PEND OREILLE COUNTY
Newport, Washington

RESOLUTION NO. 2014-1

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PEND OREILLE COUNTY, WASHINGTON, APPROVING AND AUTHORIZING THE FIRST AMENDMENT TO THE 2014 MEMORANDUM OF UNDERSTANDING, PURSUANT TO THE AMENDED AND RESTATED INTERLOCAL JUVENILE DETENTION FACILITY AGREEMENT (MARTIN HALL); AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PEND OREILLE COUNTY, WASHINGTON, as follows:

WHEREAS, Pend Oreille County, Washington (the "County") is a political subdivision duly organized and existing under and by virtue of the Constitution and laws of the State of Washington;

WHEREAS, the County is required by chapter 13.16 RCW to acquire, construct and maintain juvenile detention facilities for dependent, wayward and delinquent children;

WHEREAS, Chapter 309, Laws of 1995, authorizes cities and counties, or any combination thereof, to participate in agreements, pursuant to chapter 39.34 RCW, to jointly expend funds for criminal justice purposes of mutual benefit, which include, but are not limited to, the construction, improvement and expansion of jails, court facilities and juvenile justice facilities;

WHEREAS, the County and eight other counties entered into an Amended and Restated Interlocal Juvenile Detention Facility Agreement (Martin Hall) ("the Amended and Restated Agreement") executed by each County on the following dates:

Douglas County - August 26, 1996

Stevens County - August 20, 1996

Pend Oreille County - July 22, 1995

Spokane County - August 13, 1996

Adams County - July 22, 1996

Asotin County - August 19, 1996

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Lincoln County - July 15, 1996

Whitman County - July 15, 1996

Ferry County - July 15, 1996

under the authority granted by chapter 39.34 RCW, Chapter 309, Laws of 1995, and Chapter 10, Laws of 1995, 2nd sp. sess., to provide for the joint operation and maintenance of Martin Hall for use as a "juvenile rehabilitation center" as amended from time to time;

WHEREAS, pursuant to Section 12 of the Amended and Restated Agreement, the Pend Oreille County Board of County Commissioners (the "Board") by Resolution approved the 2014 Operating Budget for the operation and maintenance of Martin Hall and the Memorandum of Understanding relating thereto;

WHEREAS, the Martin Hall Juvenile Facility Board has proposed a First Amendment to the Memorandum of Understanding for the Calendar Year 2014 and is requesting the Board approve the same;

NOW THEREFORE, IT IS HEREBY FOUND, DETERMINED AND ORDERED as follows:

Section 1. The Board hereby approves the First Amendment to the Memorandum of Understanding for the calendar year 2014 in substantially the form attached hereto as Exhibit "A."

Section 2. All other resolutions of the Board that are inconsistent with the provisions of this Resolution are hereby repealed to the extent of such inconsistency.

Section 3. This Resolution shall take effect immediately upon its adoption.

ADOPTED by the Board of County Commissioners of Pend Oreille County, Washington, at a regular meeting thereof held on March 24, 2014.

PEND OREILLE COUNTY, WASHINGTON

Karen Skoog, Chair

Stephen Kiss, Vice-Chair

Mike Manus, Member

ATTEST:

Clerk of the Board

{S0824086; 3 }

* * * * * * * * * * * * * * * * *

CERTIFICATE

I, the undersigned, the Clerk of the Board of County Commissioners of Pend Oreille County, Washington, hereby certify that the foregoing resolution is a full, true and correct copy of a resolution duly adopted at the regular meeting of said Board held on March 24, 2014, of which meeting all commissioners had due and lawful notice and at which a majority thereof were present; and that at said meeting said resolution was adopted by the following vote:

AYES, and in favor thereof: 3

NOES:

ABSENT:

ABSTAIN:

I further certify that I have carefully compared the same with the original resolution on file and of record in my office; that said resolution is a full, true and correct copy of the original resolution adopted at said meeting; and that said resolution has not been amended, modified or rescinded since the date of its adoption, and is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Board on March 24, 2014.

PEND OREILLE COUNTY, WASHINGTON

Elizabeth Bacon

Clerk of the Board of County Commissioners

(S E A L)

FIRST AMENDMENT TO

MEMORANDUM OF UNDERSTANDING

Operation of Martin Hall Juvenile Detention Facility
For the Calendar Year 2014

A. INTRODUCTION. This First Amendment to Memorandum of Understanding is by and among Adams County, Asotin County, Douglas County, Ferry County, Lincoln County, Pend Oreille County, Spokane County, Stevens County and Whitman County, all political subdivisions of the State of Washington, jointly hereafter referred to as the "Members" or "Consortium" and each individually referred to as "a Member."

The Members, through an administrative body known as the Martin Hall Juvenile Detention Facility Board ("Board"), pursuant to an Amended and Restated Interlocal Juvenile Detention Facility Agreement ("Martin Hall") ("Agreement") provide for, among other things, the maintenance and operation of a Juvenile Detention Facility ("Facility") colloquially known as Martin Hall, located in Medical Lake, Washington.

This First Amendment amends that certain Memorandum of Understanding ("MOU") approved by the above-described Counties by prior Resolution.

The purpose of this First Amendment is to memorialize the amendment to certain terms and conditions of the prior Memorandum of Understanding for the Calendar Year 2014.

B. AMENDMENTS TO THE MEMORANDUM OF UNDERSTANDING FOR THE CALENDAR YEAR 2014.

1. Paragraph 3 of the Memorandum of Understanding is revised to read as follows:

   3. In calendar year 2014, from and after March 1, 2014, for the remainder of the calendar year 2014, each Member, except Spokane County, shall appropriate, if it has not already done so, and pay monthly the per day cost of its owned beds (as set forth in Section 4 of the Amended and Restated Agreement) times the number of days in each month, and any overages, at the bed day rate of $155.00 per day.

2. All other terms of the Memorandum of Understanding shall remain in full force and effect.

C. EFFECTIVE DATE. This First Amendment to the MOU shall be effective on the date all Members have passed a Resolution approving the same.