

**JOINT RESOLUTION**

**BENTON COUNTY RESOLUTION NO. 2024-0605**

**FRANKLIN COUNTY RESOLUTION NO. 2024-211**

**BEFORE THE BOARDS OF COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES,  
WASHINGTON:**

**IN THE MATTER OF APPROVING A MEMORANDUM OF UNDERSTANDING AND AGREEMENT (MOU) BETWEEN THE BOARDS OF COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES FOR THE ALLOCATION OF JUVENILE DRUG COURT, FUNCTIONAL FAMILY THERAPY (FFT), SELECTIVE AGGRESSIVE PROBATION (SAP), DETENTION MENTAL HEALTH TEAM, AND EDUCATION EMPLOYMENT TRAINING PROGRAM COSTS**

**WHEREAS**, pursuant to RCW 36.01.010 and RCW 36.32.120, the legislative authority of each county is authorized to enter into contracts on behalf of the county and have the care of county property and management of county funds and business; and

**WHEREAS**, the Boards of Benton and Franklin County Commissioners desire to enter into a MOU to fairly allocate all costs associated with the Juvenile Drug Court, FFT, SAP, Detention Mental Health Team, and Education Employment Training Programs; and

**WHEREAS**, the current MOU regarding this matter between the parties, executed by Benton County Resolution 2019-141 and Franklin County Resolution 2019-042 was terminated by Franklin County effective December 31, 2024, and;

**WHEREAS**, the parties wish to enter into a new MOU effective January 1, 2025, to allocate all costs other than the costs of Adult Drug Court which will not be a shared program effective that date; **NOW THEREFORE**,

**BE IT RESOLVED**, that the Board of Benton County Commissioners hereby approves the attached MOU between the Boards of Commissioners of Benton and Franklin Counties for Juvenile Drug Court, FFT, SAP, Detention Mental Health Team, and Education Employment Training Program costs; and

**BE IT RESOLVED**, that the Board of Franklin County Commissioners hereby approves the attached MOU between the Boards of Commissioners of Benton and Franklin Counties for Juvenile Drug Court, FFT, SAP, Detention Mental Health Team, and Education Employment Training Program costs; and

**BE IT FURTHER RESOLVED**, that the attached MOU shall be effective as of January 1, 2025, and shall remain in effect until it is terminated or superseded by another Memorandum of Understanding.

Dated this 17<sup>th</sup> day of September, 2024  
BENTON COUNTY BOARD OF COMMISSIONERS

DocuSigned by:  
Jerome Delvin  
7ED07609209E486...  
Chairman of the Board

DocuSigned by:  
Michael Alvarez  
D0C0F37E34874E4...  
Chairman Pro Tem

DocuSigned by:  
Will McKay  
135967D704E74CF...  
Member

Constituting the Board of County  
Commissioners of Benton County,  
Washington

ATTEST:  
DocuSigned by:  
Amanda Pearson  
34825A975E034CE...  
Clerk of the Board

Dated this 4 day of SEP, 2024  
FRANKLIN COUNTY BOARD OF COMMISSIONERS

Robey Allen  
Chairman of the Board

Ant White  
Chairman Pro Tem

[Signature]  
Member

Constituting the Board of County  
Commissioners of Franklin County,  
Washington

ATTEST:  
[Signature]  
Clerk of the Board

**MEMORANDUM OF UNDERSTANDING AND AGREEMENT (MOU)  
BETWEEN THE BOARDS OF COMMISSIONERS OF BENTON AND FRANKLIN  
COUNTIES REGARDING JUVENILE DRUG COURT, FUNCTIONAL  
FAMILY THERAPY (FFT), SELECTIVE AGGRESSIVE PROBATION (SAP),  
DETENTION MENTAL HEALTH TEAM, AND EDUCATION  
EMPLOYMENT TRAINING PROGRAM COSTS**

WHEREAS, the Boards of Benton and Franklin County desire to enter into a new MOU to fairly allocate all costs associated with the Juvenile Drug Court, FFT, SAP, Detention Mental Health Team, and Education Employment Training Programs; and

WHEREAS, both Boards of County Commissioners mutually agree on funding formulas for the Juvenile Drug Court, FFT, SAP, Detention Mental Health Team, and Education Employment Training Programs; and

IT IS HEREBY MUTUALLY AGREED by all parties that no later than January 31<sup>st</sup> of each calendar year the percentage contributions to be reimbursed to Benton County by Franklin County for the coming fiscal year shall be determined and set by Joint Resolution based upon the following formulas:

1. All costs associated with the Juvenile Drug Court Program and FFT shall be split between Benton County and Franklin County based on an annual number of participant positions allocated for each county as approved through each county's budget process.
2. All costs associated with the SAP Program, Detention Mental Health Team, and Education Employment Training Program shall be split between Benton County and Franklin County based upon the ratio of each county's juvenile population of 12-17 year olds to the total bi-county juvenile population of 12-17 year olds, averaged over a five year time period as calculated in the MOU set forth in Benton County Resolution 2023-353 and Franklin County Resolution 2023-126. If the Washington State Office of Financial Management or other state agency does not have final census data for a particular year needed for this calculation, the counties agree to use an estimate for that year(s) according to a formula suggested by the state agency.

IT IS FURTHER MUTUALLY AGREED that the Benton County Commissioner's Office shall prepare and submit vouchers for payment to Franklin County on a monthly basis which are in accordance with this MOU.

IT IS FURTHER MUTUALLY AGREED that a seven point five percent (7.5%) administrative fee will be added to each monthly voucher for payment by Franklin County, and that Franklin County shall pay such vouchers within 30 days of receipt.

IT IS FURTHER MUTUALLY AGREED that this MOU shall commence on January 1, 2025, and shall remain in effect until it is superseded by another MOU or terminated by either party as set forth below.

IT IS FURTHER MUTUALLY AGREED that if either Benton County or Franklin County determine that the allocation of costs pursuant to this MOU are no longer appropriate. such county may terminate this agreement effective at the end of the calendar year, provided written notice of the intent to terminate this agreement is given and received by the other board of county commissioners prior to June 30<sup>th</sup>. Any written notice received after June 30<sup>th</sup> in a calendar year can only effectuate a termination of this agreement effective the end of the subsequent calendar year after the notice is received.

Dated this 17<sup>th</sup> day of Sept., 2024  
BENTON COUNTY BOARD OF COMMISSIONERS

DocuSigned by:  
*Jerome Selvin*  
7ED07603293E486...  
Chairman of the Board

DocuSigned by:  
*Michael Alvarez*  
D6C6F57E34874E4...  
Chairman Pro Tem

DocuSigned by:  
*Will McKay*  
135987D784E74CF...  
Member

Constituting the Board of County Commissioners of Benton County, Washington

ATTEST:  
DocuSigned by:  
*Amanda Pearson*  
34825A979E034CE...  
Clerk of the Board

Signed by:  
*Ryan Brown*  
D3FBB31AA4BC474...  
Approve as to Form

Dated this 4<sup>th</sup> day of Sep., 2024  
FRANKLIN COUNTY BOARD OF COMMISSIONERS

*Toddy Hilde*  
Chairman of the Board

*Paul W. Winters*  
Chairman Pro Tem

*[Signature]*  
Member

Constituting the Board of County Commissioners of Franklin County, Washington

ATTEST:  
*[Signature]*  
Clerk of the Board



# Commissioners' Agenda Action Sheet

**Meeting Date:** September 17, 2024  
**Subject:** MOU and Agreement with Franklin County for the Allocation of Juvenile Drug Court, FFT, SAP, Detention Mental Health Team, and Education Employment Training Programs Costs  
**Presenter:**  
**Prepared By:** Amanda Pearson, Clerk to the Board  
**Reviewed By:** Matt Rasmussen  
**PA Review:** **Approved:** Yes      **Denied:** No      **N/A:** No  
*(If denied, include reasoning)*

**Type of Agenda Item:** Consent Agenda

**Summary / Background Information**

Franklin County has recently established its own Drug Court program. As a result, it terminated its Bi-County Drug Court program with Benton County. That termination is effective December 31, 2024. Being that the Drug Court Agreement with Franklin County included other programs, the Counties are required to approve a new Interlocal Agreement to continue those joint undertakings.

**Fiscal Impact**

N/A

**Recommendation**

Move to approve as part of the Consent Agenda.

**Suggested Motion**

I move to approve the MOU and Agreement with Franklin County allocating costs associated with Juvenile Drug Court, Functional Family Therapy, Selective Aggressive Probation, Detention Mental Health Team, and Education Employment Training Programs.

**Signatures Required on Agreements/Contracts**

MOU/Agreement