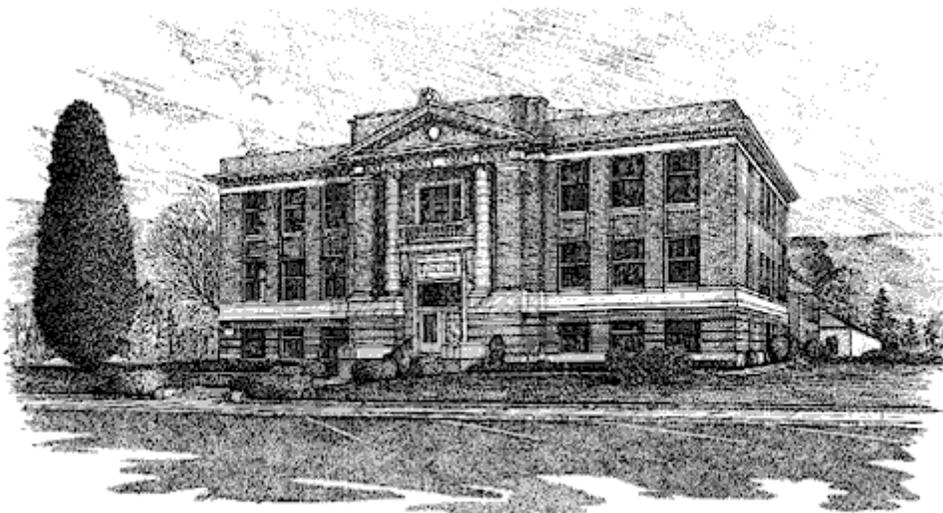


**League of Women Voters
of Benton and Franklin Counties
Study: Location of the Benton County Seat
2006 - 2007**



**League of Women Voters
of Benton and Franklin Counties**

Study: Location of the Benton County Seat

Table of Contents

Introduction.....	1
History.....	1
County Government and Services	2
Efficiencies and Financial Consequences of Moving the County Seat	5
Legislative and Constitutional Constraints on Moving the County Seat.....	6
Conclusions.....	7
Appendix A — Brief History of Benton County and Its County Seat.....	A-1
Population Growth	A-1
Location of the County Seat	A-5
Appendix B — Interviews	B-1
Interviews with County Officials and Employees Associated with the Justice System and the Courts.....	B-1
Interviews with County Officials Whose Primary Offices Are Located in Prosser—Assessor, Auditor, Treasurer.....	B-3
Interviews with City Officials.....	B-7
Appendix C — Constitutional and Legislative Directives Regarding Location of County Services	C-1
Washington Constitution Sections Regarding County Government	C-1
Revised Code of Washington Sections Regarding Changing the County Seat or County Boundaries.....	C-2
Revised Code of Washington Sections Mandating Functions to be Performed at the County Seat	C-4

League of Women Voters of Benton and Franklin Counties

Study: Location of the Benton County Seat

The League of Women Voters works to educate and inform citizens on issues that affect them but does not support or oppose candidates for office. Providing quality, nonpartisan voter information is one of our most important activities. The League also will take a position on an issue of concern to voters but only after the membership has done a thorough study of the issue and has reached a consensus position.

Introduction

When retired Superior Court Judge Fred Staples asked the League of Women Voters of Benton and Franklin Counties (LWVBF) in 2005 to support his drive to obtain the signatures needed to place on the ballot the question of moving the Benton County seat from Prosser to Kennewick, our members decided, as is our normal policy, that we must first study the issue before taking a position on the matter. While LWVBF has long held the position that “Benton County services should be located in the center of the population,” we have not, as a League, taken the position that the county seat should be moved. Rather we have supported the county’s attempt to provide services at both the county seat in Prosser and in the urban area of Benton County.

After discussing the request made by Judge Staples, members of LWVBF voted to conduct a one-year study. The scope for the proposed study included the legislative and constitutional constraints on the issue of moving the county seat from Prosser to Kennewick as well as the efficiencies and financial consequences for county employees, residents, government agencies, and local cities of such a move. Before reporting back to the membership, the study committee reviewed the history of Benton County as it related to the location of the county seat; interviewed county and city elected officials; and researched the Revised Code of Washington (RCW), Washington Administrative Code (WAC), and relevant court cases.

History

Benton County is one of thirty-nine counties in the state of Washington. In 1901, Nelson Rich, a representative of Yakima County in the state legislature, introduced a bill to divide Yakima County just east of Zillah. The bill failed twice. The county was eventually created out of the eastern portions of Yakima and Klickitat Counties on March 8, 1905, and named after Missouri Senator Thomas Hart Benton. The Washington State legislature named Prosser as the county seat.

Benton County was a sparsely populated area when it was formed in 1905. The population was rural; ranchers raised horses and cattle in the fertile grasslands; and irrigation spurred the growth of agriculture. Railroad construction was an asset to the area. In 1910, the population of Prosser and Kennewick, located 30 miles apart, was about equal: 1,298 residents in Prosser and 1,219 in Kennewick.

It was not until the 1940s that Benton County saw real growth. The federal government's creation of the Hanford Engineering Works brought thousands of workers to Eastern Washington. Prosser's growth stagnated but the eastern end of the Benton County boomed. By 1950, the population of Kennewick, Benton City, and Richland was 32,778 and the population of Prosser was 2,616. In 2005, the population of Benton County reached 155,100, but only 5,045 people lived in Prosser.

In 2006, the total assessed value of property in Benton County was \$11,205,128,485, of which 96% of that value was in Richland, West Richland, Kennewick, and Finley. The total value of new construction was \$406,651,848, and 97.2% of that value was in the Tri-Cities area. (For more information, see Appendix A.)

County Government and Services

Benton County funds, constructs, operates, and maintains

- County administrative offices
- Farm-to-market roads
- Courts, jail, and juvenile justice facilities
- Regional parks and recreational facilities
- Bicounty regional health and human services
- Drainage improvement districts
- Waste management
- Regional fairground facilities.

Benton County government is divided into several departments.

- Commissioners

The three county commissioners are elected to four-year terms. The county is divided into three districts based on population. Commissioners hold partisan positions and are nominated in a primary election embracing only their district. At the general election, all the voters in the county, regardless of district, are given the opportunity to select the commissioners who will ultimately serve in office.

The primary duty of the county commissioners is to levy taxes to operate the county and to adopt a balanced budget. They also are responsible for adopting, amending, and repealing all county ordinances.

As administrators, the commissioners are responsible for public roads, public health services, planning and zoning of unincorporated areas, emergency services, county parks, and recreation systems.

In their judicial capacity, the commissioners are often called upon to sit in judgment as the first level of appeal on decisions made by other county officials. This includes rezoning recommendations and property assessments under appeal.

- Law and justice

Superior Court. The superior courts in Washington State are the courts of general jurisdiction. These courts have exclusive jurisdiction for felony matters, real property rights, domestic relations, estates, and civil cases over \$50,000. The superior courts also hear appeals from courts of limited jurisdiction.

District Court. District court is a court of limited jurisdiction. It provides jurisdiction in all matters involving traffic, nontraffic and parking infractions; temporary orders for protection from domestic violence; small claims up to \$4,000; and preliminary hearings on felony investigative holds. It provides concurrent jurisdiction with superior court in all misdemeanor and gross misdemeanor actions committed in violation of state or county statutes or county or municipal ordinances and concurrent jurisdiction with superior court over civil actions involving \$50,000 or less.

Clerk. The clerk provides support to the local judiciary by managing all court documents, providing calendars and dockets for hearings and trials, ensuring safekeeping of documents and case files, and handling of trust funds. In addition, the clerk handles U.S. passport processing, administers the jury system, and manages the collection program from defendants.

Sheriff. The sheriff is the chief executive officer and conservator of the peace. In addition to providing services to the residents of Benton County, the sheriff's office through contract provides basic law enforcement services to Benton City and the Hanford Nuclear Reservation. The sheriff's office Bureau of Corrections provides incarceration and alternative program services to all law enforcement jurisdictions within Benton County (i.e., Kennewick, Richland, West Richland, Prosser, and Benton City). The Benton County jail provides contract services to other agencies throughout the state. The patrol division provides aircraft surveillance and rescue, a K-9 patrol, reserve deputies, school resource officers, a SWAT (special weapons and tactics) team, and a maritime patrol. The department also has a detective division.

Prosecuting Attorney. The prosecuting attorney is the lawyer for the people of Benton County. The main responsibility of the prosecutor is to enforce criminal laws and to work for the victims of crime. This includes ordering restitution for the victim, informing the victim of court dates, and acting as an advocate for the victim at trial and sentencing. The prosecuting attorney also acts as legal counsel to other county departments, operates a risk management program for Benton County, assists in certain child support cases, advises law enforcement officers during investigations,

plea negotiations, pretrial hearings, trial sentencing hearings, and appeals. Criminal prosecution is divided into three areas—adult felonies in superior court, adult misdemeanors in district court, and all juvenile cases in superior court (juvenile division). Where the state or county may be a party in a civil action, the prosecuting attorney may prosecute or defend. The prosecuting attorney is legal advisor to the county commissioners and other elected officials.

Coroner. The coroner is responsible for investigating deaths, particularly those that happen under unusual circumstances.

- Assessor

The assessor places a valuation on all real property and taxable personal property in the county. The valuation is used for the purpose of equitable distribution of tax liabilities on the taxpayers in the various districts. Before 1983, state law required the assessor to reappraise real property at least every four years. Now, counties with adequate resources may expedite responses to market fluctuations by performing reappraisals on an annual basis with a physical inspection on a less frequent six-year basis. In addition to maintaining appraisal records, the assessor is required to keep numerous other records. A detailed series of maps showing all properties within the county must be maintained along with sets of aerial survey photos. Each time a parcel of property is sold or divided, or a new plat filed, the transaction is shown in the assessor's records.

- Treasurer

The treasurer acts as the “bank” for the county, school districts, water districts, and other units of local government. The treasurer's office receipts, disburses, invests, and accounts for the funds of each of these entities. In addition, the treasurer collects various taxes. Bond sales by the county, school and other local districts are authorized by the treasurer. The treasurer also conducts the sale of surplus county cars and equipment.

- Auditor

The auditor is responsible for administration of the recording, financial services, vehicle titling and licensing, and election departments. The recording department includes deeds, real estate contracts, liens, and other written instruments. The auditor must audit all bills approved for payment by the county commissioners before warrants are issued. The law requires the auditor to examine the county treasurer's books each month to check for accuracy. The auditor not only collects licensing fees but also is responsible for the transfer of vehicles from one owner to another. The auditor serves as the ex-officio supervisor of elections. As the supervisor of elections, the auditor is the chief registrar of voters within the county.

Prior to the 1980s, all county offices and services were located in Prosser, which required a long-distance phone call from residents on the eastern side of the county. Up to that time, county

phone numbers were not even listed in Tri-Cities area phone books. However, with a growing population in Kennewick and Richland, there was a need to have the justice and court systems located closer to the bulk of the population where the jurors, attorneys, judges, and unfortunately, the criminals, were located. New justice offices and a jail were built in Kennewick, and the other county departments located branch offices in Kennewick. Today the county has approximately 500 employees, with about 400 of them working outside of Prosser. Of the approximately 100 employees located in Prosser, 40 work in planning, public works, and the county shops.

Efficiencies and Financial Consequences of Moving the County Seat

To assess the efficiencies and financial consequences of moving the county seat from Prosser to Kennewick, LWVBF study committee members asked whether the move would result in better county government. Would the efficiency of county government be improved by such a move? Would it be more cost-effective for the county government to operate from Kennewick? What is the cost of moving the county seat versus the cost of not moving it but still trying to meet future population growth? Prosser has been the county seat for over 100 years; how important is that history and tradition? To answer these questions, committee members interviewed elected officials and public employees (see Appendix B).

The three commissioners operate in both Prosser and Kennewick. One commissioner has his office in Prosser, and the other two have offices in both Kennewick and Prosser but operate most days out of their Kennewick offices. Almost all county commissioner board meetings are held in Prosser, and all official decisions are made in Prosser. Only one commissioner responded to our survey, but our conclusion is that they find county government to be operating efficiently under the current system.

The sheriff and court system need expanded space and this is being constructed in Kennewick. The Justice Center in Kennewick originally had been built to accommodate the need for growth and the court room expansion is going forward. Kennewick-based officials use video conferencing regularly when their input is needed for meetings held in Prosser. The sheriff and prosecuting attorney feel that their departments are working efficiently under the current system.

The county health department has been in need of consolidating its services. A new 40,000-square-foot building is being constructed beside the Justice Center in Kennewick to meet this need.

The law and justice portion of the county budget is about \$35,000,000 while the budgets of the assessor, treasurer, and auditor total about \$6,000,000. Interviewees with the departments of the assessor, treasurer, and auditor voiced a great need for expanded space and consolidation of operations. They juggle time, management, oversight of operations, and commitments between two or three locations and feel that they could be more efficient if they could operate their main offices from Kennewick. The assessor has 16 employees in Prosser and 10 in Kennewick; the treasurer has 11 employees in Prosser and 3 in Kennewick; and the auditor has 14 employees in Prosser, 5 in Kennewick, and 3 in Richland.

The county has proposed trying to solve these problems and meet the need to service the bulk of the population by building another 10,000-square-foot building in Kennewick beside the Justice

Center. There currently is no apparent funding available for this building. In addition, all planning for this building has been put on hold until the legal issues of situating this building in Kennewick have been resolved.

County commissioners are considering a plan to remodel the Benton County Courthouse in Prosser. The courthouse would be updated to the standards of the Americans with Disabilities Act; the courtroom would become the commissioners' board room; and a small brick building on the property would be demolished and replaced with a building for superior and district court proceedings.

Legislative and Constitutional Constraints on Moving the County Seat

The legal issues involved with moving the county seat have been the most difficult to understand. Is it legal for the county to conduct the bulk of its operations in Kennewick when the county seat is in Prosser? The RCWs pertaining to the office locations of the county's elected officials are peppered with *shalls* and *musts* (see Appendix C). For example, the county commissioners *shall* provide suitable furnished offices for county officers at the county seat (RCW 36.16.090) and the office of the clerk of the superior court *shall* be kept at the county seat (RCW 36.23.080). The sheriff and the prosecuting attorney *must* keep offices at the county seat (RCW 36.28.160 and 36.27.070). However, the RCWs do not have written requirements as to office location for the assessor and auditor. Nor is there a locations requirement for election ballot processing.

To analyze these issues, the study committee relied heavily on a review of relevant court cases impacting the provision of services at locations other than the county seat. In 1943, in hearing *State of Washington, on the Relation of May J. Becker, as Executrix, Appellant, v Lota King as Auditor of Gray's Harbor County*, the State Supreme Court held that "a different legislative intent is indicated by the use of the indefinite article 'an' as applied to the office of the prosecuting attorney, rather than the more specific 'his' or 'the' as applied to the other offices above mentioned." This finding allowed the board of commissioners to pay rent for the prosecuting attorney's use of an office outside the county seat.

During the 1970s, citizens wanted to hold court at the new juvenile justice center that had been located in Kennewick. The State Supreme Court denied this order because it felt that authorizing court in Kennewick would, in effect, move the county seat to Kennewick. In 1976, the Benton County citizens voted down a question regarding moving the county seat by a vote of 25,166 to 9,026. However, in 1979, the Supreme Court reversed its decision, and 59.7% of the voters in Benton County (12,044 to 8,113) approved an advisory ballot in favor of locating a jail and court in Kennewick. The Supreme Court gave permission for Superior court to be held at the planned Justice Center in Kennewick as long as money was set aside to rehabilitate the Prosser facility at the same time.

In 1984, there was again a petition to move the county seat from Prosser to Kennewick. The vote required 60% approval and was defeated by a small margin. In 1985, the legislature passed a law that no two elections to effect a county seat removal may be held within eight years of each other (RCW 36.12.080). It also specified that a financial impact statement be issued concerning

the probable costs of relocating the county seat, the cost to county employees, and the probable impact on the city or town where the county seat is proposed to be relocated (RCW 36.12.010).

In 2004, Thurston County sought a declaration that it could lawfully relocate its court, prosecutors, and other county offices to a new regional justice facility to be constructed one-half mile outside of the current boundaries of the county seat. The Washington State Supreme Court rendered a summary judgment in favor of the defendants in the case of Thurston County, Appellant, v The City of Olympia, Et Al, ruling that the county could not lawfully move its courts and other offices of county government from the county seat to any adjacent city.

Two months after the Supreme Court's decision in the Thurston County case, the Court heard Fred R. Staples v Benton County and denied the former superior court judge's petition to compel the county commissioners of Benton County to move certain offices back to the county seat in Prosser from their present location at the Justice Center in Kennewick. Judge Staples argued that Benton County, by maintaining the law and justice functions of government at the Justice Center, had shifted the county seat from Prosser to Kennewick in violation of article XI, section 2, of the Washington State Constitution. The Court held that the county seat had not been moved. Rather, portions of, if not the majority of, the law and justice functions of government had been established outside Prosser at the Justice Center in Kennewick. However, the county seat consists of more than just the law and justice functions of government. The record established that the elected officials consider Prosser to be the county seat.

The Court also established that the "location of county offices is governed by various statutes and Staples did not base his petition for a writ of mandamus on the violation of these statutes, but on violation of article XI, section 2, of the Constitution." Writing as a member of the majority and joined by Justices Sanders and Fairhurst, Chief Justice Gerry Alexander expressed "concern over the fact that the record contains a strong indication that at least some of the offices that according to statute are to be maintained at the county seat of Prosser, have been moved out of that city to Kennewick, another city in Benton County." Judge Alexander continued to review, as he stated it, "an office that is of particular concern to me, the superior court for Benton County." He closed with the following comment: "Because we can rule on the case only as it has been presented to us, I join in the result that the majority reaches, notwithstanding the concerns I have noted above."

Conclusions

Because of the challenge of growth in Benton County, the county commissioners have considered the construction of additional facilities in Kennewick for vital administrative functions carried out by county government. These plans raise both statutory and, perhaps, constitutional issues. Currently 80% of Benton County employees work in Kennewick, and new facilities and employees will clearly be needed to keep up with growth. For the assessor, 97% of new construction in the county is occurring in the urban area and 96% of the ongoing property assessments are done in the urban area. While the statutes are silent as to the location of the assessor and auditor, what happens to the definition of a county seat if the majority of both the law and justice and the administrative functions of county government are located in Kennewick?

The information gathered by the study committee was presented to several local organizations, such as Kiwanis and Rotary, and the attendees were queried as to whether they would like to see the county seat moved. Sixty-five percent of those attending thought that the county seat should be moved to Kennewick; 25% thought that the county seat should remain in Prosser; and 10% didn't care one way or another or would prefer some other solution.

Two meetings of the LWVBF membership were held to address the committee's findings and to discuss the consensus questions that had been developed by the committee. The members determined that they would not support a change in the county seat just for the sake of change. It appears, however, that given the existing law and constitutional mandates, the county has at the very least reached its legal limit in further accommodating the reality of population growth without either seeing immediate changes in state law or joining in an effort to move the county seat to where the need for services is greatest.

As a result of this year of study and discussion, LWVBF approved a revision to its position on county government. The membership adopted the following revision at its annual meeting held on May 17, 2007 (the revision is shown in bold type):

The League of Women Voters of Benton and Franklin Counties supports bicounty cooperation in providing services and in planning for new facilities and programs. Benton County services should be located in the center of population. **Should legal constraints prohibit future growth of services in the center of population, the League of Women Voters of Benton and Franklin Counties supports moving the county seat to Kennewick or changing state law to remove the legal constraints.**

Appendix A

Brief History of Benton County and Its County Seat

Population Growth

In 1901, Nelson Rich, a representative of Yakima County in the state legislature, introduced a bill to divide Yakima County just east of Zillah. The bill failed twice. The county was eventually carved out of eastern portions of Yakima and Klickitat Counties on March 8, 1905 and named after the Missouri Senator Thomas Hart Benton. The Washington State legislature appointed Prosser as the county seat.

Prosser began its existence in 1881 when James Kinney located a homestead in the area and started a general store. Colonel Prosser, a special agent of the Department of the Interior for Oregon, Washington, and Idaho, settled there in 1881 and platted the area. The post office was established in 1883, and the town grew around the Hinzerling flour mill built in 1887. The name Prosser won out over the name of Kinneyville. Prosser, a settlement of about 300 people at the time, was not the only settlement in Benton County.

In 1880, the Switzler brothers, John and Jade, established a large-scale horse-raising ranch in the bunch grass that became Plymouth. The Switzlers were the largest horse raisers in the area with 15,000 head. During 1882 locations were made by two prominent pioneers, Henry Paterson and Billy Kelso. Paterson lived in the vicinity of present day Paterson and Kelso above Kiona. Kelso's operation developed into a large wheat ranch. Kiona began as a small railroad camp.

The settlements in Benton County at this time can be traced fairly close to the development of the railroad construction camps. These are documented by when the various school districts were formed. The Prosser school district established on February 2, 1884, has the distinction of being the oldest. Three more districts came into being that year—Kennewick No. 17 on July 12 (first called Columbia District) and in September two districts embracing the Horse Heaven plateau. The Kennewick school district took care of the children of the railroad construction camp of the area where millwright, C. J. Beach, had filed a claim. In 1884, the camp had become large enough to name. It was desired to name it after Chenoweth, an early trapper, but as pronounced by the Indians it sounded like "Kennewick." Another story of the name Kennewick indicates it was a native Indian name for "grassy place" or "winter haven."

In 1885 a school was opened in Kiona for the four children of William Neil, the railroad section foreman. Kiona's first school teacher was Libbie Ketchum; Libbie, with her sister Olive, started a grocery store there and married the Kelso brothers, Billy and Clint. The store became Kelso Brothers General Merchandise Store.

Richland started with the arrival of cattlemen in the autumn of 1860. Gold discoveries in British Columbia, Montana, and Idaho had provided a market for beef at good prices. What we know as Richland developed as "Grant's Meadows." The Indians called the area Chema. A small town

grew to serve the surrounding farm land. According to one story, it was not called Richland until 1906, when it was named after the Nelson Rich, the representative originally introducing the bill to create Benton County. Another story is that it was originally named Benton in honor of the new county but that the post office objected because Washington already had a Benton in Pierce County. It was renamed Richland reflecting the “most fertile soil in the world.”

By 1861, Richland was producing hay for a freight and stage line that ran through what is today Franklin County. In 1888, Ben Rosencrance filed a claim for 1,700 acres in what is now Richland. Grasslands of the present Hanford Nuclear Reservation fattened cattle that were driven on the hoof to the mining regions. In 1889, the school districts of Richland and White Bluffs were formed.

In 1892, the growth and prosperity of the time was marked by the formation of the Benton Land and Water Company by Nelson Rich of Prosser and Howard Amon of Richland and the Yakima Improvement Company by Frank Dudley and W. Carlyle Ely of Kennewick. The Benton Land and Water Company started digging a canal to water the Richland country. The water brought in an influx of settlers, who bought small tracts and planted them to alfalfa, grapes, and strawberries and began setting out apple, pear, peach and cherry orchards.

New transcontinental railroads brought settlers into southeastern Washington. The railroad bridge across the Columbia was completed in 1892. Pasco was the main trading community and a ferry was established across the Columbia River at Richland. In 1894, the bubble of prosperity burst from the effects of a nation-wide economic panic and the highest flood of recorded history. Agricultural markets were weak across the nation. Prices for farm products plummeted and many farmers went broke. The railroad went into bankruptcy. Many newcomers left the area.

George Finley, a poor Nebraska farmer, moved his family to a 40-acre land holding south of Kennewick. A town slowly grew and had 25 people by 1908. By 1910, the Spokane, Portland, and Seattle (SP&S) railroad helped bring prosperity to the community resulting in a new hotel, store, barbershop, two lumber yards, a hardware store, depot, and school.

Kennewick was incorporated in 1904. Richland articles of incorporation were filed in 1910. The school in Richland grew to 250 by 1910 and included all grades. In 1912 the Lower Yakima Irrigation Company was reorganized as the Horn Rapids Irrigation Company. The company provided water for the town of Richland, the city park, and 4,000 acres of nearby farm land. In 1914 natural gas was discovered in the Rattlesnake Hills northwest of Richland providing gas to local customers. Between 1910 and 1940 population grew at a slower but steady rate. In the 1930's, many farmers from the Great Plains drought areas moved overland to Washington seeking farming opportunities.

The decade 1940 to 1950 brought the greatest population increase in Washington State history. Primarily an overland movement of laborers to new defense industries, it resulted in an increase of 642,772 people in 10 years, raising the population to 2,378,963 in 1950. Most of the new growth was in the industrial metropolitan districts of King, Pierce, Kitsap, Clark and Spokane Counties and at the Hanford Engineering Works in Benton County. The Hanford Engineering Works acquired 625 square miles in the agricultural hamlets of Hanford, Richland, and White Bluffs in 1943.

Benton County had grown steadily in population since the first census in 1910. From 1910 to 1950 the population was entirely rural, there being no cities exceeding 2,500 in population, outside the boundaries of the Hanford Engineering Works. By 1957, the population was over 60% urban. Industrialization and urbanization within Benton County and other parts of the state drew many persons away from agriculture. Benton County registered one of the largest percentages of growth in population in the state between 1940 and 1955.

Kennewick, located close to the Hanford Engineering Works, grew rapidly from 1940 to 1950 when thousands of families moved to the area for employment in atomic energy. Richland grew to 21,000, becoming the major population center. Kennewick became the second largest city with an estimated 13,550 people by 1957. Prosser, an agricultural center and the seat of county government, expanded to 3,125 by 1957. West Richland was incorporated after 1955. The total population, including incorporated areas and unincorporated areas, of Benton County had grown from 7,937 in 1910 to 51,370 by 1950. The percentage of population changed from 100% rural to 40% rural and 60% urban.

Population of Incorporated Places
Benton County, 1910 – 1957

City	1910	1920	1930	1940	1950	1957*
Benton City					863	1,140
Kennewick	1,219	1,684	1,519	1,918	10,106	13,550
Prosser	1,298	1,697	1,569	1,719	2,636	3,125
Richland**					21,809	
West Richland***						1,550

* Populations for 1957 are estimates of the Washington State Census Board 04/01/1957.

** Richland was a Federal city managed by the Atomic Energy Commission within the boundaries of the Hanford Engineering Works in 1943. It was not incorporated under the laws of Washington State. No published population figures are available except for the 1950 census for Richland. Richland was disincorporated in 1943 and reincorporated in 1958.

*** West Richland was incorporated in 1955.

Sources: U.S. Census, Population & Washington State Census Board

Benton County had grown to 62,070 by 1960, to 67,540 in 1970, to 109,444 in 1980, and to 112,560 in 1990. Kennewick is now the largest city in the county and nearby Richland is the second largest city. The county seat remains in the city of Prosser. There are five incorporated cities in the county: Richland, Kennewick, West Richland, Benton City, and Prosser. Kiona, Plymouth, Finley and Paterson are unincorporated residential areas.

Population of Incorporated Places
Benton County, 2006

Kennewick	61,770
Richland	44,230
West Richland	10,520
Prosser	5,045
Benton City	2,840

The office of the assessor lists the following assessed property values and construction values in Benton County.

Assessed Value of Property in Benton County, November 2006

Area	Assessed Value	Percentage of Total
Total assessed value	\$11,205,128,485	100%
Prosser and rural area	334,566,446	3%
Benton City and rural area	110,428,530	1%
Richland, West Richland, Kennewick, and Finley	10,760,133,509	96%

Value of New Construction in Benton County, 2006

Area	Assessed Value of New Construction	Percentage of Total Value
Total value of new construction in Benton County	\$406,651,848	100%
Prosser area	9,910,490	2.4%
Benton City area	1,285,800	0.4%
Tri-City area	395,455,558	97.2%

Location of the County Seat

The location of county seat has been controversial almost from the beginning. In 1912, Benton City launched a campaign to be the county seat, offering to donate a whole city block for the courthouse, noting it was the geographical center of the county, and claiming that it would soon be a substantial city due to being home to the North Coastal Railroad Depot. Kennewick also entered the campaign for the county seat that year. Kennewick argued that if the new courthouse was going to be built with taxpayer money, the taxpayers should have a say in where it was to be built. Prosser claimed that Kennewick only wanted the county seat tax dollars to float its inflated land valuation, and Prosser was a “dry town.” Wouldn’t the citizens rather have their county seat in a “dry town”? Prosser also pointed out it was premature to move the county seat until the center of population had been established. When it came down to the vote on November 5, 1912, Prosser kept the county seat. A total of 3,846 votes were cast. Benton City received 185 votes, Prosser 1,547 and Kennewick 2,114. Kennewick received 55% but fell short of the 60% required to change the county seat.

A group of citizens tried to change the location of the county seat from Prosser to Kennewick in 1976: the vote was 25,166 against the removal and 9,026 for the removal of the county seat. In 1979, an advisory ballot was issued about building a jail in Kennewick. The proponents of the move failed to achieve the required 60% favorable vote but by only a very small margin.

In 1980, the Supreme Court of the State of Washington evaluated the need to have adequate and readily accessible court facilities. The courthouse in Prosser was remodeled and expanded for court facilities and a Justice Center was constructed in Kennewick. Superior court was authorized to use its discretion to hold court in any appropriate location in its judicial district during construction. Upon the completion of the Prosser and Kennewick court facilities, the superior court for Benton and Franklin Counties was authorized under its discretion to hold court in those facilities.

In 1984, a petition was filed to move the county seat from Prosser to Kennewick but the proponents failed. In 1985, the legislature passed a law that no two elections to effect a county seat removal may be held within eight years. The legislature also specified that a financial impact statement be issued concerning the probable costs of relocating the county seat, cost to county employees, and probable impact on the city or town where the county seat is proposed to be relocated.

In 2004, The Washington State Supreme Court was asked to decide whether certain court offices of Benton County must be ordered to be moved back to the county seat. In that case it was decided that the Supreme Court could not issue a writ of mandamus ordering the county commissioners to relocate certain court offices back to Prosser.

SUMMARY: Nature of Action: A former superior court judge sought a writ of mandamus, on constitutional grounds, to compel the county commissioners of Benton County to move certain county offices back to the county seat in Prosser from their present location at the justice center in Kennewick.

Superior Court: The Superior Court for Benton County, No. 03-2-00197-7, Michael

E. Cooper, J., on August 4, 2003, entered a summary judgment in favor of the county and dismissed the plaintiff's petition for a writ, ruling that there was no constitutional violation.

Supreme Court: Holding that the state constitution is not violated by the performance of judicial functions in a location other than the county seat, the court *affirms* the judgment.

Today, Prosser is the official location of county offices. However, the Justice Center and jail are in Kennewick, and other county officials have satellite offices in Kennewick and Richland. A majority of county officials and employees reside in either Kennewick or Richland.

Location of County Employees (Compiled on March 1, 2007)

	Department	Prosser	Kennewick	Other
6	Superior court: Judges and administrators	Scheduled as needed	18	
4	District court	2 full-time, 1 part-time	25	
1	Clerk	1	27	
1	Prosecuting Attorney	1	45	
1	Sheriff	1 part-time	219	
1	Coroner		1	
3	Commissioners Two commissioner have offices in both but spend the majority of their time in Kennewick	1	2	
	GIS	3		
	Human Resources		3	
	Fairgrounds		4	
	Central Services	6	6	
	Facilities/Parks	1	1	
	Horn Rapids			1
	Two Rivers			1
	Justice Center		8	
	Planning	7		
	Building Department		9	
	Public Works	22		

Location of County Employees (Compiled on March 1, 2007)

	Department	Prosser	Kennewick	Other
	Shop	14	15	
1	Auditor	14	5	3
1	Assessor	16	10	
1	Treasurer	11	3	

This chart only includes the employees of the major departments of the county. There are a total of about 500 county employees, 100 work in Prosser.

History sources are available upon request.

Appendix B Interviews

The following elected county officials and county employees were interviewed by League members in the fall of 2006.

Assessor	Barbara Wagner
Prosecuting Attorney	Andy Miller
Auditor	Bobbie Gagner
County Commissioner	Leo Bowman
Coroner	Floyd Johnson
Sheriff	Larry Taylor
Clerk	Josie Delvin
Treasurer	Duane Davidson
Superior Court Judge	Vic Vanderschoor
Also interviewed:	Attorney Tim Mahoney, past-president local Washington State Bar Association
District Court Administrator	Jacki Lahtinen
Superior Court Administrator	Pat Austen
Attorney, Prosecutor's Office	Ryan Brown

With the exception of the county coroner and the one responding county commissioner, interviews with elected county officials and county employees resulted in identifying two distinctive groups:

- 1) Those associated with the justice system and the courts
- 2) Those whose primary offices are located in Prosser.

Interviews with County Officials and Employees Associated with the Justice System and the Courts

The overwhelming opinion determined from interviews conducted with elected officials and county employees associated with the justice system and the courts can be summed up in the answers to two questions:

Question: By law, what would change in your office if the county seat were to move?

Answer: Nothing.

Question: If the county seat were to move, would it change how your office handles business?

Answer: No.

Prosser is currently the county seat of Benton County. Although various state laws (see Appendix C) state that the sheriff must keep his office at the county seat, that the office of the clerk of the superior court shall be kept at the county seat, that the prosecuting attorney must keep an office at the county seat, and that the superior courts ... shall hold their sessions at the county seats, the fact is that since 1985, when the State Supreme Court gave permission to build the new Justice Center in Kennewick, virtually all business conducted within the Benton County judicial system, law enforcement, and the courts is conducted at the Justice Center in Kennewick.

The sheriff's office is located at the Justice Center in Kennewick. At the time this interview was conducted, there were 219 county employees assigned to the sheriff's office. One satellite office is located in Prosser, which is manned by one full-time employee, a clerk. Unmanned satellite offices are located in Benton City and Patterson. Thus, 218 of the 219 employees in this department have jobs based in Kennewick.

The superior court clerk's office is located at the courthouse in Prosser. Twenty-eight full-time clerical employees are assigned to the clerk's office, with 27 of them working at the satellite office at the Justice Center in Kennewick. One clerical employee works at the Prosser office. The clerk travels to Prosser about once a month. It was noted that there is no reason a county resident must travel to Prosser to obtain services provided by the clerk's office.

The prosecuting attorney's office is located at the Justice Center in Kennewick. One satellite office is maintained in Prosser, manned by one full-time employee. The staff totals 46 full-time and 4 part-time employees, which includes 22 attorneys and 23 support staff, and all but one have jobs based at the Justice Center in Kennewick.

A superior court domestic docket is held in Prosser on Thursday mornings, presided over by a superior court commissioner. One of the six superior court judges could also be assigned to preside over this docket. A superior court civil trial can be scheduled in Prosser, but at the time of the interview, all trials scheduled had been settled before their court dates. A superior court criminal docket is not held in Prosser because a crime that is in superior court would be a felony, and the defendants (felons) are housed at the jail in Kennewick. There are 18 full-time employees in the superior court administration office at the Justice Center in Kennewick, plus the six superior court judges. Superior court employees working in Prosser are assigned on a daily basis, with the presiding commissioner or judge being assigned one full-time court staff member. It was noted that recently, domestic relocation hearings have been scheduled in Prosser because there are not enough courtrooms at the Justice Center in Kennewick to hold all of the various proceedings.

District court is held in Prosser each week day, with one of the four district court judges assigned to preside at this location. Jury trials are on Mondays, a full docket is held on Tuesdays and Thursdays, and an afternoon docket is held on Wednesdays and Fridays. There is a jail in Prosser, so misdemeanor criminal cases can be heard there, and one attorney from the County Misdemeanor Defense Panel is assigned to Prosser on a regular basis. The district court maintains two full-time and one part-time staff members in Prosser. A staff of 25 district court employees work at the Justice Center in Kennewick.

In summary, it would be fair to say that law enforcement, the courts, indeed all aspects of the county judicial system, are currently based at the Justice Center in Kennewick. For all practical purposes, this group of elected county officials and employees is not affected by the county seat being in Prosser—not economically, not efficiency-wise, and not as far as service to the public is concerned. It would also be fair to say that this group believes they are in compliance with state laws as regards the location of county officials’ offices in relation to the location of the county seat. It should be noted that this group supports using both the Prosser and Kennewick locations for storage space, office space and courtroom and hearing space.

Interviews with County Officials Whose Primary Offices Are Located in Prosser—Assessor, Auditor, Treasurer

Again, the overwhelming opinion determined from interviews conducted with elected officials and county employees whose primary offices are located in Prosser can be summed up in the answers to two questions:

Question: By law, what would change in your office if the county seat were to move?

Answer: Many positive things.

Question: If the county seat were to move, would it change how your office handles business?

Answer: Yes.

Major concerns were identified from interviews conducted with the three elected county officials whose offices are located in Prosser but whose staff is split between the Prosser office and satellite offices at the Kennewick Annex. Although state laws (see Appendix C) state that county offices must be located at the county seat, it is essential that services also be provided at the center of population. Based on this premise, two particular concerns stand out:

- 1) Current division of staff is less efficient and less economical than if division of staff were based on service to the center of population.
- 2) Satellite offices currently located in Kennewick have insufficient physical space—and thus insufficient staffing—to provide a level of service equal to what the population requires.

Twenty-seven full-time employees work in the assessor’s office, including the assessor. Seventeen employees, including the assessor, work out of the Prosser office and 10 work out of the satellite office at the Kennewick Annex. A majority of the 27 employees (18) live in the Tri-Cities and surrounding area, but the majority of the 27 employees (17) work in Prosser.

The following are the primary reasons that county citizens come to the assessor’s office (in priority order).

- 1) Change of value notices—Property owners inquire about the change in their property value.

- 2) Senior citizen (disabled) exemption program—Inquiring or actually bringing in documents (income verification) to sign up.
- 3) Personal property listing—Obtaining or turning in the required listing of businesses.
- 4) Open space program—Application, withdrawal, or continuation of the farm exemption.
- 5) Board of equalization forms (assessed value appeal process)—Distribution, collection and assistance to fill out the forms.
- 6) Segregation—Boundary line adjustments, short platting, and inquiring or starting the process.
- 7) General inquiries—Historical property owner research, square footage, year built, property sales, structure information, maps, building sketches, and property owner request.
- 8) Specific inquiries—Long plats, special maps, various districts boundaries, levy calculations.
- 9) Physical improvement exemption program—Inquiry and signing up.
- 10) Destroyed property program—Inquiry and signing up.
- 11) Specialized request for meetings—Industrial and commercial taxpayers, or tax representatives; taxing districts inquiring on the levy process; Department of Revenue.

Twenty-three full-time employees work in the auditor's office, including the auditor. The office consists of four separate and distinct departments: Accounting, Elections, Licensing and Recording. Fourteen employees work out of the Prosser office and eight work out of satellite offices—five at the Kennewick Annex and three at the Richland Fred Meyer. The auditor splits her time between Prosser and Kennewick. Thus the majority of the 23 employees (13+½) live in the Tri-Cities but the majority of the 23 employees (14+½) work in Prosser.

The following are the services provided to the public by the auditor's office in the Kennewick Annex. The office serves an estimated 200 or more customers a day, depending on the time of month and the department.

- Licensing Department (department mirrors exactly the same services as Prosser and Richland Offices)
 - Renew vehicle licenses and permits
 - Transfer titles and issue affidavits of lost titles
 - Process vehicle reports of sale
 - Issue disabled placards
 - Prepare various licensing forms and answer technical questions
 - Process specialized plate requests

- Perform mobile home title eliminations (voiding title so mobile and land can be combined)
- Recording Department (department mirrors Prosser office with the exception of recording plats and short plats, which can only be recorded in Prosser office)
 - Record public documents
 - Scan and index documents
 - Issue marriage licenses
 - Sell copies and certified copies of documents
- Election Department (ballots are assembled and mailed from the Prosser Office; signatures are checked in Prosser; and ballots are counted in Prosser)
 - Register voters
 - Issue ballots and replacement ballots
 - Sell precinct maps
 - Provide drop-off site for ballots
 - Accept candidate filings for public office
- Accounting Department (the accounting department is not a public service department and does not have a presence in the Tri-Cities)
 - Prepare the annual financial report
 - Monitor monthly expenditures
 - Prepare the preliminary budget for presentation to the commissioners
 - Prepare the county payroll
 - Issue expenditure warrants, which pay departmental bills for county departments and various taxing districts.

Fourteen full-time employees work in the treasurer’s office, including the treasurer. Eleven employees, including the treasurer, work out of the Prosser office and three work out of the satellite office at the Kennewick Annex. Thus the majority of the 14 employees live in the Tri-Cities (8) but the majority of the 14 employees (11) work in Prosser.

The following table describes the services provided by the treasurer’s office at its locations in Prosser and Kennewick.

PROSSER		
Tax Collection and Adjustments		
External Customers	Activity and Time Estimate	
(Tax collection related)	Payments (Tax/Irrigation/CRID)	60%
	Excise	20%

	Statement copies and questions	7%
	Short plats	2%
	Long plats	2%
	Boundary line adjustments	2%
	Mobile home transfers and moves	1%
	Tax adjustments	3%
	Foreclosure and distraint	3%
	Collection full-time employees:	4
	Tax adjustment full-time employees:	2
Accounting		
Internal Customers	Activity and Time Estimate	
(Interdepartmental and county entities)	Investments and transfers	15%
	Warrant issues	15%
	Accounting issues	45%
	General receipts	25%
	Accounting full-time employees:	4
KENNEWICK		
Tax Collection and Adjustments		
External Customers	Activity and Time Estimate	
(Tax collection related)	Payments (Tax/Irrigation/CRID)	35%
	Excise	55%
	Statement copies and questions	4%
	Short plats	0%
	Long plats	0%
	Boundary line adjustments	0%
	Mobile home transfers and moves	3%
	Tax adjustments	2%
	Foreclosure and distraint	1%
	Collection full-time employees:	3

The assessor, auditor and treasurer each said that because their office is divided into two (or three) locations, they can never hold a staff meeting with all staff at the same location at the

same time. This is not an efficient way to manage an office. Also, having two locations adds to difficulties in reassigning employees to cover for illness or vacations.

All three officials noted that there are very few reasons a citizen would need to travel to Prosser to obtain services from their particular offices because virtually all services are provided at the Kennewick Annex. All three officials said they need more staff at the Kennewick Annex (where the customer traffic greatly exceeds that in Prosser) but there is no space available at the Annex to move any staff from Prosser to Kennewick. The employees who work at the Annex already face conditions of inadequate space to perform their duties, and there are often long waits for customer service because of a shortage of staff.

All three officials pointed out a current and foreseeable lack of adequate records storage space in both Prosser and at the Annex in Kennewick. All three officials noted the inefficiency of continuous daily transporting of paperwork between the offices. All three officials also noted that recruitment of employees is limited when hiring for positions in Prosser. Banking options also are limited by the Prosser location.

The auditor commented specifically on the negative effects of having to have two locations during elections. Ballots are generated, mailed, received, balanced, signatures checked, and counted in Prosser, but the media is in Kennewick. The auditor needs to be present at the location where the ballots are being counted but also be accessible to release results to the press. She finds she is unable to participate, supervise, and stay satisfactorily informed when the work is being done in one location and she is forced to be in another location. Also, in the past when ballots were counted in Kennewick, there were always party observers from both parties present. Party observers are not traveling to Prosser to observe the ballots being counted.

In summary, all three officials indicated that having to split their offices between Prosser and Kennewick is an inefficient way of doing business, and that a centralized location in the center of population would result in services being provided to county residents in the most efficient and economically viable way. All three agreed that the Prosser offices should remain open and continue to serve customers in that part of the county, but Prosser should be the satellite office with the primary office located in the center of population (Kennewick). The current Kennewick Annex does not have sufficient space for this to happen at this time.

Interviews with City Officials

The following elected city officials were interviewed by League members.

Kennewick Mayor	Jim Beaver
Kennewick City Administrator	Bob Hammond
Prosser Mayor	Linda Lusk
Richland Mayor	Rob Welch
Richland City Administrator	John Darrington
West Richland Administrator	Mark Panther

Overall, city officials appeared to be more concerned about the economic impact that moving the county seat would have on the City of Prosser. They looked at the economic stability and success of the whole region (Benton County) and do not want to see one member of the whole be

put at a disadvantage. They were also more focused on the historical and cultural aspects of Prosser as the county seat.

One specific idea brought up by Kennewick city officials was that rather than pursue the relocation of the county seat, citizens should request our legislative delegation in Olympia to introduce legislation that would change state laws to allow county services to be provided in locations other than the county seat without legal constraints.

Appendix C

Constitutional and Legislative Directives Regarding Location of County Services

Washington Constitution Sections Regarding County Government

ARTICLE II, LEGISLATIVE DEPARTMENT

SECTION 28, SPECIAL LEGISLATION. The legislature is prohibited from enacting any private or special laws in the following cases:

18. Changing county lines, locating or changing county seats, provided, this shall not be construed to apply to the creation of new counties.

ARTICLE IV, JUDICIARY

SECTION 26, CLERK OF THE SUPERIOR COURT. The county clerk shall be by virtue of his office, clerk of the superior court

ARTICLE XI, COUNTY, CITY, AND TOWNSHIP ORGANIZATION

SECTION 2, COUNTY SEATS—LOCATION AND REMOVAL. No county seat shall be removed unless three-fifths of the qualified electors of the county, voting on the proposition at a general election shall vote in favor of such removal, and three-fifths of all votes cast on the proposition shall be required to relocate a county seat. A proposition of removal shall not be submitted in the same county more than once in four years.

SECTION 4, COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION.

The legislature shall establish a system of county government, which shall be uniform throughout the state except as hereinafter provided, and by general laws shall provide for township organization, under which any county may organize whenever a majority of the qualified electors of such county voting at a general election shall so determine; and whenever a county shall adopt township organization, the assessment and collection of the revenue shall be made, and the business of such county and the local affairs of the several townships therein, shall be managed and transacted in the manner prescribed by such general law. . .

SECTION 5, COUNTY GOVERNMENT. The legislature, by general and uniform laws, shall provide for the election in the several counties of boards of county commissioners, sheriffs, county clerks, treasurers, prosecuting attorneys and other county, township or precinct and district officers, as public convenience may require, and shall prescribe their duties, and fix their terms of office: *Provided*, That the legislature may, by general laws, classify the counties by population and provide for the election in certain classes of counties certain officers who shall exercise the powers and perform the

duties of two or more officers. It shall regulate the compensation of all such officers, in proportion to their duties, and for that purpose may classify the counties by population: *Provided*, That it may delegate to the legislative authority of the counties the right to prescribe the salaries of its own members and the salaries of other county officers. And it shall provide for the strict accountability of such officers for all fees which may be collected by them and for all public moneys which may be paid to them, or officially come into their possession. [AMENDMENT 57, part, 1971 Senate Joint Resolution No. 38, part, p 1829. Approved November, 1972.]

SECTION 15 DEPOSIT OF PUBLIC FUNDS. All moneys, assessments and taxes belonging to or collected for the use of any county, city, town or other public or municipal corporation, coming into the hands of any officer thereof, shall immediately be deposited with the treasurer, or other legal depository to the credit of such city, town, or other corporation respectively, for the benefit of the funds to which they belong.

Revised Code of Washington Sections Regarding Changing the County Seat or County Boundaries

RCW 17.28.070

Procedure to include other territory.

If the county commissioners deem it proper to include any territory not proposed for inclusion within the proposed boundaries, they shall first cause notice of intention to do so to be mailed to each owner of land in the territory whose name appears as owner on the last completed assessment roll of the county in which the territory lies, addressed to the owner at his address given on the assessment roll, or if no address is given, to his last known address; or if it is not known, at the county seat of the county in which his land lies. The notice shall describe the territory and shall fix a time, not less than two weeks from the date of mailing, when all persons interested may appear before the county commissioners and be heard.

The boundaries of a district lying in a city shall not be altered unless the governing board of the city, by resolution, consents to the alteration.

[1957 c 153 § 7.]

RCW 36.08.100

Construction—Limitations.

Nothing in this chapter shall be construed to authorize the annexing of territory of one county to a neighboring county, where the territory proposed to be annexed, or any part thereof, is at a greater distance than ten miles from the courthouse in the county seat of the county to which said territory is proposed to be annexed, as said courthouse is now located, nor to authorize the annexation of any territory at a greater distance than three miles from high water mark of tide water, but such annexation shall be strictly confined within said limits.

[1963 c 4 § 36.08.100. Prior: 1891 c 144 § 10; RRS § 3981.]

RCW 36.12.010**Petition for removal—Financial impact statement.**

Whenever the inhabitants of any county desire to remove the county seat of the county from the place where it is fixed by law or otherwise, they shall present a petition to the board of county commissioners of their county praying such removal, and that an election be held to determine to what place such removal must be made. The petition shall set forth the names of the towns or cities to which the county seat is proposed to be removed and shall be filed at least six months before the election. The county shall issue a statement analyzing the financial impact of the proposed removal at least sixty days before the election. The financial impact statement shall include, but not be limited to, an analysis of the: (1) Probable costs to the county government involved in relocating the county seat; (2) probable costs to county employees as a result of relocating the county seat; and (3) probable impact on the city or town from which the county seat is proposed to be removed, and on the city or town where the county seat is proposed to be relocated.

[1985 c 145 § 1; 1963 c 4 § 36.12.010. Prior: 1890 p 318 § 1; RRS § 3998.]

RCW 36.12.050**Vote required—Notice of result.**

When the returns have been received and compared, and the results ascertained by the board, if three-fifths of the legal votes cast by those voting on the proposition are in favor of any particular place the proposition has been adopted. The board of county commissioners must give notice of the result by posting notices thereof in all the election precincts in the county.

[1963 c 4 § 36.12.050. Prior: 1890 p 318 § 5; RRS § 4002.]

RCW 36.12.060**Time of removal.**

In the notice provided for in RCW 36.12.050, the place selected to be the county seat of the county must be so declared upon a day not more than ninety days after the election. After the day named the place chosen is the seat of the county; and the several county officers, whose offices are required by law to be kept at the county seat, shall remove their respective offices, files, records, office fixtures, furniture, and all public property pertaining to their respective offices to the new county seat.

[1963 c 4 § 36.12.060. Prior: 1890 p 318 § 6; RRS § 4003.]

RCW 36.12.070**Notice to county clerk and secretary of state.**

Whenever any election has been held for change of county seat, the notice given by the board of county commissioners showing the result thereof must be deposited in the office of the county clerk, and a certified copy thereof transmitted to the secretary of state.

[1963 c 4 § 36.12.070. Prior: 1890 p 319 § 7; RRS § 4004.]

RCW 36.12.080**Failure of election—Limitation on subsequent removal election.**

When an election has been held and no one place receives three-fifths of all the votes cast, the former county seat shall remain the county seat, and no second election may be held within eight years thereafter.

[1985 c 145 § 2; 1963 c 4 § 36.12.080. Prior: 1890 p 319 § 8; RRS § 4005.]

Revised Code of Washington**Sections Mandating Functions to be Performed at the County Seat****RCW 2.08.030****Courts of record—Sessions.**

The superior courts are courts of record, and shall be always open, except on nonjudicial days. They shall hold their sessions at the county seats of the several counties, respectively, and at such other places within the county as are designated by the judge or judges thereof with the approval of the chief justice of the supreme court of this state and of the governing body of the county. They shall hold regular and special sessions in the several counties of this state at such times as may be prescribed by the judge or judges thereof.

[1971 ex.s. c 60 § 1; 1890 p 343 § 7; RRS § 18.]

RCW 2.28.141**County commissioners to provide temporary quarters.**

Until proper buildings are erected at a place fixed upon for the seat of justice in any county, it shall be the duty of the county commissioners to provide some suitable place for holding the courts of such county.

[Code 1881 § 2688; 1854 p 423 § 23; RRS § 4035.]

RCW 36.16.090**Office space.**

The boards of county commissioners of the several counties of the state shall provide a suitable furnished office for each of the county officers in their respective courthouses.

[1963 c 4 § 36.16.090. Prior: 1893 c 82 § 1; Code 1881 § 2677; 1869 p 306 § 15; 1854 p 422 § 15; RRS § 4032. SLC-RO-14.]

RCW 36.23.080
Office at county seat.

The office of the clerk of the superior court shall be kept at the county seat of the county of which he is clerk.

[1963 c 4 § 36.23.080. Prior: 1891 c 57 § 1; RRS § 73, part. Cf. Code 1881 § 2125.]

RCW 36.27.070
Office at county seat.

The prosecuting attorney of each county in the state of Washington must keep an office at the county seat of the county of which he is prosecuting attorney.

[1963 c 4 § 36.27.070. Prior: 1909 c 122 § 1; RRS § 4139.]

RCW 36.28.160
Office at county seat.

The sheriff must keep his office at the county seat of the county of which he is sheriff.

[1963 c 4 § 36.28.160. Prior: 1891 c 45 § 2; RRS § 4158. SLC-RO-14.]

RCW 36.29.170
Office at county seat.

The county treasurer shall keep the office of the treasurer at the county seat, and shall keep the same open for transaction of business during business hours; and the treasurer and the treasurer's deputy are authorized to administer all oaths necessary in the discharge of the duties of the office.

[2001 c 299 § 9; 1963 c 4 § 36.29.170. Prior: Code 1881 § 2742; 1863 p 553 § 5; 1854 p 427 § 5; RRS § 4110.]

RCW 36.32.080
Regular meetings.

The county legislative authority of each county shall hold regular meetings at the county seat to transact any business required or permitted by law.

[1989 c 16 § 1; 1963 c 4 § 36.32.080. Prior: 1893 c 105 § 1; Code 1881 § 2667; 1869 p 303 § 5; 1867 p 53 § 5; 1863 p 541 § 5; 1854 p 420 § 5; RRS § 4047. Cf. 1893 c 75 § 1; RRS § 4048.]

RCW 36.55.040
Application—Notice of hearing.

On application being made to the county legislative authority for franchise, it shall fix a time and place for hearing the same, and shall cause the county auditor to give public notice thereof at the expense of the applicant, by posting notices in three public places in the county seat of the

county at least fifteen days before the day fixed for the hearing. The county legislative authority shall also publish a like notice two times in the official newspaper of the county, the last publication to be not less than five days before the day fixed for the hearing. The notice shall state the name or names of the applicant or applicants, a description of the county roads by reference to section, township and range in which the county roads or portions thereof are physically located, to be included in the franchise for which the application is made, and the time and place fixed for the hearing.

[1985 c 469 § 49; 1963 c 4 § 36.55.040. Prior: 1961 c 55 § 3; prior: 1937 c 187 § 38, part; RRS § 6450-38, part.]

RCW 36.80.015

Office at county seat.

The county road engineer shall keep his office at the county seat in such room or rooms as are provided by the county, and he shall be furnished with all necessary cases and other suitable articles, and also with all blank books and blanks necessary to the proper discharge of his official duties. The records and books in the county road engineer's office shall be public records, and shall at all proper times be open to the inspection and examination of the public.

[1963 c 4 § 36.80.015. Prior: 1955 c 9 § 1; prior: 1895 c 77 § 10; RRS § 4148.]