



Keith Johnson
County Administrator

BOARD OF COMMISSIONERS
FRANKLIN COUNTY
WASHINGTON

BRAD PECK
District 1

ROCKY MULLEN
District 2

CLINT DIDIER
District 3

AGENDA
Regular Board Meeting and Public Hearing
Tuesday August 31, 2021

Franklin County Courthouse, Commissioners' Meeting Room
1016 North Fourth Avenue, Pasco, Washington

This is a preliminary agenda. Discussion items may be added, deleted or modified. Public Hearings will not start earlier than the advertised time. Other agenda times are approximate and provided to aid in planning.

Please follow our Franklin County website link to join us via AV Capture Live Stream.
<https://www.co.franklin.wa.us/commissioners/meeting.php>

Mask requirement for ALL individuals is in effect.

- 9:00 a.m. Call to Order and Pledge of Allegiance**
- 9:02 a.m. Commissioner/Administrator Updates**
- 9:15 a.m. Closed Record Hearing CUP 2021-06 Accessory Dwelling Unit Nelson**
Presented by Planning and Building Director Derrick Braaten
(Resolution 2021-177 upon approval)
- 9:30 a.m. Realignment of Auditors Accounting Positions**
Presented by Human Resources Director Carlee Nave
(Resolution 2021-189 upon approval)
- 9:40 a.m. Public Comment by Phone: 509-546-5859**
We welcome your comments, as they are important to us.
Please limit your comments to three minutes.
- 9:45 a.m. Office Business**
1. Approval of Payroll Rosters
 2. Approval of Warrant Registers
 3. Approval of Consent Agenda
-
1. Resolution 2021-190 Maria Vela Espinosa Commission Elected Salaries
 2. Resolution 2021-191 Janese Thatcher-Buzzell Commission Elected Salaries
 3. Resolution 2021-192 Chris Eskildsen Commission Elected Salaries
 4. Resolution 2021-193 Astrophysics Contract on X-ray Equipment for Security Building
 5. Resolution 2021-194 Surplus Property Disposal Information Services Office
 6. Resolution 2021-195 Professional Services Agreement Eric Scott Civil Office of Public Defense

7. Resolution 2021-196 Bi-County Pro Rata Share Blake Caseload
8. Resolution 2021-197 Intra budget transfers Planning and Building Department
9. Resolution 2021-198 Contract between Lourdes Counseling and Human Services
10. Resolution 2021-199 Contract between Somerset Counseling and Juvenile Justice Center
11. Resolution 2021-200 Contract between Jennifer Azure and Juvenile Justice Center
12. Resolution 2021-201 Interagency Agreement with Administrative Office of the Courts for
CASA Programs Juvenile Justice Center
13. Resolution 2021-202 Contract between Ideal Options and Juvenile Justice Center

9:50 a.m. Administration Office Business

- Review Retroactivity of Resolutions 2019-104 and 2019-105

10:00 a.m. Public Comment

10:05 a.m. Executive Session

RCW 42.30.110(1)(g) – Qualifications of an applicant for public employment

10:15 a.m. Executive Session

RCW 42.30.110 (1) (i) to discuss with legal counsel: litigation or potential litigation.

10:45 a.m. Adjourn



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The Minutes of the Board of Commissioners proceedings are not verbatim. Access to an electronic audio recording of meetings are available on the Franklin County website or upon request.

9:00 a.m.

Call to Order and Pledge of Allegiance

Commission Chairman Clint Didier called the Franklin County Commissioners' Regular Board Meeting to order at 9:00 a.m., in the Commissioners' Meeting Room in the Franklin County Courthouse located at 1016 North Fourth Avenue, Pasco, Washington.

Commissioners Present: Commission Chair Clint Didier, Chair Pro Tem Rocky Mullen and Member Brad Peck

9:03 a.m. **Commissioner/Administrator Updates**

Administrator Keith Johnson update

- Voluntary Stewardship program- reviewed the past few years and planning on the next couple of years.
- Hired a new Administrative Assistant Jennifer Medelez
- WSAC discussed Rescue Plan Act and State's Covid response
- Finance Budget Committee meeting – transferred a little over three-hundred fifty thousand dollars to reserve fund
- Response to our Comprehensive Plan challenge is ongoing.
- Board requested a Growth Management Act presentation and WSAC President Eric Johnson and Paul Jewel would be presenting this to us September 14, 2021.
- Waiting for Legal Counsel to direct Redistricting Committee

Commissioner Peck update

- Requested we move forward with remote meetings. Stated that Commissioner Didier had an exemption for a mask and the accommodation under the law who have this situation is to go to remote meetings. Since we have these tools to have remote meetings, we should recess after updates and remote in.
- Local decision makers meeting with Health District
- Council of governments executive meeting
- Department of Commerce- Economic Development issues
- WSAC virtual assembly meeting

Commissioner Didier addressed the remote issue and spoke with Keith about this matter. He proposed to be in the meeting as Chair. The other Commissioners can remote in if they so choose.

Commissioner Mullen update

- Met with Benefits Committee



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- Tri-Cities Regional Chamber of Commerce.
- Spoke with Gloria Boyce from Ben Franklin Transit and expressed his disappointment with discontinuing bus service to and from the Fair event. He believed this decision should have been brought before the Board.

Commissioner Didier update

- Finance Committee meeting.
- Discussion with Gloria Boyce about the decision to discontinue bus service from the Fair event.
- Eastern Washington Council of Government had a meeting but Commissioner Didier was unable to connect virtually due to technical problems.

9:10 a.m. Commissioner Peck asked those in the meeting room to wear a mask or this meeting would be considered an unlawful meeting. Commissioner Didier had a difference in opinion and stated those differences. Prosecuting Attorney Shawn Sant added that he is the legal for the County. The Governor is acting within the law by establishing the mask mandate.

9:19 a.m. Mr. Sant asked for those in the room to comply with the mask mandate whether you like it or not. Commissioner Peck would not participate in an unlawful meeting.

❖ *He made a motion to recess until 10:00 a.m. so individuals can remote from various places. Commissioner Mullen seconded. Motion carried 2:1.*

❖ 9:26 a.m. *Commissioner Didier recessed the meeting until 10:00 a.m.*

10:00 a.m. Commissioner Didier reconvened the meeting.

Commissioner Didier opened the Closed Record Hearing CUP 2021-06 Accessory Dwelling Unit Nelson.

Planning and Building Director Derrick Braaten gave a PowerPoint background on the conditional use permit 2021-06 Nelson. He addressed the address as 51 Wiesner Way, Pasco WA 99301. Parcel Number 124-160-283. He listed the Findings of Fact and Conditions of Approval.

Commissioner Didier closed the Closed Record Hearing at 10:12 a.m.

❖ *Commissioner Mullen moved to approve CUP 2021-06 Resolution 2021-177. Commissioner Peck seconded and the motion carried.*

10:13 a.m. Realignment of Auditors Accounting Positions

Human Resources Director Carlee Nave gave a brief background of the current job descriptions and the request to change the classification to better reflect the set of job duties.



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- ❖ *Commissioner Mullen moved to approve resolution 2021-189. Commissioner Didier seconded. The motion carried 2:1.*

10:32 a.m. Approval of Fund Expenditure Warrants

08/30/2021

Franklin County Commissioners:

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

Action: As of this date, 08/30/2021

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.

Warrants \ Check Numbers:	00373936 - 00374077	\$542,399.96
EFT Check Numbers:	00000908 - 00000919	\$58,619.56
		<u>\$601,019.52</u>

Fund Expenditures	Amount Issued
CURRENT EXPENSE	\$321,601.64
AUDITOR O & M	\$692.82
ELECTION EQUIP REVOLVING	\$426.57
CLERK LFO COLLECTION	\$4,000.00
ENHANCED 911	\$4,195.70
COUNTY ROADS	\$221,753.35
SOLID WASTE	\$88.06
VETERAN'S ASSISTANCE	\$833.28
ENDING HOMELESSNESS	\$38,224.89
THE HAPO CENTER	\$3,209.57
FRANKLIN COUNTY RV PARK	\$4,784.33
MOTOR VEHICLE	\$1,199.31

In the amount of: \$601,019.52

The motion was seconded by: Brad Peck
Approved Telephonically

And passed by a vote of: 3 to 0

Reviewed by the County Administrator: Jeff A. Burckhard

The attached vouchers have been approved by Auditor or Deputy:
Jeff Burckhard

Vouchers Audited By:
Paola Mendoza

www.co.franklin.wa.us/auditor

- ❖ *Commissioner Mullen moved to approve Fund Expenditures audited and certified by the auditing officer for warrants prepared for the week of August 31, 2021 for payment totaling \$601,019.52. Commissioner Peck seconded and the motion carried.*



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10:33 a.m. Approval of Consent Agenda

1. Resolution 2021-190 Maria Vela Espinosa Commission Elected Salaries
2. Resolution 2021-191 Janese Thatcher-Buzzell Commission Elected Salaries
3. Resolution 2021-192 Chris Eskildsen Commission Elected Salaries
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13. Resolution 2021-202 Contract between Ideal Options and Juvenile Justice Center

- ❖ *Commissioner Peck asked to have separate discussion on items 1-2 and 3. There was discussion and clarification on the Salary Committee process.*
- ❖ *Commissioner Mullen moved to approve consent agenda items 1-13. Commissioner Peck seconded and after discussion, the motion carried.*

9:19 a.m. Administration Office Business

Mr. Johnson brought forth a letter that encourages the community to get vaccinated. There is no suggestion in the letter of it being mandatory.

- ❖ *Commissioner Peck and Commissioner Mullen were in consensus to sign the letter and Commissioner Didier did not agree. 2:1 consensus*

Mr. Johnson gave a background of retroactivity of resolutions 2019-104 and 2019-105. He asked the Commissioners if they were in favor of having those who have received retroactive payment, return those funds. If they did not, what direction did they want to go?

Attorney Shawn Sant advised those who were affected by these resolutions to follow the State Auditor's rules and return payment.

Commissioner Peck did not agree with the retroactive action and he believed Commissioner Koch expressed this same thought during the meeting in which it was discussed. He asked to hold off on any decisions until the State Auditor had an opportunity to review and weigh in on the matter.



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- ❖ *There was consensus from the Commissioners to wait for the State Auditor's review so see whether a finding is applicable.*
- ❖ *Consensus to cancel the September 7, 2021 meeting.*

11:12 a.m. Public Comment

- Jeffery Robinson voiced his concerns with conduct of the Commissioners.
- Trevor Crosby concerned about the vaccine mandate and people losing their jobs because of the mandate. He asked the Commissioners to stand against this mandate.
- Lawanda Hatch spoke on the unconstitutional mandate and the power that the Governor claims he holds. She voiced her concerns with Attorney Shawn Sant who stated that the public was committing tyranny because a crowd showed up to have their voices heard. She asked the Commissioners to man up and represent the people.
- Avrial Odell asked to see the science for the mask and asked for proof of it being effective. He asked that people stand up against this mandate.
- Quinn Odell agreed with his brother that people need to take charge and stand up against this mandate. He encouraged getting people back to work and the economy up and running. The Governor is mandating the vaccination and doesn't care about our religious rights.
- Ms. Dorsey would like to see her son go to school safely. She thanked Commissioner Peck for doing the right thing for our community.

11:29 a.m. **RECESS** Commissioner *Didier recessed the regular meeting for five minutes.*

11:36 a.m. **RECONVENE** Commissioner *Didier reconvened the regular meeting.*

11:36 a.m. **Executive Session** RCW 42.30.110(1)(g) – Qualifications of an applicant for public employment.

Commissioner Didier recessed into Executive Session at 11:36 a.m., for up to 20 minutes to discuss Qualifications of an applicant for public employment. Those participating are Commissioner Didier, Commissioner Mullen, Commissioner Peck, County Administrator Keith Johnson, Clerk of the Board Karin Milham, Human Resources Director Carlee Nave and Assessor John Rosenau.

11:46 a.m. Commissioner Didier reconvened the regular meeting.

- ❖ *Commissioner Mullen moved to approve authorization of Assessor to make a job offer to Appraiser Shannon Taylor at a step 6 on the salary schedule and leave accruals beginning at the 13-year accrual rate in recognition of her experience in senior appraisal for another Washington county. Commissioner Peck seconded and the motion carried.*

11:47 a.m. **Executive Session** RCW 42.30.110(1)(i) discuss with legal counsel, litigation or potential litigation



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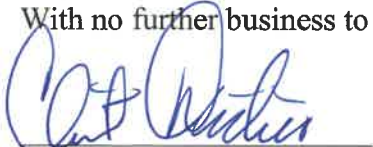
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Commissioner Didier recessed into Executive Session at 11:49a.m., for up to 45 minutes to discuss with legal counsel regarding litigation or potential litigation. Those participating are Commissioner Didier, Commissioner Mullen, Commissioner Peck, County Administrator Keith Johnson, Prosecuting Attorney Shawn Sant, Civil Prosecuting Attorney Jennifer Johnson, Outside Council and Clerk of the Board Karin Milham.

Commissioner Didier reconvened the regular meeting at 12:20 p.m.

Adjourn

With no further business to bring before the Board, the meeting adjourned at 12:20 p.m.


Chair


Clerk of the Board

10-19-2021
Date