



Keith Johnson  
County Administrator

BOARD OF COMMISSIONERS  
**FRANKLIN COUNTY**  
WASHINGTON

**BRAD PECK**  
District 1

**ROCKY MULLEN**  
District 2

**CLINT DIDIER**  
District 3

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**AGENDA**  
**Regular Board Meeting**  
**Tuesday September 21, 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 are required for All in-person attendance

**9:00 a.m. Call to Order and Pledge of Allegiance**

**9:02 a.m. Commissioner/Administrator Updates**

**9:15 a.m. Certificate of Appreciation Kelly O'Connor**

**9:20 a.m. Compensation Change for Clerk Financial Manager Position**

*Presented by Human Resources Director Carlee Nave and Clerk Michael Killian  
Resolution 2021-203 upon approval*

**9:30 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.*

**9:35 a.m. Office Business**

1. Approval of Payroll Rosters
  2. Approval of Warrant Registers
  3. Approval of Consent Agenda
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1. Resolution 2021-204 New Hire Entry Exceptions for Shannon Taylor
  2. Resolution 2021-205 Cancellation of Unclaimed Warrants
  3. Resolution 2021-206 Contract Amendment 1 between Franklin County and MP Construction
  4. Resolution 2021-207 Personal Services Contract with Karyn K Oldfield
  5. Resolution 2021-208 Termination of Professional Services Contract with Benton-Franklin Health District
  6. Resolution 2021-209 Public Works Contract between JJC and Day Wireless Systems

**9:40 a.m. Administration Office Business**

**9:45 a.m. Public Comment**

**9:50 a.m. Executive Session RCW 42.30.110(1)(i) – Potential Litigation**

**10:20 a.m. Executive Session RCW 42.30.110(1)(i) – Potential Litigation**

**11:00 a.m. Public Comment**

**10:50 a.m. Adjourn**



# FRANKLIN COUNTY, WASHINGTON BOARD OF COMMISSIONERS

REGULAR MEETING AND  
PUBLIC HEARING  
SEPTEMBER 21, 2021

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

Correct motions from last week.

Commissioner Didier brought about the in last week's meeting regarding A motion that the Board direct the PA and Mr. Bruner to withdraw the admission of fault to respond to the litigation by rejecting the assertions in the complaint. That was seconded and passed 2-1

There was a second motion to direct the Prosecuting Attorney to fully support the position communicated today and defend his client. Commissioner Mullen seconded. Motion carried 2-1

A third motion was brought forth but vote was not taken in the last meeting. To complete this motion, Commissioner Didier brought this motion before the Board.

❖ *Commissioner Didier moved to waive confidential privilege on correspondence as of September 1, 2021. Commissioner Mullen seconded. Motion carried 2-1.*

Commissioner Peck objected to the motion and said it was out of order.

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

Administrator Keith Johnson update

- Attended the County Administrator Conference
- Discussions with State Auditors and County Audits across the state
- Risk Pool discussions and cyber attacks
- ARPA American Rescue Plan Act Planning

Commissioner Peck update

Object to Chairs continued, willful, knowing and intentional refusal to comply with the lawful mandates of the Washington State Legislature executed thereby and through the power granted to the Washington Governor. Further, any penalties imposed upon Franklin County resulting from the Chair's unlawful actions are the personal responsibility of the Chair, not to be paid, levied, or





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in any way become a burden upon the citizens of Franklin County. Secondly, Sir I believe you have created a chilled work environment in this county and this courthouse.

- Ben Franklin Board of Health
- Council of Governments
- HAEIFC Board Meeting

### Commissioner Mullen update

- Ben Franklin Health District and Exit Audit
- State Response – could not hear the audio

### Commissioner Didier update

- Budget meeting
- He asked Administrator Keith Johnson to look into the Planning departments budget and do an evaluation
- Law Library
- Received numerous letters from constituents to publicly oppose any attempts by the federal, state and local governments to promote or impose Fauci's lockdowns on school closures in America.
- Read a letter from citizen asking to stand strong against tyranny
- Woman's fiancé in hospital with COVIC -19 and not getting treatment needed

### 9:15 a.m. **Certificate of Appreciation for Kelly O'Conner in Public Works**

Commissioner Didier read the letter of appreciations Laura Stark accepted this certificate on his behalf. Commissioner Mullen thanked him for the twenty-six years of service. Commissioner Peck thanked and commended him as well.

### 9:16 a.m. **Compensation Change for Clerk Financial Manager Position**

Human Resources Director Carlee Nave and Clerk Michael Killian have worked on this project for about a year to reevaluate and change positions in the Clerk's office.

❖ *Commissioner Mullen moved to approve Resolution 2021-203. Commissioner Peck seconded and the motion carried.*

### 9:18 a.m. **Public Comment**

- Jeffery Robinson voiced his concerns on alleged use of medicines used in hospitals to treat COVID-19 are killing people. He was concerned with Commissioners claiming they were not vetted by legal counsel in the redistricting matter. The behavior of this Commission is out of hand.
- Lawanda Hatch voiced her concerns about mask mandate, which she opposes. She voiced her concerns about the postponement of redistricting committee and the process that has taken place. She would like the Commissioners to investigate this matter.



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- Citizen voiced his concerns that the county and public are not following the mandate. He was concerned with the redistricting committee being all-republican. He stated the judge will make the decision.

9:30 a.m. Approval of Fund Expenditure Warrants

09/21/2021

Franklin County Commissioners:

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

Action: As of this date, 09/21/2021

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:	00374368 - 00374496	\$700,333.06
EFT Check Numbers:	00000926 - 00000926	\$1,360.00
		<u>\$701,693.06</u>

Fund Expenditures	Amount Issued
CURRENT EXPENSE	\$648,622.76
AUDITOR O & M	\$417.13
BOATING SAFETY	\$2,365.00
JAIL COMMISSARY	\$16,472.16
ENHANCED 911	\$90.18
COUNTY ROADS	\$3,658.80
SOLID WASTE	\$344.81
LAW LIBRARY	\$1,051.36
ENDING HOMELESSNESS	\$3,096.72
THE HAPO CENTER	\$15,735.61
FRANKLIN COUNTY RV PARK	\$6,593.72
MOTOR VEHICLE	\$3,244.81

In the amount of: \$701,693.06

The motion was seconded by: Brend Peck

And passed by a vote of: 3 to 0

Reviewed by the County Administrator: [Signature]

[Signature]  
The attached vouchers have been approved by Auditor or Deputy:  
Matt Beaton

[Signature]  
Vouchers Audited By:  
Paola Mendoza

[www.co.franklin.wa.us/auditor](http://www.co.franklin.wa.us/auditor)

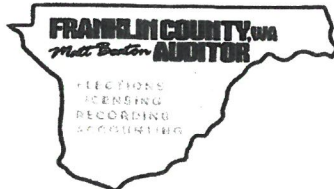
- ❖ Commissioner Mullen moved to approve Fund Expenditures audited and certified by the auditing officer for warrants prepared for the week of September 21, 2021 for payment totaling \$701,693.06. Commissioner Peck seconded and the motion carried.



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9:30 a.m. Approval of Salary Clearing and Emergency Management Payroll



1016 N 4th Ave, Pasco,  
WA 99301  
509-545-3502

September 21, 2021

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, September 21, 2021  
moves that the following warrants be approved for payment.

<u>FUND</u>	<u>WARRANT</u>	<u>AMOUNT</u>
<b>Salary Clearing Payroll:</b>		
Net Payroll Checks	00374325-00374331	\$ 8,398.72
Net EFT Payroll Checks	00035855-00036119	\$ 497,963.85
Deduction and Contribution Checks	00374349-00374367	\$ 489,313.10
	<b>Total</b>	<b>\$ 995,675.67</b>
<b>Emergency Mgmt Payroll:</b>		
Net EFT Payroll Checks	00035851-00035854	\$ 7,836.87
Deduction and Contribution Checks	00374332-00374348	\$ 11,786.27
	<b>Total</b>	<b>\$ 19,623.14</b>
<b>Grand Total All Payrolls</b>		<b>\$ 1,015,298.81</b>

In the total amount of **\$1,015,298.81**

The motion was seconded by Brian Peck and passed by a vote of 3 to 0.

Mutt Beal  
The attached payroll has been approved by Auditor or Deputy

Peter Gadomski  
Payroll Prepared by Peter Gadomski

❖ **Commissioner Mullen moved to approve Salary Clearing and Emergency Management Payroll totaling \$1,015,298.81. Commissioner Peck seconded and the motion carried.**





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**9:32 a.m. Approval of Consent Agenda**

1. Resolution 2021-204 New Hire Entry Exceptions for Shannon Taylor
  2. Resolution 2021-205 Cancellation of Unclaimed Warrants
  3. Resolution 2021-206 Contract Amendment 1 between Franklin County and MP Construction
  4. Resolution 2021-207 Personal Services Contract with Karyn K Oldfield
  5. Resolution 2021-208 Termination of Professional Services Contract with Benton-Franklin Health District
  6. Resolution 2021-209 Public Works Contract between JJC and Day Wireless Systems
- *Commissioner Mullen moved to approve Consent Agenda items 1-6. Commissioner Peck seconded. Commissioner Didier requested discussion on items 2 and 3. After discussion, the motion carried.*

**9:35 a.m. Administration Office Business**

- Mr. Johnson explained the postponement of the redistricting committee meetings.
- Salary Commission is not full and HR has not received any applicants.
- Prosecuting Attorney Shawn Sant explained some of the rules and process of the redistricting maps. Outside Council Casey Bruner also explained the data on the allegations of what is involved with redistricting matter.

**10:16 a.m. Public Comment**

- Citizen President of Latino group would like to help with distributing some of the ARPA funds for the Latino Community.
- John Rose questioned the data of census and how does it applies to the legal voting system. Are those being counted in the census for redistricting, citizens or just bodies? He feels underrepresented in the government of the state.
- Commissioner Peck responded that our objective to follow the law.
- Lawanda Hatch hoped that the redistricting committee would get a chance to do their job. She hoped that ultra violet lights would be put in the courthouse with the ARPA funds. Again asked for an investigation on who is running the redistricting committee.

**10:28 a.m. Commissioner Mullen wanted to revisit the COLA of the elected officials.**

- ❖ *Commissioner Mullen moved that Franklin County Commission approve and except the 2019, COLA for the elected officials as it has been paid to date. We do not desire the PA to spend time on it, as this issue is considered settled, with no further actions needed. Commissioner Didier seconded. After discussion, the motion carried 2:1.*



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**10:31 a.m. Executive Session RCW 42.30.110(1)(i) – Potential Litigation**

Commissioner Didier recessed into Executive Session at 10:31 a.m., for up to 5 minutes to discuss potential litigation. Those participating are Commissioner Didier, Commissioner Mullen, Commissioner Peck, County Administrator Keith Johnson, Clerk of the Board Karin Milham, Attorney Shawn Sant and Administrative Assistant Jennifer Medelez.

10:36 a.m. Commissioner Didier reconvened the regular meeting.

- ❖ *Mr. Sant asked for a motion to authorize him to cast a vote on behalf of Franklin County to vote in favor of the proposed settlement with the Opioid litigation, which includes several counties. Commissioner Peck so moved. Commissioner Mullen seconded and the motion carried.*

**10:39 a.m. Executive Session RCW 42.30.110(1)(i) – Potential Litigation**

Commissioner Didier recessed into Executive Session at 10:39 a.m., for up to 30 minutes to discuss potential litigation. Those participating are Commissioner Didier, Commissioner Mullen, Commissioner Peck, County Administrator Keith Johnson, Clerk of the Board Karin Milham, Attorney Shawn Sant, Civil Attorney Jennifer Johnson, Outside Counsel Casey Bruner and Administrative Assistant Jennifer Medelez.

Commissioner Didier reconvened the regular session to announce the extension of executive session for an additional 30 minutes under the same RCW.

11:43 a.m. Commissioner Didier reconvened the regular session.

**11:44 a.m. Public Comment**

- John Rose voiced his concerns on censorship regarding Covid and science. What happened to my body, my choice, my decision? The mandates are anti-constitution.
- Lawanda Hatch concerned with demographer and census regarding citizens and known registered Latino voters.

11:49 a.m.

- Commissioner Didier gave his opinion on the current map and adjusting by the numbers. He did not agree on district only.
- Commissioner Mullen and those citizens who contacted him do not wish to have district only. He did not see much change in the numbers from a primary to a general; he does not believe we are a racist county and he finds that comment in the Tri-City Herald offensive. He wants to be fair and equitable to everyone.





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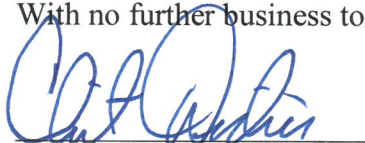
- Commissioner Peck believes we are duty bound to elected officials. The County has already publicly taken a position in the summary judgement hearing that acknowledged we in fact have polarized voting and our current system is in violation of the Voting Rights Act. If we want to change that position with the court then that is a matter for the Commissioners to consider and weigh individually. He has no personal interest in the boundaries.

Mr. Sant asked the Chair what direction the Board would like to go. Mr. Sant announced that the final version of the map must be finished by November 8, 2021. Outside Counsel is able to bring three maps for the Board to review. A discussion on ways to adjust boundaries ensued.

October 19, 2021 is a tentative time to bring the maps to the Board.

**Adjourn**

With no further business to bring before the Board, the meeting adjourned at 12:11p.m.

  
Chair

  
Clerk of the Board

12-21-2021  
Date