



# FRANKLIN COUNTY, WASHINGTON BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES  
NOVEMBER 19, 2019

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 Robert Koch 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 Robert Koch, Chair Pro Tem Brad Peck and Member Clint Didier

**Staff Present:** County Administrator Keith Johnson, Sheriff Jim Raymond, Clerk Michael Killian, Auditor Matt Beaton, Chief Deputy Prosecuting Attorney Jennifer Johnson, Human Resources Director Carlee Nave, Planning and Building Director Derrick Braaten, Administrative Support Specialist Rebecca Gilley, and Clerk of the Board Karin Milham

9:01 a.m. **WSU Extension Updates**

Emmanuel Osafo, Ph.D. Assistant Professor, Leadership/Volunteer Development lead the review of the 4-H program. 4-H empowers people with lifelong skills and relationship opportunities. Currently there are 261 adult volunteers, 88 youth volunteers, 1,105 youth served, and 2,249 county projects in progress. Areas of participation are; Animal Sciences, Communication Expressive Art, Technology Engineering and Food Nutrition.

Benton Franklin Fair is the largest livestock sale in Washington with Connell coming in second.

The Master Gardener program has provided 76 garden spaces, 130 classes and over 8,000 volunteer hours. The food garden team cultivated 7,700 tons of food to low income families.

- *Lauren Romney, Benton- Franklin 4-H Program Coordinator and Robby Burns, Benton-Franklin Master Gardener Program Coordinator were also present.*

9:30 a.m. **Wilson House Discussion**

Administrator of Benton/Franklin Department of Human Services Kyle Sullivan brought forth the discussion on leasing the Wilson House to Lourdes, who sold out to RCH and took over the lease until further options are worked out. Mr. Sullivan presented the Board with two recommendations, to either sell the property or continue to lease at a fair price. After discussion, the Commissioners agreed that the County thought it was in the County's best interest to sell the property.

9:15 a.m. **Public Comment**

- Jeffery Robinson acknowledged Commissioner Koch, as he will retire after the 2020 year as a Commissioner. He thanked him for his service and great influence he has had on the County.



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- Rocky Mullen spoke of his concerns on the intersection of Vineyard and highway 395. He asked the Commissioners to send a letter to WSDOT to work on this matter.
- Cindy Rog shared her concerns about the sexually transmitted disease (STD) and sexually transmitted infections (STI) being the fastest growing health concern in the Tri-Cities. The Public Health District does not treat or test for STD or STI. Commissioner Peck asked Ms. Rog to go to a Board of Health meeting to discuss this.

**9:35 a.m. Approval of Fund Expenditure Warrants**

11/19/2019

Franklin County Commissioners:

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

Action: As of this date, 11/19/2019 Burd Peck

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:	00354472 - 00354597	\$612,679.49
EFT Check Numbers:	00000323 - 00000330	\$17,817.89
		<u>\$630,497.38</u>

Fund Expenditures	Amount Issued
CURRENT EXPENSE	
AUDITOR O & M	\$350,555.50
SUPPLEMENTAL PRESERVATION	\$238.20
ELECTION EQUIP REVOLVING	\$8,531.36
BOATING SAFETY	\$250.67
JAIL COMMISSARY	\$117.89
DARE FUND SHERIFF	\$708.07
ENHANCED 911	\$50.44
COUNTY ROADS	\$2,394.92
SOLID WASTE	\$186,856.53
RENTAL CAR EXCISE TAX	\$13.34
ENDING HOMELESSNESS	\$3,371.48
THE HAPO CENTER	\$500.00
FRANKLIN COUNTY RV PARK	\$45,602.45
MOTOR VEHICLE	\$5,454.47
	<u>\$25,852.06</u>

In the amount of: \$630,497.38

The motion was seconded by: *Cliff Winter*

And passed by a vote of: 3 to 2

Reviewed by the County Administrator: *Matt Beaton*

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

*Peter Gadowskiy*  
Vouchers Audited By:  
Peter Gadowskiy

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

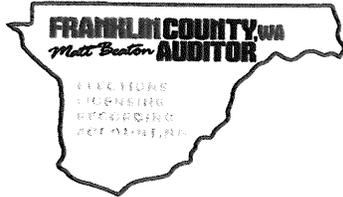
❖ *Commissioner Peck moved to approve Fund Expenditures audited and certified by the auditing officer for warrants prepared for the week of November 19, 2019 for payment totaling \$630,497.38. Commissioner Didier seconded and the motion carried.*



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**9:35 a.m. Approval of Salary Clearing and Emergency Management Payroll**



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

November 19, 2019

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, November 19, 2019 *Bruce Peck* 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	00354450-00354455	2,965.00
Net EFT Payroll Checks	00022584-00022863	474,915.31
Deduction and Contribution Checks	00354456-00354471	341,615.24
	<b>Total</b>	<b>\$ 819,495.55</b>
<b>Emergency Mgmt Payroll:</b>		
Net EFT Payroll Checks	00022300-00022303	\$ 7,609.84
Deduction and Contribution Checks	00354422-00354426	5,554.14
	<b>Total</b>	<b>\$ 13,163.98</b>
	<b>Grand Total All Payrolls</b>	<b>\$ 832,659.53</b>

In the total amount of **\$832,659.53** (\$819,495.55 + \$13,163.98)

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

*Yves Peck*  
The attached payroll has been approved by Auditor or Deputy

*Rosa Gomez*  
Payroll Prepared by Rosa Gomez

❖ **Commissioner Peck moved to approve Salary Clearing Payroll and Emergency Management Payroll totaling \$832,659.53. Commissioner Didier seconded and the motion carried.**



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9:07 a.m. **Approval of Consent Agenda**

1. Resolution 2019-352 Appointment of Alecia Perches to the Benton Franklin Workforce Development Council
2. Resolution 2019-353 Appointment of Kate McAteer to the Benton Franklin Workforce Development Council
3. Resolution 2019-354 Re-appointing Layton Lowe to Planning Committee
4. Resolution 2019-355 Joint Bi-County Bailiffs Amendment I to 2019-2021 Bailiff's Collective Bargaining Agreement
5. Resolution 2019-356 Authorize Love on a Leash Therapy Dogs on Franklin County Premises
6. Resolution 2019-357 Purchase of Public Safety Communication Equipment form Motorola Solutions
7. Resolution 2019-351 Project Management Juvenile Justice Center Security System Interlocal Agreement
8. Legislative Representation in Olympia Contract between Potts and Associates and Franklin County

❖ *Commissioner Peck moved to approve the Consent Agenda with discussion. Commissioner Didier seconded. After discussion on item 3 and 5 the motion carried.*

9:41 a.m. **Administration Office Business**

Benton and Franklin Counties have jointly operated a bi-county department of Human Services for a number of years. Benton County notified Franklin County that they no longer desire to operate these services on a bi-county basis but are willing to establish a relationship where Benton County retains a single county department and contracts with Franklin County to continue to provide these services in both counties. Under this new structure, the Department will become a Benton County Department and will provide the same level of service to Franklin County, and will bill Franklin County monthly for this service. The agreement runs from January 1, 2020 through June 30, 2021, which will provide an evaluation period to determine the best business model for future years.

- *After discussion, Commissioner Peck moved to approve Memorandum of Agreement between Benton and Franklin Counties Regarding the Provision of Services by the Benton Franklin human Services Department Resolution 2019-358. Commissioner Didier seconded and the motion carried.*

10:10 a.m. Administrator Keith Johnson presented a letter from the Department of Social and Health Services. Asking the Board to support Executive order 13888 to concur with accepting Refugee Resettlement. We will forward this letter to the Attorney's office to give us a legal recommendation. The Board has until December 20, 2019 to respond.



# FRANKLIN COUNTY, WASHINGTON

## BOARD OF COMMISSIONERS

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10:13 a.m. **Executive Session** RCW 42.30.110 (1) (i) Potential Litigation  
Commissioner Koch recessed into Executive Session at 10:13 a.m. for approximately fifteen minutes. Attorney Frank Jenny was invited to attend.

Commissioner Koch reconvened the regular meeting at 10:28 a.m. with no decision made.

Administrator Keith Johnson called an executive session to discuss with our legal counsel the proper role of the county and its involvement with I-976. Upon discussion with our legal counsel, for Franklin County to attempt to be a party of any litigation is prohibited at this point because we are not a necessary party. This does not mean that Franklin County cannot stand up as a Board collectively or an individual to make a statement publicly to lead in the effort to pressure other organizations like Washington State Association of Counties (WSAC) to challenge this process.

Commissioner Peck weighed in on the matter and agreed that what King County is doing is sickening. However, he agrees with our legal counsel and is concerned with the ramifications the County may acquire in doing an unlawful lawsuit.

Commissioner Didier read his letter "The Will of the People is the only legitimate foundation of any government, and to protect its free expression should be our first object" Thomas Jefferson. Concluding with, he is committed to protect and defend "the will of the people" of the State of Washington as to the concerns of Initiative 976, by filing a motion to intervene as an interested party. He would like to intervene by having the lawsuit moved to another county.

### 10:36 a.m. **Public Comment**

- Mark Kraft expressed his concerns on King County's process to overturn I-976 and supported Franklin County in intervening.
- Lawanda Hatch expressed her concerns on our roads, as well as King County trying to overturn I-976 and asked the public, and those in authority to find a way to stand up and make our voices heard.
- Jeffery Robinson expressed his concerns on I-976 and agreed that we follow legal counsel of Franklin County. However, we can still make our opinions known.
- Female citizen voiced her concerns on finding a way to fight back and take a stand in regards to I-976 and King County wanting to overturn the voice of the people.
- John Wilk asked about the ramifications of taking legal action and supported doing anything possible to step in and challenge the Seattle group.
- Alice Didier is behind Clint Didier in gathering enough force to make a difference and time is of essence. She supports moving forward to intervene I- 976 inversion by Seattle.
- Rocky Mullen supports doing something to stand up to the arrogance of King County and let them know this is the will of the people. This is unacceptable.
- Auditor Matt Beaton asked if Commissioner Peck was attending WSAC. Mr. Beaton said the people are looking for someone to lead them, to stand up, and be counted.
- Matthew Morrell asked if we could file a lawsuit separately, if we do not have enough counties to get together.
- Male citizen supported standing up and intervening in the lawsuit of I-976.



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- ❖ *Commissioner Didier made a motion to approve resolution 2019-359 to intervene as an interested party on the lawsuit against I-976. Lack of a second and the motion died.*
- ❖ *Commissioner Didier made a motion to intervene as an interested party on the lawsuit against I-965. Point of order, Keith Johnson asked 965 or 976. Commissioner Didier stated 976. Commissioner Peck asked if Commissioner Didier’s motion was intended to have the county file as an intervener in the lawsuit. Commissioner Didier’s response was yes. There was no second. Motion fails for lack of second.*

Commissioner Peck explained that it is unlawful to use our Attorneys for filing of the lawsuit, which is outside their scope and duties by state statues. He offered to make a motion to submit an Amicus Brief expressing our strong opinion on this matter. He also offered to make a motion we appeal to the WSAC Board to undertake whatever they can do.

**Adjourn**

With no further business to bring before the Board, the meeting adjourned at 11:24 a.m.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date