

VIA ELECTRONIC TRANSMISSION

Roger E. Lenk
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June 23, 2013

Bob Ferguson, Attorney General
Washington Office of the Attorney General
1125 Washington Street SE
PO Box 40100
Olympia, Washington 98504-0100 (Via U.S. Postal Service)

Phil Stutzman, Director of Compliance
State of Washington Public Disclosure Commission
711 Capitol Way Room 206
Post Office Box 40908
Olympia, Washington 98504-0908

Re: PDC CASE No. 13-097 – FIRST SUPPLEMENT TO COMPLAINT

Honorable Bob Ferguson and Mr. Stutzman:

Submitted herewith is the First Supplement to a June 10, 2013 complaint concerning the violation of RCW 42.17A.555. Included herewith are the **FIRST SUPPLEMENT TO STATEMENT OF MATERIAL FACTS** which further support the conclusions in the original complaint showing significant violations of RCW 42.17A.555 by Respondents Superintendent Hill, WSBA No. 31016, et. al. and Pasco Citizens For Better Schools.

Immediately after notice of the complaint was included media outlets, local residents approached Complainant with their observations. These individuals advised Complainant about multiple incidents where they observed respondent Pasco Citizens For Better Schools Manager Mike Miller making presentations in support of levy ballot measures, while paired with members of Pasco School District No. 1 staff. These “tag team” presentations included those made to other local agencies considering resolutions in support of the 2013 Bond Levy and to private/community organizations.

Re: PDC CASE No. 13-097 - FIRST SUPPLEMENT TO COMPLAINT

Page: 2

Thank you in advance for your assistance. Please keep me apprised of your progress and final determination in this important community matter.

FIRST SUPPLEMENT TO STATEMENT OF MATERIAL FACTS

January 23, 2013 County Commissioners Meeting

On January 23, 2013, the Franklin County Board of Commissioners considered a matter entitled “Pasco School District” at its regular 9:00 am meeting. **EXHIBIT 1** is a copy of Commissioners Record 52, Franklin County Commissioners' Proceedings for January 23, 2013.

As noted therein, by happy chance, Complainant was present for a unrelated matter, a public hearing for the Petition for incorporation of the City of Riverview (Franklin County Auditors Office number 2012-1). Complainant was the petitioner in said matter before the Commissioners.

Under the matter entitled “Pasco School District”, the Franklin County Commissioners considered Resolution 2013-025 related to and supporting the 2013 Bond Levy.

As enumerated on Page 26 of **EXHIBIT 1**, Respondent 2013 Bond Levy Proponent Pasco for Better Schools Manager Mike Miller made a presentation supported by Respondent Pasco School District Executive Director of Operations John M. Morgan.

As noted on the Sign In Sheet for the meeting (**EXHIBIT 2, page 65**), Executive Director Morgan and 2013 Bond Levy Proponent Pasco for Better Schools Manager Mike Miller arrived and signed in together, despite the unusually large turn out for the Public Hearing related to the incorporation petition.

In reviewing **EXHIBIT 1**, Commissioners Record 52, Franklin County Commissioners' Proceedings for January 23, 2013, page 27, Executive Director Morgan and 2013 Bond Levy Proponent Pasco for Better Schools Manager Mike Miller left after the agenda item entitled “Pasco School District”, as they are not present for any subsequent agenda items. It should be noted that the Franklin County Commissioners' Proceedings are extremely meticulous with regards to recording individuals present by agenda item at each meeting.

EXHIBIT 3 is a copy of Resolution 2013-025 approved by the Franklin County Commissioners in support of the 2013 Bond Levy. It should be noted that the “galvanizing” subject of multi-track year-round schooling and double-shift programs were brought forward.

Re: PDC CASE No. 13-097 - FIRST SUPPLEMENT TO COMPLAINT

Page: 3

Recall that in order to foster support for the 2013 Bond Levy, Superintendent Hill, WSBA No. 31016, and other agency officials used threats and intimidation by continually introducing the knowingly repulsive subject of multi-tracking and double sessions. Superintendent Hill, WSBA No. 31016, learned through community surveys that “*The thought of MTYR or DS pretty much galvanized folks. They don’t like it.*” They wanted another bond right away.”

In the case of the Public Hearing related to the matter entitled “Pasco School District”, it is clear that Executive Director Morgan violated RCW 42.17A.555 by providing public resources while engaging in a supporting role to 2013 Bond Levy Proponent Pasco for Better Schools Manager Mike Miller. Both arrived together at the opening of the meeting, and left together after the matter entitled “Pasco School District”, a Public Hearing relating to the support of 2013 Bond Levy. Furthermore, the knowingly repulsive (as determined by Pasco School District Surveys) topic of multi-track year-round schooling and double-shift programs were discussed at length, and only serve to influence the outcome of the vote.

January 14 & 22, 2013 Pasco City Council Meetings

On January 14, 2013, 2013 Bond Levy Proponent Pasco for Better Schools Manager Mike Miller and Board Member Jean Ryckman made a request of the Pasco City Council to seek a public hearing and resolution supporting the 2013 Bond Levy.

Video of the Council Workshop session is available at:

<http://psctv.pegcentral.com/player.php?video=80e0009c29a92d904485e6a6ac3b7c05>

An extended discussion between the Pasco City Council and 2013 Bond Levy Proponent Pasco for Better School's Miller and Ryckman ensued. Council members asked questions that 2013 Bond Levy Proponent Pasco for Better School's Miller and Ryckman could not answer. 2013 Bond Levy Proponent Pasco for Better School's Miller and Ryckman indicated they would seek answers, presumably from Pasco School District No. 1 staff.

On January 22, 20113, 2013 Bond Levy Proponent Pasco for Better Schools Manager Mike Miller and Board Member Jean Ryckman made a presentation in support of the 2013 Bond Levy to the Pasco City Council.

Video of the Council Meeting is available at:

<http://psctv.pegcentral.com/player.php?video=c22c97dfbd18252151aa84a6b6fcedf0>

Re: PDC CASE No. 13-097 - FIRST SUPPLEMENT TO COMPLAINT

Page: 4

It is noteworthy that the power-point graphics referred during the presentation was prepared by Pasco School District No. 1 staff (**EXHIBIT 35** in the original June 10, 2013 Complaint).

During the presentation, 2013 Bond Levy Proponent Pasco for Better School Manager Mike Miller advised that “we have been reminded to talk about safety issues”. Given the continuous and regular communications between Pasco School District No. 1 staff and 2013 Bond Levy Proponent Pasco for Better School Manager Mike Miller, it is logically presumed that this reminder was provided by Pasco School District No 1. staff.

It is noted that during the presentation, 2013 Bond Levy Proponent Pasco for Better Schools Manager Mike Miller notes that the Pasco School District No. 1 does its part and “they want to see this (2013 Bond Levy) happen”.

At the end of the presentation by 2013 Bond Levy Proponent Pasco for Better School' Miller and Ryckman, Pasco City Council Member/Mayor Watkins notes that he recognizes most faces in audience who were attending in support of the 2013 Bond Levy. Although the City of Pasco does not maintain meticulous records such as Franklin County, members of the Pasco School No. 1 staff and Board of Directors were reported as being present.

EXHIBIT 4 is a copy Resolution 3454 adopted by the Pasco City Council on January 22, 2013 in support of the 2013 Bond Levy.

It should be noted that the “galvanizing” subject of multi-track year-round schooling and double-shift programs were brought forward and included therein. Resolution 3454 also parrots Superintendent Hill's, WSBA No. 31016, threat concerning the reduction of property values should the 2013 Bond Levy not pass (see “January 8, 2013 Charter Cable Community Video Presentation” below).

At both the January 14 and 22, 2013 Pasco City Council meetings, it was noted that resolutions of support for the 2013 Bond Levy were provided by Kiwanis, the Pasco Chamber of Commerce, and Rotary. While such events are private, it is understood that Superintendent Hill, WSBA No. 31016, and or other District Staff attended such functions as noted in several email exchanges.

In the 2013 Bond Levy Public Hearing before the Pasco City Council, violations of RCW 42.17A.555 occurred as 2013 Bond Levy Proponent Pasco for Better Schools 1) utilized PowerPoint graphics prepared by Pasco School District No. 1 staff; 2) members of the Pasco School No. 1 staff and Board of Directors were reported as being present for the supportive public hearing; 3) discussion of the “galvanizing” threats of Multi-Track Year Round schooling and Double Scheduling took place; and 4) discussion of the threat of decreasing property values should the bond not pass as introduced by Superintendent Hill, WSBA No. 31016 on January 8, 2013. Again, we see public resources being used to support the 2013 Bond Levy and influence the outcome of the vote.

January 8, 2013 Charter Cable Community Video Presentation

As noted in the original complaint, 2013 Bond Levy Proponent Pasco for Better Schools Manager Mike Miller scheduled a Community Video Presentation by Superintendent Hill, WSBA No. 31016, for January 8, 2013. The Community Outreach video played regularly on Charter Communication's Public Access programming channel.

This video session is available at:

<http://www.youtube.com/watch?v=x5ysJACwsCc&feature=youtu.be>

In her support for adoption of the 2013 Bond Levy, Superintendent Hill, WSBA No. 31016, continues her threats to the community if the bond is not passed including the following:

- The “galvanizing” subject of multi-track year-round schooling and double-shift programs;
- That school lunches will commence at 8:30 am in the morning;
- A decrease in property values for residents of the Pasco School District.

Superintendent Hill's, WSBA No 31016, introduction of “decreased property values” if the bond fails is extremely disconcerting. This treat affects all property owners within the corporate boundaries of Pasco School District No. 1, and surely influenced the outcome of the vote. Property owners are required to pay off such bonds, and use “decreasing property values” is a direct treat designed to influence their position and vote in favor of the measure. Superintendent Hill, WSBA No. 31016, provides no evidence to the fact she is dispensing to the public. It is noteworthy that the threat of “decreasing property values” is also brought forward in Pasco City Council Resolution 3454 (EXHIBIT 4).

The other issues brought forward by Superintendent Hill, WSBA No. 31016, are only used in response to “galvanizing” survey results, and are introduced only to threaten and intimidate voters into adopting the 2013 Bond Levy. Superintendent Hill, WSBA No. 31016, continues to offer partisan support of the 2013 Bond Levy to influence the outcome of the vote, and does not limit her comments to “educational material”.

January 4, 2013 Community Video Presentation

On January 4, 2013, Executive Director Morgan made a video presentation in support of the 2013 Bond Levy.

This video session is available at:

<http://www.youtube.com/watch?v=VDGm9fIROio>

Re: PDC CASE No. 13-097 - FIRST SUPPLEMENT TO COMPLAINT

Page: 6

Executive Director Morgan brings forward the “galvanizing” issue of multi-track year-round schooling and double-shift programs should the bond not pass. Executive Director Morgan also notes that the “galvanizing” subject is opposed by the community and District staff.

Executive Director Morgan continues his support of the 2013 Bond by continually stating “when the bond passes” and continually referring to the 2013 Bond Levy as a “very attractive bond”.

Executive Director Morgan's January 4, 2013 Video Presentation clearly crosses the line of providing “educational material” with public resources into the realm of supporting the measure to influence the outcome of the vote.

December 20, 2011 Franklin County Republican Committee Meeting

On June 12, 2013, Complainant was contacted by Pam Follansbee regarding a presentation made in support of the 2012 Maintenance and Operations Levy. The presentation in support of the 2012 M&O Levy was conducted on about December 20, 2011 to members of the Franklin County Republican Committee.

Presenters supporting the 2012 M&O Levy included Levy Proponent Pasco for Better Schools Manager Mike Miller and Superintendent Hill, WSBA No. 31016. **EXHIBIT 5** is an approved copy of the redacted minutes from said meeting. All other content related to the conduct of the private meeting is redacted.

This “tag team” approach to supporting ballot measures between Levy Proponent Pasco for Better Schools and Pasco School District Staff is the standard template for all community presentations. Again, we see the use of public resources for the purpose of influencing the outcome of the vote.

Re: PDC CASE No. 13-097 - FIRST SUPPLEMENT TO COMPLAINT
Page: 7

CERTIFICATION

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the facts set forth in this First Supplement to PDC Case 13-097 and the complaint are true and correct.

Best Regards,

A handwritten signature in black ink, appearing to read "Roger E. Lenk". The signature is stylized and cursive.

Roger E. Lenk

Exhibits (5)

cc: Tony Perkins, PDC Lead Political Finance Specialist (tony.perkins@pdc.wa.gov)
Linda A. Dalton, Senior Assistant Attorney General (LindaD@atg.wa.gov)
Randy Dorn, Superintendent of Public Instruction (Randy.Dorn@k12.wa.us)
Troy Kelley, State Auditor (troy.kelley@sao.wa.gov)

EXHIBIT 1

COMMISSIONERS RECORD 52
FRANKLIN COUNTY
Commissioners' Proceedings for January 23, 2013

This document is a summarized version of the Board of Commissioners proceedings. The minutes are paraphrased, not verbatim. Access to an electronic audio recording of the meeting is available upon request.

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Rick Miller, Chairman; Robert E. Koch, Chair Pro Tem; and Brad Peck, Member; Fred Bowen, County Administrator; and Mary Withers, Clerk to the Board. Meeting convened at 9:01 am with the Pledge of Allegiance.

PROSECUTOR

Deputy Prosecutor Ryan Verhulp met with the Board.

Public Hearing: The purpose of the public hearing shall be to review the petition for incorporation of the City of Riverview (Franklin County Auditor's Office number 2012-1) as set forth in RCW 35.02.070. The petition for incorporation, description of proposed boundaries of the territory to be incorporated, and map thereof may be inspected or copied during normal business hours at the Franklin County Auditor's Office located at 1016 North 4th Avenue, Pasco, Washington. (Continued from December 5, 2012)

Public Hearing convened at 9:01 am. Present: Commissioners Miller, Koch and Peck; County Administrator Fred Bowen; Deputy Prosecutor Ryan Verhulp; and Clerk to the Board Mary Withers. Those present in the audience included: Jim Follansbee, Lester Storms, Steven Schlegel, Roger Lenk, Roger Marshall, Tri-City Herald Reporter Michelle Dupler, Stan Strebek, Jeff Burckhard, Piper Mitchell, Carol Bettencourt, Alicia Chabrier, Judy _____, Susan Knox, James Knox, Doug Gould, Dave Story, Linda Story, Valerie Carlson, Cassandra Hare, Richard Hare, Len Harms, Jeff Burckhard, Charles Stubbs, Rich Rochleau, Chuck Harrison, Steve Johnson, Matt Beaton, Marian Ross and Brian Schuler. Others joined the audience later including a TV reporter. (Exhibit 1: Sign-in list.)

Mr. Miller asked if anyone in the audience would like to comment.

Valerie Carlson spoke in opposition to the petition for incorporation of the City of Riverview.

Mr. Peck noted that this Board's function is to make a determination as to whether or not the law and the surrounding rules create an opportunity for the petitioners to have their petition

COMMISSIONERS RECORD 52
FRANKLIN COUNTY
Commissioners' Proceedings for January 23, 2013

go to a ballot measure wherein the citizens would vote whether or not there is incorporation. Our objective is to ensure citizens have as much voice in the government as possible. We're not deciding on incorporation; we're simply deciding whether rules have been met for it to go on the ballot.

Mr. Miller asked if anyone else would like to speak in opposition. There was no response.

Mr. Miller asked if anyone would like to speak in support of placing the measure on the ballot. John Petrosevich spoke in favor. Roger Lenk asked for a continuation of the hearing. The following people spoke in favor: Steve Schlegel, Judy Dunbar, Len Harms and Don Story.

Mr. Miller asked three times if anyone else would like to speak. There was no response. The hearing was closed to public comment.

Mr. Verhulp responded to a Board question. He said the RCW requirement for the Board to hold a hearing within 60 days of receipt of the petition from the auditor expires around February 3 or 4 and that the RCW does not specifically say the Board has to make findings within the 60-day period.

There was discussion, noting a Superior Court case is in the process at this time. Mr. Peck recommended continuing the hearing as required to the February 4 date, and then taking our time in deliberating a final decision to allow ample time for the Superior Court to render a decision. Mr. Koch said I don't have any objections to that process. Mr. Miller said I don't either. I want to get it right and make sure people are justified.

The public hearing was continued to February 4 at 1:00 pm.

PUBLIC WORKS (9:27 am)

Public Works Director Matt Mahoney and County Engineer Matthew Rasmussen met with the Board. Those present in the audience included: Jim Follansbee, Lester Storms, Len Harms, Michelle Dupler, Piper Mitchell, Roger Lenk and several other people.

Basin City Water Line Extension Project – consideration of bids

Mr. Mahoney reviewed information about the bids that were received and recommended rejection of all bids and authorizing the rebid of the project (Exhibit 2). He answered the Board's questions.

COMMISSIONERS RECORD 52
FRANKLIN COUNTY
Commissioners' Proceedings for January 23, 2013

Motion – Mr. Peck: I move that we give approval to the Public Works Director to proceed with rebidding the project as discussed in today's meeting and that includes authority to reject the bids already received. Second by Mr. Koch. 3:0 vote in favor.

Jerrold MacPherson, Greg Wendt and another man joined the audience.

Juniper Dunes Access Road grant application

The possible routes and estimated costs for the road were discussed in general. The grant application amount is \$1,049,000 for the Federal lands grant. BLM expects to provide about \$650,000. The local match would be \$163,717.

Motion – Mr. Peck: Mr. Chairman, I move for approval and authorization for the chair to sign the 2013 Washington State Federal Land Access Property Proposal Grant application as presented by the Public Works Director. Second by Mr. Koch. 3:0 vote in favor. (Exhibit 3)

Recessed at 9:48 am.

Reconvened at 10:02 am.

PASCO SCHOOL DISTRICT

Mike Miller from Pasco Citizens for Better Schools met with the Board. Present in audience: John M. Morgan from Pasco School District, Roger Lenk, Alicia Chabrier, Piper Mitchell, Greg Wendt, Jerrod MacPherson, Ed Thornbrugh, Rick Long, Lori Schmidt and Margo Hines.

Pasco School District Bond discussion

Mike Miller explained the need for the bond for Pasco School District and asked for Board approval of a resolution of support.

Chairman Rick Miller asked if anyone would like to speak against the school bond. Roger Lenk spoke in opposition to the school bond. No one else in the audience wished to speak.

Rick Miller referred to the law. The Board had a discussion about whether or not to approve a board resolution.

Motion – Mr. Koch: I move that we support this resolution that came off our desk. Second by Mr. Peck. Mr. Peck read the resolution into the record. 3:0 vote in favor. Resolution 2013-025 was approved.

COMMISSIONERS RECORD 52
FRANKLIN COUNTY
Commissioners' Proceedings for January 23, 2013

PLANNING AND BUILDING DEPARTMENT (10:36 am)

Planning Director Jerrod MacPherson and Assistant Director Greg Wendt met with the Board. **Present in audience: Margo Hines, Michelle Dupler, Roger Lenk, Alicia Chabrier, Ed Thornbrugh, Larry Hueter, Rick Long and Lori Schmidt.**

Workshop to discuss the state's Shoreline Management Act (RCW 90-58) required update to the County's Shoreline Master Program

Mr. MacPherson gave an update about the work to update the Franklin County Shoreline Master Program plan.

Motion – Mr. Peck: Mr. Chairman, I would move that we adopt the Planning Department's recommendation that we go out for bid to hire a consultant to comply with this Shoreline Management Act requirement. Second by Mr. Koch. 3:0 vote in favor.

OFFICE BUSINESS

Administrative Assistant Margo Hines met with the Board. **Present in audience: Roger Lenk, Alicia Chabrier, Michelle Dupler, Larry Hueter, Lori Schmidt, Rick Long and Ed Thornbrugh.**

Public Comment

Roger Lenk gave an update on a utility tax issue with the City of Pasco and Franklin PUD.

Vouchers

Motion – Mr. Peck: Mr. Chairman, I move for approval of fund expenditures in the total amount of \$531,098.08. It has been reviewed and signed by Mr. Burckhard in the Auditor's Office and also by Julie Jordan. Second by Mr. Koch. Mr. Bowen has reviewed the vouchers. 3:0 vote in favor. (Exhibit 4)

Fund Expenditures	Warrants		Amount Issued
Current Expense	77031	77086	\$101,553.66
Current Expense	77087	77148	\$156,752.45
Solid Waste	77149	-	\$204.95
FC Capital Projects Fund	77150	-	\$195.00
Current Expense	77151	77171	\$23,370.12
Current Expense	77172	77192	\$50,052.27

COMMISSIONERS RECORD 52
FRANKLIN COUNTY
Commissioners' Proceedings for January 23, 2013

Current Expense	77193	77196	\$954.61
Crime Victims/Witness Assist	77197	-	\$2,979.08
Jail Commissary	77198	77202	\$2,912.65
Enhanced 911	77203	77204	\$94,369.53
Law Library	77205	-	\$50.00
Motor Vehicle/Public Works	77206	-	\$153.97
TRAC Operations Fund	77207	77222	\$28,092.60
Franklin County RV Facility	77223	77225	\$3,605.67
Treasurer O & M	77226	-	\$456.77
Crime Victims/Witness Assist	77227	77228	\$718.02
Jail Commissary	77229	77230	\$641.68
Enhanced 911	77231	-	\$36.72
TRAC Operations Fund	77232	77246	\$11,851.83
County Roads	77247	77268	\$22,657.54
Solid Waste	77269	77270	\$37.30
Motor Vehicle/Public Works	77271	77302	\$29,054.58
Current Expense Adjustment (VOID)	77090	-	-\$100.00
Current Expense	Excise Tax		\$60.79
Election Equipment Revolving	Excise Tax		\$79.50
Jail Commissary	Excise Tax		-\$5.16
Solid Waste	Excise Tax		\$130.29
Motor Vehicle/Public Works	Excise Tax		\$66.42
TRAC Operations Fund	Excise Tax		\$165.24

Consent Agenda

Motion - Mr. Peck: I move for approval of the consent agenda with discussion. Second by Mr. Koch. Mr. Peck amended his motion for approval of the consent agenda to exclude item 2. Second by Mr. Koch. 3:0 vote in favor.

1. Approval of Resolution 2013-026, Professional Services Agreement between Mia Mendoza and Benton-Franklin Counties Juvenile Justice Center to provide legal representation to indigent persons in Benton-Franklin Counties Juvenile Court Division, Contract #BFJC1214CB001

(Clerk's Note: Item #2 was pulled from the consent agenda.)

COMMISSIONERS RECORD 52
FRANKLIN COUNTY
Commissioners' Proceedings for January 23, 2013

2. Approval of Resolution 2013-_____, Public Works Contract for heating, ventilation, and air conditioning (HVAC) system maintenance to Apollo Heating & Air for the Juvenile Justice Center
3. Approval of Resolution 2013-027, Amendment #1 to Professional Services Agreement to provide legal representation to indigent persons in Benton-Franklin Counties Juvenile Court Division between Benton-Franklin Counties Juvenile Justice Center and Susan D. Henwood, Number BFJC1112SDH001A
4. Approval of Resolution 2013-028, flat monthly payments for the 2013 Juvenile Center Operations Budget and Facilities Budget
5. Approval of Resolution 2013-029, authorizing Department of Human Services to purchase hardware and software
6. Approval of Resolution 2013-030, authorizing Department of Human Services to purchase computer and printer consumables
7. Approval of Resolution 2013-031, Professional Services Agreement to provide investigative services for indigent persons charged with crimes in Benton and Franklin Counties Superior Court between Jeffrey Porteous and Benton and Franklin Counties, Agreement #BFSC1314JP001I
8. Approval of Resolution 2013-032, Professional Services Agreement to provide investigative services for indigent persons charged with crimes in Benton and Franklin Counties Superior Court between Mark T. Almquist and Benton and Franklin Counties, Agreement #BFSC1314MTA001I
9. Approval of Resolution 2013-033, Professional Services Agreement to provide investigative services for indigent persons charged with crimes in Benton and Franklin Counties Superior Court between Mario Torres and Benton and Franklin Counties, Agreement #BCSC1314MT001I
10. Approval of Resolution 2013-034, Inter Budget Transfers totaling \$9450 from the 2012 Current Expense Sheriff's Detention/Correction Budget #001-000-540 to Corrections Food Service Budget #001-000-550
11. Approval of Resolution 2013-035, Intra Budget Transfer of \$4200 within the 2012 Current Expense Sheriff's Detention/Correction Budget #001-000-540
12. Approval of Resolution 2013-036, contract between Franklin County and Premier Excavation, Inc., for CRP 601 – Franklin County Road Safety Program Phase II

COMMISSIONERS RECORD 52
FRANKLIN COUNTY
Commissioners' Proceedings for January 23, 2013

13. Approval of Resolution 2013-037, Interlocal Agreement between Franklin County and the City of Mesa for the county to provide building inspection services within the corporate limits of Mesa, Washington
14. Approval of Resolution 2013-038, Personal Services contract between Benton-Franklin Counties Juvenile Justice Center and TeamChild
15. Approval for Facilities Department to award bid for Ricoh Aficio copier under State of Washington Contract #03706 at a cost of \$1400 per year (Exhibit 5)

Mr. Bowen told the Board additional information about consent agenda item #2 regarding an annual maintenance contract on the HVAC system for the Juvenile Justice Center.

Motion – Mr. Peck: Mr. Chairman, I move for approval of the Public Works contract for maintenance to Apollo Heating and Air. Second by Mr. Koch. 3:0 vote in favor. Resolution 2013-039 was approved.

COUNTY ADMINISTRATOR (11:18 am)

County Administrator Fred Bowen met with the Board. Present in audience: Mike Killian, Michelle Dupler, Larry Hueter, Roger Lenk, Alicia Chabrier and a TV reporter.
County Clerk Budget Transfer

County Clerk Mike Killian met with the Board. Mr. Bowen explained the transfer request. Mr. Koch explained how he wants the budget to be handled so transfers are trackable.

Motion – Mr. Koch: Mr. Chairman, I move for approval of intra-budget transfer totaling \$3307.39 from Clerk Current Expense Budget 160, line item 512.30.10.0150 (salaries) to the 2012 Current Expense County Clerk Budget #0002 (jury fees). Second by Mr. Peck. 3:0 vote in favor. Resolution 2013-040 was approved.

Jail Expansion and Remodel Project

Jail Construction Project Manager Larry Hueter met with the Board. He recommended awarding the base bid to Lydig Construction with award of alternate numbers 1, 2 and 5.

Mr. Hueter and Mr. Bowen answered the Board's questions.

Motion – Mr. Koch: I would move for approval of Franklin County jail addition renovation being awarded to Lydig Construction of Spokane. Second by Mr. Peck with discussion. 3:0 vote in favor. (Exhibit 6)

COMMISSIONERS RECORD 52
FRANKLIN COUNTY
Commissioners' Proceedings for January 23, 2013

Columbia Basin Development League (CBDL)

There was discussion about whether to pay a membership fee to CBDL in 2013. Mr. Miller gave a brief summary of the benefits of Franklin County membership. After discussion, the Board gave approval to pay a \$300 membership fee contingent on answers to questions from Chief Civil Deputy Prosecutor Ryan Verhulp.

OTHER BUSINESS

EGov 911 consolidation

Mr. Peck told the other Board members that he anticipates bringing an agreement draft to the Board for approval to consolidate the 911 services.

Tri-City Herald Progress Report

The Board members had no opposition to preparing an article for publication in the Tri-City Herald.

ADJOURNMENT

Motion – Mr. Koch: I move for adjournment. Second by Mr. Peck. 3:0 vote in favor.

Adjourned at 11:57 am.

COMMISSIONERS RECORD 52
FRANKLIN COUNTY
Commissioners' Proceedings for January 23, 2013

There being no further business, the Franklin County Board of Commissioners meeting was adjourned until January 30, 2013.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON



Rick Miller, Chairman



Robert E. Koch, Chairman Pro Tem



Brad Peck, Member

Attest:


Clerk to the Board

Approved and signed February 13, 2013.

EXHIBIT 2

January 23, 2013

CAROL BETTENCOURT	
Jim Follansbee	self
Alicia Chabrier	
Roger Leach	
Stu Smith	PASCO
Judith Dunbar	based
Susan & Knox	PASCO
James & Knox	S
Doug Gould	
Dore Story	None
Linda Story	None
Valerie Carlson	PASCO
LEB STORMS	FRANKLIN CO
Cassandra Hare	self
Richard Kane	Self
LENTHAEMS	Self
Steven Schlegel	self
Ryan Verhulp	FCPA Deputy
Fred Bowen	Co. Admin.
JEFF BURCKHARD	auditor
Michelle Dupler	Tri-City Herald
CHARLES STUBBS	SELF
Rick Reinhart	Franklin County S.O.
Chuck Harrison	" "
Steve Johnson	
Matt Beaton	Co. Auditor
Matt Rasmussen	PW
MATT MAHONEY	PUBLIC WORKS
Marian Ross	
Brian Schuler	
Mike Miller	PEBS Comm. He
Ed Thornburg	BFDAS
John N Morgan	PSD
Lori Schaudt	FCRA
Lick Love of	FCCE
David MacKerster	Co. Planning
Greg Wendt	IC " "

January 23, 2013 cont.
 Michael Killman Clerk

January 30, 2013

Rogor Luk Sell	
Rich Lahtinen	
Quaith A Sedayy CAC	
Cary Merrill Valle CAC	
Fred Bowen	Co. Admin.
Ed Thornhoff	BFDHS
Matt Rasmussen	DW
MATT MAHONEY	Public Works
Kathleen Neuman	Public Works
Andrew Tom	JA Sewell & Assoc.
Jason Mellin	JA Sewell & Assoc.
Don Winder	Basin City Water
Cindy Franzen	Therapeutic Innov.
Jon Fox	
James MacArthur	Co. Planning
Greg Wendt	" "
Rosie Rumsey	HR

February 4, 2013

Roger E. Louie	
Leland Kerr City of Pasco	
Steve Johnson	2104 Road 68 Franklin Co
Chuck Harrison	RD. 68 Pasco
Dalene Zabel	6217 Killeck Ln
Ryan Vermulp	FCPA, Deputy
Jan Jamlinson	2117 N Rd 60
Greg Carpenter	3420 Rd 38
Don Story	713 Rd 56
Ly Beaver	Tri-City Herald
Fred Bowen	Co. Admin.

EXHIBIT 3

FRANKLIN COUNTY RESOLUTION NO.

2013 025

BEFORE THE BOARD OF COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

REGARDING THE PROPOSED 2013 PASCO SCHOOL BOND MEASURE

WHEREAS, this resolution reflects the Franklin County Board of Commissioners commitment to broad and unbiased assessments of important matters prior to passing formal resolutions of support; and

WHEREAS, the Franklin County Board of Commissioners recognizes the significant economic and social advantages created and enjoyed by an educated populous; and

WHEREAS, school district population growth estimates used to support the bond request deserve added scrutiny since they are being used to promote the bond measure yet exceed our community's record-setting growth of the past decade; and

WHEREAS, the entire community benefits in widely varying degrees from quality educational programs and facilities; and

WHEREAS, the economic and educational efficacy of year-round multi-track schooling has been demonstrated in numerous school districts in the United States; and

WHEREAS, the deleterious effects of double-shift educational programs is widely acknowledged in the United States; and

WHEREAS, multi-track year-round schooling and double-shift programs are radically different approaches and failure to clearly and consistently delineate one from the other in all bond discussions is irresponsible; and

WHEREAS, the Board of Commissioners believes school impact fees are unjust, ineffective, and negatively impact the economic wellbeing of our local home buyers, construction workers, their families and small business; and

WHEREAS, intimating that "matching" state dollars are a bonus associated with passing a local bond measure is disingenuous since the state has no dollars to contribute except those it has already collected from local communities; and

WHEREAS, the immense generosity of the citizens of Pasco and Franklin County is reflected in the city's distinction of already having the highest self-imposed voter-approved taxes in the state of Washington; and

WHEREAS, the state constitution says "It is the paramount duty of the state to make ample provision for the education of all children residing within its borders...;" and

WHEREAS, the Pasco School District has an equivalent "paramount duty" to maximize the use of resources already provided by our citizens, including an unmitigated perpetual obligation to improve operating efficiencies; and

WHEREAS, the Franklin County Board of Commissioners has frozen its own salaries for the next four years and encourages the school district to do the same with administrator salaries; and

WHEREAS, the cost of new schools constructed in the district routinely exceeds the national average for similar size new schools; and

WHEREAS, the academic results and fiscal efficiency of our community's privately funded schools consistently exceeds that of our publicly funded local schools yet draws upon the same pool of available teachers;

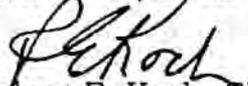
NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners hereby urges the immediate repeal of school impact fees countywide; completion of a thorough independent, unbiased study of multi-track school options in the district; an independent review of school construction plans and associated costs compared to current national averages; and

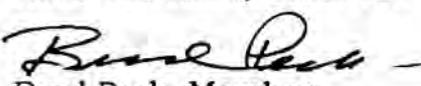
NOW, THEREFORE, BE IT FORMALLY RESOLVED, the Board of Commissioners hereby endorses the Pasco School District bond measure along with the aforementioned recommendations.

APPROVED this 23rd day of January, 2013

BOARD OF COUNTY
COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON


Rick Miller, Chair


Robert E. Koch, Chair Pro Tem


Brad Peck, Member

Attest:

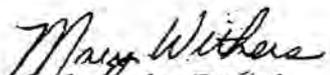

Clerk to the Board

EXHIBIT 4

RESOLUTION NO. 3454

A Resolution regarding the February 2013 bond election of the Pasco School District

WHEREAS, the Pasco City Council supports that which supports good quality of life and a good economy in Pasco; and

WHEREAS, Pasco schools contribute to good quality of life and a good economy through the education of our youth; and

WHEREAS, Pasco School District has been challenged with serving an increasing enrollment averaging 600 new students per year – enough students to open a new school annually; and

WHEREAS, chronically overcrowded schools weaken the education environment, undermine confidence in the school system and eventually erode residential property values; and

WHEREAS, a Community Facilities Summit comprised of local citizens recommended that building needed schools is the best long term solution to Pasco School District's growing enrollment and will certainly delay and possibly avoid use of multi-track year-round schooling and/or double-shifting; and

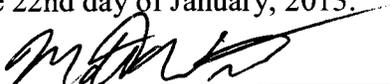
WHEREAS, the Board of Directors of Pasco School District, on December 14, 2012 did determine that a bond election will be held on February 12, 2013 for the purpose of providing sorely needed classrooms and associated facilities to house students of Pasco School District; and

WHEREAS, after public notice was given that a Resolution in support of the 2013 Pasco School Bond election would be considered by the City Council, a hearing was held on January 22, 2013, providing members of the public an opportunity to express their views in favor or opposition to the Resolution; **NOW THEREFORE**,

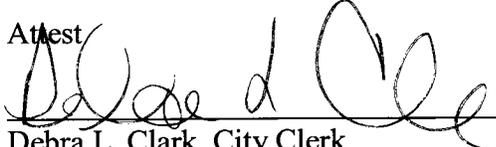
THE CITY COUNCIL OF THE CITY OF PASCO, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. That the City Council of the City of Pasco does hereby endorse and support the proposed Pasco School District February 12, 2013 bond election.

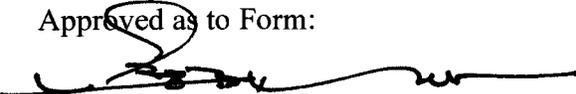
PASSED by the City Council of the City of Pasco, Washington, at its regular meeting on the 22nd day of January, 2013.



Matt Watkins, Mayor

Attest


Debra L. Clark, City Clerk

Approved as to Form:


Leland B. Kerr, Attorney

EXHIBIT 5

**FRANKLIN COUNTY CENTRAL COMMITTEE MEETING MINUTES
December 20, 2011**

Opened at 7:05 p.m. with invocation by

Pledge of Allegiance by . Because of the varied attendees, asked that all introduce themselves and the precinct/firm represented.

1. asked Mike Miller, co-chair of Pasco Citizens for Better Schools, to introduce this evening's speaker, Saundra Hill, Pasco's Supt of Public School District #1 since 2002. Saundra chose to speak on the Maintenance & Operations Levy which is effective for 2 years, takes effect 2013, and would go for 2 school years. She said the School Board is very conservative with the taxes that affect all households. This is NOT a bond; a Levy is for learning, a Bond is for buildings. Approved levies make it possible to receive additional (equalization) funds from the state as well. In 2010 Pasco's graduation rate was OVER the state average by 3%, including that of Kennewick and Richland. With a visual presentation, Saundra advised all where the levy dollars go. 52% support teaching and learning, 41% fund Maintenance/Operations, and 7% fund student activities.

Questions following Saundra's presentation included special education, disintegration, where dollars are spent, teachers' unions, and year round school. She responded to all questions, and suggested that specific questions may certainly be sent to her at shill@psd1.org, tel. 546-2800. Mike ended her discussion by stating how pleased he is with the quality of teaching and how important the care of facilities is. He reminded everyone to vote 2/14/12.

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Approved