

From: Shawn Sant [<mailto:ssant@co.franklin.wa.us>]
Sent: Friday, July 24, 2015 12:16 PM
To: Lexi Wingfield; David Sparks; Jerrod MacPherson; Robert Koch; Rick Miller; Brad Peck
Cc: Jerome Delvin; Andy Miller; Stephen Hallstrom; Loretta SmithKely
Subject: RE: J Miranda Documents from Benton County

Lexi,

To date, I haven't received a copy of any additional materials or memorandums outlining the basis for action against Ms. Robb. Will you please send these materials today if possible? I would also like to have a copy of the letter provided to Ms. Robb at the time she was placed on administrative leave so we have that for our file.

Thanks,

Shawn

From: Lexi Wingfield [<mailto:Lexi.Wingfield@co.benton.wa.us>]
Sent: Monday, July 20, 2015 4:49 PM
To: David Sparks; Shawn Sant
Cc: Jerome Delvin; Andy Miller; Stephen Hallstrom; Loretta SmithKely
Subject: RE: J Miranda Documents from Benton County

Prosecutor Sant,

We have included a copy of former employee J. Miranda's employment application as an attachment to this email. It would serve no useful purpose to provide a copy of his personnel file, given the fact that he only started employment as a bi-county employee last August, and records involving his criminal enterprise were previously provided to Franklin last week. However, we can provide a copy of his personnel file as well if someone feels it would be useful. It is my understanding J. Miranda's personnel file was not a factor in his separation from bi-county employment as an at-will, non-bargaining employee.

There are no direct documents arguably containing per se direct information pertaining to L. Robb's misconducts. The information provided to the Benton BOCC was in the form of an oral report, based on numerous interactions, conversations, etc., with L. Robb.

We are in the process of drafting a summary/bullet point outline of the above reference presentation, so that the BOCC for both counties will have the same information. We do not anticipate a problem with providing you a written copy of a document containing this information prior to your July 29th meeting with the Franklin BOCC. Barring the unforeseen, we can probably provide you with this information by the end of the week, and perhaps even sooner.

We also include by attachment a copy of the Benton County Classification Description for the Human Services Administrator position. The summary therein empowers the County Administrators of both counties with administrative oversight of this position. As I am not an attorney, I will not speak to the legality of the questioned administrative leave. As Benton's Personnel Manager, I do understand administrative leave with full pay is not discipline, affording the employer with the opportunity to conduct an investigation as appropriate, which can actually be helpful to an employee in certain instances. L. Robb was so advised in writing.

Please feel free to contact us if you need additional information. We apologize for any miscommunication regarding the provision of documents supporting the decision to place L. Robb on administrative leave, and trust it did not cause any undue inconvenience.

Thank you for your patience.

Lexi Wingfield
Personnel Manager
509-737-2777

From: David Sparks
Sent: Monday, July 20, 2015 2:20 PM
To: Shawn Sant
Cc: Lexi Wingfield; Jerome Delvin; Andy Miller; Stephen Hallstrom; Loretta SmithKely
Subject: RE: J Miranda Documents from Benton County

Mr. Sant,

I do apologize for Benton County not responding to your request. I will have Lexi Wingfield, Benton County Personnel Manager, respond to your request as soon as possible. Thank you.

FRANKLIN COUNTY 296144

David Sparks
County Administrator
Benton County Commissioners' Office
P.O. Box 190
Prosser, WA 99350
Phone: (509) 786-5600 or 736-3080
Fax: (509) 786-5625

From: Shawn Sant [<mailto:ssant@co.franklin.wa.us>]
Sent: Monday, July 20, 2015 12:06 PM
To: David Sparks
Cc: Lexi Wingfield; Jerome Delvin; Brad Peck; Robert Koch; Rick Miller; Andy Miller; Tim Dickerson
Subject: RE: J Miranda Documents from Benton County

Mr. Sparks,

I had requested information last Thursday, July 16, 2015, about the current situation with Ms. Robb's employment and apparent issues prompting Benton County to place her on administrative leave pending a joint meeting by our boards. Not only did this email go unanswered but Benton County chose to take unilateral action without providing Franklin County any information for this action against a Bi-County employee. This appears inconsistent with bi-county structure of each Board having an equal voice in management of bi-county operations (i.e. both Board's approval to make the offer of employment to Ms. Robb). Please provide any resolutions signed by our Board's that would provide Benton County authority to take unilateral action against a Bi-County employee as I am unaware of such resolution. I had the opportunity to speak with Commissioner Delvin briefly last week and it sounded like he had (or others in Benton County had) serious concerns with keeping Ms. Robb in the work place. I explained that I would give an immediate review of any information and would get back to him in an hour after receipt of such information supposedly justifying the action proposed by Benton County to place Ms. Robb on immediate paid administrative leave. I explained that our Board was unavailable due to scheduling until the week of July 27 but upon receipt of information in support of such action, I would advise our Board accordingly.

I renew the request for all supporting information regarding Benton County's unilateral action last week on placing Ms. Robb on paid administrative leave. I only received information about Mr. Miranda but did not see anything showing a causal connection to Ms. Robb on how she had purportedly misled any of our Boards or had committed any misconduct justifying the action taken by Benton County. I am unable to evaluate whether or not there is a basis for action as I have not received relevant documentation. It is imperative that I have full information well in advance of the upcoming Board meeting in order to review and brief my Board. With the recent exodus of employees from the Human Services Department, removal of the Director likely places us at great risk of failing to provide required services as required by law. I do not want either of our counties to be at risk of losing any State or Federal funding by this action.

Please provide full information as soon as possible so we are not hearing the basis for Benton County's unilateral action and proposed termination action for the first time next week. The Board will turn to my office for a legal opinion moving forward and this will likely need time to review. I will give this the priority level of review required so that my Board can be adequately informed before being asked to take action. It appears that this matter is quite urgent from Benton County's perspective, and I will have to advise my Board to delay responding to Benton County's proposal to take terminal action if we have no information or untimely information.

Respectfully,

Shawn

*Shawn P. Sant, Prosecutor
Franklin County Prosecutor's Office
1016 N. 4th Ave.
Pasco, WA 99301
(509) 545-3543
ssant@co.franklin.wa.us*

ATTORNEY WORK PRODUCT / ATTORNEY-CLIENT PRIVILEGED INFORMATION – DO NOT DISSEMINATE

CONFIDENTIALITY NOTICE: This electronic mail transmission may contain legally privileged, confidential information. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or taking any action based on the contents of this electronic mail is strictly prohibited. If you received this in error, please contact the sender and delete all copies. **ADDITIONAL NOTICE:** This email transmission is not secure. Because email can be altered electronically, the integrity of this communication can not be guaranteed by Franklin County.

From: Shawn Sant
Sent: Thursday, July 16, 2015 2:39 PM
To: 'Lexi Wingfield'
Subject: RE: J Miranda Documents from Benton County

My understanding is that Mr. Miranda was terminated so that matter is no longer before us. I am trying to evaluate the legal basis for placing an employee on administrative leave pending review. To my knowledge specific information about Ms. Robb's conduct has not been provided to us for review. As Mr. Miranda is apparently at issue with the current proposed action, will you send over his personnel file or at minimum his application for employment for our review to consider what information may have been withheld from both our Boards?

Thank you,

Shawn

*Shawn P. Sant, Prosecutor
Franklin County Prosecutor's Office
1016 N. 4th Ave.
Pasco, WA 99301
(509) 545-3543
ssant@co.franklin.wa.us*

ATTORNEY WORK PRODUCT / ATTORNEY-CLIENT PRIVILEGED INFORMATION -- DO NOT DISSEMINATE

CONFIDENTIALITY NOTICE: This electronic mail transmission may contain legally privileged, confidential information. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or taking any action based on the contents of this electronic mail is strictly prohibited. If you received this in error, please contact the sender and delete all copies. ADDITIONAL NOTICE: This email transmission is not secure. Because email can be altered electronically, the integrity of this communication can not be guaranteed by Franklin County.

From: Lexi Wingfield [<mailto:Lexi.Wingfield@co.benton.wa.us>]
Sent: Thursday, July 16, 2015 2:30 PM
To: Shawn Sant
Subject: J Miranda Documents from Benton County

Mr. Sant,

David Sparks asked me to send you all of the documents we found while conducting our online investigation regarding Mr. Miranda, Administrative Assistant with Human Services. These documents primarily relate to Mr. Miranda; other information builds on this incident.

Thank you,

Lexi Wingfield
Personnel Manager
509-737-2777