and contract representatives for this agreement and all notices shall be delivered in writing to them at the following addresses:

For Franklin County: Attn: Franklin County Board County Commissioners, 3416 Stearman Avenue, Pasco, WA 99301

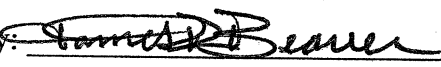
For Benton County: Attn: County Administrator, 620 Market Street, Prosser, WA 99350

In said capacity as administrators and contract representatives the County Administrators shall settle any and all disputes related to this agreement.

12. This agreement constitutes the entire agreement of the parties and may only be amended in writing by mutual agreement of the authorized representatives of the parties herein.
13. This agreement shall be effective upon the duly authorized signature of the parties' authorized representatives.

IN WITNESS WHEREOF said parties have caused this Agreement to be signed by the duly authorized officials on the day and year first written above.

BENTON COUNTY,
WASHINGTON


By: 
Chairman, Board of County
Commissioners

Attest:



Clerk of the Board

Dated: 2-7-2012

Approved as to form:


Deputy Benton County Prosecuting Attorney

FRANKLIN COUNTY,
WASHINGTON

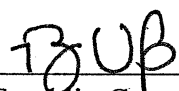
By: 
Chairman, Board of County
Commissioners

Attest:


Clerk of the Board

Dated: 2-6-2012

Approved as to form:


Franklin County Prosecuting Attorney, Deputy