

COMMISSIONERS RECORD 46  
FRANKLIN COUNTY  
Commissioners' Proceeding for August 17, 2005

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Frank H. Brock, Chairman; Neva J. Corkrum, Chair Pro Tem; Bob Koch, Member; Fred Bowen, County Administrator; and Mary Withers, Clerk to the Board.

**OFFICE BUSINESS**

Secretary Patricia Shults met with the Board. Present in audience: Brooke DuBois.

Patrick McBurney Indigent Defense Contract

The Board reviewed a draft letter denying Mr. McBurney's request for a waiver of section 22 of his contract with the county.

**Motion** – Mrs. Corkrum: I so move we send a letter to Mr. McBurney regarding his contract. Second by Mr. Koch. 3:0 vote in favor. (Exhibit 1)

Vouchers

The Auditor O&M warrants show purchase of two wireless headsets for \$500.37. The Board will ask Auditor's Accounting Coordinator Connie Curiel later today about the headsets and whether they qualify under the Auditor O&M budget.

Wellness Funds

Ms. Shults said the State Auditor's Office has recommended remitting the excess Wellness funds back to Washington Counties Insurance Fund (WCIF) if the county does not continue to use it for wellness.

**Motion** – Mrs. Corkrum: I move that we send the \$1669.62 to WCIF, returning the amount for the Wellness Contract that we had. Second by Mr. Koch. 3:0 vote in favor.

Minutes

**Motion** - Mr. Koch: I move that we accept the minutes for August 1, August 3, August 8, August 10 and August 15, 2005. Second by Mrs. Corkrum. 3:0 vote in favor.

**BENTON FRANKLIN MENTAL HEALTH ADVISORY BOARD**

Benton County Commissioner Claude Oliver and Brooke DuBois of the Mental Health Alliance met with the Board.

Update on Benton Franklin Mental Health Advisory Board



COMMISSIONERS RECORD 46  
FRANKLIN COUNTY  
Commissioners' Proceeding for August 17, 2005

Mr. Oliver said the board was created in 1991 by Benton and Franklin Counties with a nine-member board. The membership fell to four. The prosecuting attorney advised Mr. Oliver that the board could take action that night to review the applicants for the board and forward their recommendations to the counties. An abundance of people (19) applied for the vacant positions on the board. Mr. Oliver said Benton County Commissioners anticipate adopting the recommendations for appointments on Monday. He said the process which the remaining members decided to go by was not an organized and structured approach with an interview process where everyone was asked the same questions to determine how well they grasped the issues for a mental health advisory board. In spite of that, some good applicants came through the process.

Mrs. Corkrum asked if criteria for membership on the board included association with organizations related to mental illness. Mr. Oliver said that was mentioned during the process. The local president of the National Association for the Mentally Ill (NAMI) was selected. A juvenile counselor was selected that would give emphasis to kids in this classification.

Mr. Koch asked how term limits will be addressed. Mr. Oliver said Human Services Director Dave Hopper has to address the term dates for the standing four members. He will let us know what the staggered terms are. The new people being appointed are being appointed on a rotation basis.

Mr. Oliver said the Benton County Board of Commissioners has opted for an independent review of Human Services. Mr. Brock said one factor to consider is who pays for the audit. Mr. Koch said he understands Human Services has \$6.5 million in reserve funds so they have enough funding to do the work. Mr. Brock said there are two types of reviews that need to be done: audit of fiscal transactions and evaluation of the Human Services Department.

The Franklin County Commissioners all said they would like to have an audit and a review.

Mr. Koch said his biggest concern is the amount of revenue that is sitting there that is not being put out to be used by the public.



COMMISSIONERS RECORD 46  
FRANKLIN COUNTY  
Commissioners' Proceeding for August 17, 2005

Mr. Oliver said there is a significant fund reserve. There are inter-related programs in our communities delivering these services. He asked is there some way these funds should be injected into the system to bring on best-service deliveries? Mrs. Corkrum said she remembers a previous Human Services director wanted to set some funds aside from each contract in case of findings of inappropriate spending of funds following audits so that there would be money available to pay it back. Mr. Oliver said we need to determine what is a reasonable amount to set aside for a contingency amount.

Mr. Oliver would like to have the advisory board meet again right away to consider some matters that he feels are important immediately. He mentioned some programs that are of concern to Benton County. He said it has been a problem that Crisis Response personnel are not on the scenes of an incident. Jail Diversion Diagnostics Program is a Benton County program that needs attention.

Mr. Brock said there is overlap in the functioning of two boards, the Regional Support Network (RSN) Board and Mental Health Advisory Board. Ms. DuBois said the RSN is set by the state legislature and the advisory board is local. Mr. Oliver said our programs have lacked local management oversight because of the amount of time Mr. Hopper has had to spend with the RSN. Mrs. Corkrum said it was designed that way when the RSN was formed because of Nancy Caldwell, the previous Human Services Director. Mrs. Corkrum thinks the RSN director should be separate and independent of any one department.

Mr. Oliver said another item that needs to be evaluated is whether there needs to be one Human Services committee with subcommittees formed from the one. There are four elements: mental health, substance abuse, developmental disabilities, and aging and long-term care.

Mr. Oliver said he will advise Mr. Hopper that both boards are in agreement to have an evaluation.

**PLANNING AND DEVELOPMENT DEPARTMENT**



COMMISSIONERS RECORD 46  
FRANKLIN COUNTY  
Commissioners' Proceeding for August 17, 2005

Planning Director Jerrod MacPherson and Assistant Director Greg Wendt met with the Board.

Public Meeting: Shoreline SH 2005-01, applicant Green Energy Today. A Shoreline Substantial Development and Conditional Use Permit to construct and operate a hydroelectric facility in the Agricultural Production (A-P) and Rural Transition (R-T) Zoning Districts.

Public Meeting convened at 9:33 a.m. Present: Commissioners Brock, Corkrum and Koch; County Administrator Fred Bowen; Planning Director Jerrod MacPherson; Assistant Director Greg Wendt; and Clerk to the Board Mary Withers. No one was present in the audience.

Mr. Wendt reviewed the information on the Action Summary (Exhibit 2).

Mr. MacPherson showed a copy of an aerial map with a parcel overlay and some projected road placements and building placement. He showed where Green Energy Today is proposing an access point onto the county road. The company will pipe water underground from their generator building. Schematic drawings of the project were reviewed.

Mr. Wendt reviewed the conditions of approval. He showed an area on the map that has historically been used by people for fishing and accessing an existing house. The applicant is being required to put in an access road with a designated parking area and turnaround area. It will not go completely to the river because a house will be built on the private property that is currently being used by fishermen and others.

Mr. MacPherson said the access road is an opportunity to do two things: limit shoreline degradation and limit access with an improved road. Mrs. Corkrum asked if the applicant is all right with this requirement. The planners said yes. A barrier is being required, perhaps a chain, to limit access further towards the river.

Condition of approval #14 which relates to safety concerns requires signs to be on the building in English and Spanish and requires some fencing on each side of the building so the area cannot be used for a jumping or diving area.



COMMISSIONERS RECORD 46  
FRANKLIN COUNTY  
Commissioners' Proceeding for August 17, 2005

**Motion** – Mr. Koch: I move we grant approval to Shoreline Substantial Development Permit and Conditional Use Permit SH 2005-01 subject to the six findings and nineteen conditions. This is Resolution 2005-336. Second by Mrs. Corkrum. 3:0 vote in favor. (Exhibit 3)

Public Meeting: Zone Change ZC 2005-03, applicant Lauri Richard Lahtinen, a zone change application to change the zoning classification on approximately 1.18 acres from Retail Business (C-1) to Medium Density Residential (R-2). The land is within the City of Pasco's Urban Growth Area Boundary.

Public Meeting convened at 9:47 a.m. Present: Commissioners Brock, Corkrum and Koch; County Administrator Fred Bowen; Planning Director Jerrod MacPherson; Assistant Director Greg Wendt; and Clerk to the Board Mary Withers. No one was present in the audience.

Mr. Wendt reviewed the information on the Action Summary (Exhibit 4).

Mr. MacPherson showed two maps, the future land use map and the zoning map. The application has to be consistent with both maps. There is a home on the existing property. The property adjacent to this property has been recently developed in houses. The property is in a mixed residential/commercial location on the future land use map.

**Motion** – Mrs. Corkrum: I move we grant approval of Zone Change application 2005-03 subject to the five findings of fact. This is Ordinance 6-2005. Second by Mr. Koch. 3:0 vote in favor. (Exhibit 5)

Growth Management Area (GMA)

The Board reviewed a paper regarding the growth management planning in Franklin County that was prepared at the request of the State Department of Community, Trade and Economic Development (CTED).

Update on cleanup

Mr. MacPherson gave the Board an update regarding cleanup of a site in the county.

**PROSECUTOR**

Chief Civil Deputy Prosecutor Ryan Verhulp met with the Board.



COMMISSIONERS RECORD 46  
FRANKLIN COUNTY  
Commissioners' Proceeding for August 17, 2005

Update

Mr. Verhulp did not have any matters for the Board's consideration.

**COUNTY ADMINISTRATOR**

County Administrator Fred Bowen met with the Board. Present in audience: Judith A. Gidley, Sergio Alvarez and Eileen Crawford.

Courthouse Renovation

Potential Change Orders were reviewed.

Potential Change Order 050R1: In the old Superior Courtroom, the architect is asking to put wood panels behind the jury box rather than scagliola. It would be a cost savings. The damage was found during demolition. In order to repair that, new scagliola would have been required.

Potential Change Order 093: Cost for additional basement floor preparation of \$1608. When the vaults were demolished in the basement, they found a difference in the floor levels of different areas. The Board gave **consensus approval**.

Potential Change Order 094: The contractor has said paint removal delayed the project for 50 days, costing \$85,624. Mr. Bowen does not feel the work has stopped for 50 days because other work has continued in other areas of the courthouse.

Furnishings in Commissioners Administration Office: A drawing was reviewed of the administration office for the Commissioners in the Courthouse. The existing furniture will not fit in the rooms. The alternative is to do built-ins. Mr. Bowen said we had hired people to do the designs for us. He will be meeting with the architects to discuss the issue. He asked for direction from the Board. Mr. Bowen is recommending building in two desk areas although there is no staff person for the second area at this time. He feels the materials could not be matched later on. **The Board gave approval.**

The project is currently at \$744,000 over what we have allocated for the courthouse, which would come out of the Rainy Day fund. Of that amount, Mr. Bowen will be discussing the request for \$85,000 for delay of work with the architects.

Memorandum of Agreement, Addendum to Collective Bargaining Agreement with Local 874, Council 2 (Public Works) of AFSCME



COMMISSIONERS RECORD 46  
FRANKLIN COUNTY  
Commissioners' Proceeding for August 17, 2005

**Motion** – I move we approve the Memorandum of Agreement, Addendum to Collective Bargaining Agreement between Franklin County and Local 874, Council 2 (Public Works). This is Resolution 2005-337. Second by Mr. Koch. 3:0 vote in favor.  
(Exhibit 6)

Memorandum of Agreement, Addendum to Collective Bargaining Agreement with the Franklin County Correctional Officers Association

**Motion** – Mrs. Corkrum: I move for approval. This is Resolution 2005-338. Second by Mr. Koch. 3:0 vote in favor. (Exhibit 7)

Change of Status, TRAC Event Manager

**Motion** – Mrs. Corkrum: I move we authorize the chairman to sign a grade and step for the event manager as presented for TRAC. Second by Mr. Koch. 3:0 vote in favor.  
(Exhibit 8)

Courthouse Restoration

The Board reviewed a timeline completion of courthouse restoration work. Substantial completion is not expected until January so moving back may not occur until March or April. Mrs. Corkrum thinks the Treasurer's Office may not want to move until after tax collection concludes on April 30.

**Recessed** at 10:18 a.m.

**Reconvened** at 10:25 a.m.

**OFFICE BUSINESS**

Patricia Shults met with the Board.

Wellness Funds

Sally McKenzie of the Public Works Department will do some walks for wellness to use up the funds rather than sending them back to WCIF. The Board **gave approval**.

**The previous motion was rescinded.**

**WASHINGTON STATE HOMELESS HOUSING AND ASSISTANCE ACT OF 2005**

Judith Gidley, Executive Director of Community Action Committee (CAC), Eileen Crawford, co-chair of the CAC Board, and Sergio Alvarez met with the Board.  
Present in audience: Rick Smith of City of Pasco and Andy Anderson of HACPFC.



COMMISSIONERS RECORD 46  
FRANKLIN COUNTY  
Commissioners' Proceeding for August 17, 2005

Ms. Gidley is chair of the Homeless Network, a representative on the State Homeless Coalition, and Executive Director of the Community Action Committee (CAC). The Homeless Network has 31 representatives with an average attendance of 18 to 19 members every meeting. She named the representation on the committee. The committee spearheaded the five-year plan for homeless in the area. A copy of the plan was given to the Board earlier.

Mr. Alvarez used a PowerPoint presentation while Ms. Gidley explained the legislation.

Mr. Brock asked if this will overlap with the affordable housing program. Ms. Gidley said it does somewhat, depending on the services that are provided.

Ms. Gidley said you can opt out by saying you don't want to do the plan in this area. Then the funds will go back to the state and the Department of Community, Trade and Economic Development (CTED) except for a 2% fee that the county keeps.

Ms. Gidley explained what "outcomes" means. Follow-up is done in three-month, six-month and one-year intervals.

Mrs. Corkrum asked if homeless people are cooperative with the information. Ms. Gridley said yes. They have to be cooperative if they want to be served on the program.

Ms. Crawford said she was flabbergasted at the number of teenagers that are homeless in Pasco when she helped with the point-in-time (PIT) count last year. They were very open about talking. She has also become aware of families with young children who are homeless.

Ms. Gidley said kids are no longer eligible for foster care at age 18.

Mr. Brock asked if a one stop system can be used. Ms. Gidley said yes. She has some proposals in to the cities to create a one-stop application. Agreements will be used with at least 38 community partners who provide services in the community. The effort to establish the one-stop system is being made so we don't duplicate services and are the most efficient we can be with the money. There are some checks and balances in place. There need to be a lot more.



COMMISSIONERS RECORD 46  
FRANKLIN COUNTY  
Commissioners' Proceeding for August 17, 2005

The county would be required to select an existing community task force or appoint a new community task force to develop the plan.

Ms. Gidley explained the how a voucher could be used for persons released from state institutions to provide them with one week of housing and requiring them to sign up at the One-Stop program.

Eileen Crawford said we've found a lot of kids graduating from high school with disabilities including ADD. Many cannot afford medication to control ADD. They don't qualify for many programs. This program could also help provide for single males with disabilities with no dependents. There are programs for single females with dependents.

Ms. Gidley explained how training for the point in time count occurs.

Ms. Gidley referred to the last slide of the presentation answering the question "Where should the county go from here?" There is the possibility of a joint bi-county agreement so there is a regional process. A local task force needs to be put in place. Priorities for use of the funds need to be established. A 10-year plan needs to be adopted. The county needs to select an agency to administer the plan.

Some planning and brainstorming has already started that will be helpful to Franklin County. Benton County is doing a workshop session on September 7 about the 2163 money. Mr. Brock said he thinks we need to look at something similar in Franklin County. Ms. Gidley said the counties could combine their work session on September 7. Mr. Brock thinks we need to look at something from our own perspective and maybe later on down the road consider combining.

#### **AUDITOR**

Auditor's Accounting Coordinator Connie Curiel met with the Board.

#### **Overtime Line Item**

The Auditor's overtime line item is overexpended. There has been turnover and training that have contributed to the extra amount. Auditor Zona Lenhart has requested approval to transfer money from the recorder employee line item 1060 into the overtime line item. It would increase overtime by \$1797.48 from about \$500 to \$2500. The Board asked that a resolution be prepared for the consent agenda on Monday.



COMMISSIONERS RECORD 46  
FRANKLIN COUNTY  
Commissioners' Proceeding for August 17, 2005

Auditor's O&M Budget

Ms. Curiel was directed by the auditor to pay for headphones for two recorders out of the Auditor's O&M Budget. She explained why the headphones were needed. Mr. Brock said his question is can it come out of the Auditor's O&M budget without pre-approval? Ms. Curiel said she would have to defer that question to Ms. Lenhart. Mr. Brock and Mr. Koch said it was not part of that original budget. Mrs. Corkrum said unless it was equipment. Ms. Curiel will take the voucher back and ask Ms. Lenhart.

Mrs. Corkrum said it seems like that kind of equipment has been purchased from the Information Services (IS) budget in the past. She asked Ms. Curiel to check with IS Director Kevin Scott also.

Mr. Brock said we're not questioning the need.

**HEALTH DISTRICT**

Bruce Perkins of the Health District met with the Board.

Update on Office Space

The Richland City Council has been considering deeding the Health District 2-1/2 acres of property but has tabled the matter to a later date. Mrs. Corkrum thinks the city should donate land. Mr. Perkins agreed. The cities do not contribute to health district costs. Mrs. Corkrum does not think the property that was being considered was a good location for the Health District.

Mr. Perkins said we have immediate need for a public health facility that will handle Benton County people. The Kennewick office does not have sufficient parking space or office space.

Mrs. Corkrum feels the additional office could be in Franklin County. She mentioned that Franklin County pays about half the Health District cost, the same as Benton County. Mr. Perkins agreed and said on a per capita basis, Franklin County contributes more than Benton County. Mrs. Corkrum expressed her concern about having only one Health District facility in Franklin County. Mr. Bowen expressed his concern about the county contributions being used in Benton County for facilities.



COMMISSIONERS RECORD 46  
FRANKLIN COUNTY  
Commissioners' Proceeding for August 17, 2005

Mr. Perkins said the two counties' contribution is only about \$600,000 of an \$8 million budget.

Franklin County has offered the Courthouse Annex as a facility. Mr. Perkins said the Franklin County office is not large enough for the 100 employees.

Mr. Bowen asked how many people from Franklin County go to Benton County for services? Mr. Perkins said all of them for Environmental Health.

Mrs. Corkrum asked how many staff are in the Richland building? Mr. Perkins guesses 35. He does not know for sure. Mrs. Corkrum asked how many staff are in the Kennewick office? Mr. Perkins said 45 to 50. He said it has not been decided whether the Kennewick staff would remain in that office once the Richland office is closed. The Richland office is the hub of our communications such as for internet. That will have to go to a place that has the facilities we need to have. Mrs. Corkrum said Franklin County is second to none as far as our Information Services and GIS departments.

Mr. Perkins said there is no room in Kennewick for anything more. He said we will have to prioritize the core functions that we absolutely have to have.

Mr. Koch said one Benton County Commissioner talked about having Benton County put in \$1 million to help the budget come out right but it didn't sound like the other two board members even knew about it.

Mr. Perkins said cities do have an obligation to promote public health but are not required to pay for it. About 85% of health funds are going to city residents.

Franklin County Building Relocation

Mr. Perkins said Health District staff are excited about the opportunity to get over here to the Courthouse Annex and be in a building that will better fit their needs. It will benefit everybody.

Flu Shot Clinic

The flu shot clinic will be held October 17 through 21.

Environmental Issues

Environmental Health has been short of staff. Five new people have been hired in four months. He gave the Board a list of temporary events that were scheduled from June



COMMISSIONERS RECORD 46  
FRANKLIN COUNTY  
Commissioners' Proceeding for August 17, 2005

through September. The staff are out inspecting at temporary events. Last year there were events on 44 out of 52 weekends of the year.

The State Board of Health passed new sewage regulations.

**OTHER BUSINESS**

Vouchers/Warrants

**Motion** - Mr. Koch: I move that we pay the warrants and expenditures for: Current Expense warrants 46389 through 46403 for \$13,898.53; Auditor O&M warrants 344 through 346 for \$887.59 minus warrant 345 for \$540.37 for headsets; Courthouse Renovation Fund warrant 354 for \$15,032.19; Current Expense warrants 46404 through 46421 for \$8472.25; Crime Victims warrants 319 and 320 for \$2283.95; Boating Safety warrants 361 and 362 for \$878.52; and Franklin County Enhanced 911 warrants 1053 through 1055 for \$3677.51; for a total amount of \$45,130.54. Second by Mrs. Corkrum. 3:0 vote in favor. (Exhibit 9)

**COUNTY ADMINISTRATOR (continuing)**

Grand Old 4<sup>th</sup>

Pasco City Council is in favor of doing the Grand Old 4<sup>th</sup> again. Mr. Bowen asked the Board if they are still in favor of doing the Grand Old 4<sup>th</sup>. The Board members said yes.

Mrs. Corkrum asked if Mr. Bowen has talked with the city about having it be a TRAC event. Mr. Bowen said TRAC would take charge of the day-to-day work with a committee from the county and city doing the planning and managing the funds and contracts. The Board members said that is fine.

Glen Harmon, a rodeo promoter, is interested in bringing his PRCA rodeo to the Grand Old 4<sup>th</sup>. Mrs. Corkrum asked what about a concert? Mr. Harmon told Mr. Bowen he could put on a one-day, two-day, or whatever rodeo. Mr. Bowen thinks the Grand Old 4<sup>th</sup> event should be held the weekend before July 4<sup>th</sup> regardless of when July 4<sup>th</sup> falls in the week. Mrs. Corkrum asked if the company will set the carnival up for just a few days. Mr. Bowen said yes, Friday, Saturday and Sunday. Mrs. Corkrum said she liked



COMMISSIONERS RECORD 46  
FRANKLIN COUNTY  
Commissioners' Proceeding for August 17, 2005

the format of this year's Grand Old 4<sup>th</sup> without animals. Mr. Koch said he wouldn't turn away a good concert for the rodeo. It needs to be discussed with the committee.

Mr. Bowen would like to have some of the committee members attend some training and the IFAE conference. He would like to pay for some of the committee members to go to some other events such as the fair in Yakima so they can get some ideas. The Board asked him to prepare a budget.

**OTHER BUSINESS**

Homeless Funding

Mr. Brock asked the other Board members to think about and decide whether to set up a workshop. Mr. Brock would prefer to have a county workshop rather than a bi-county workshop.

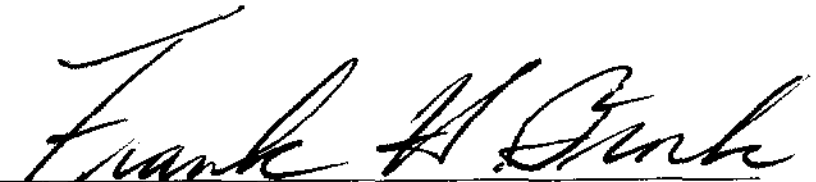
**Adjourned** at 12:01 p.m.




COMMISSIONERS RECORD 46  
FRANKLIN COUNTY  
Commissioners' Proceeding for August 17, 2005

There being no further business, the Franklin County Board of Commissioners meeting was adjourned until August 22, 2005.

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

  
Chairman

  
Chairman Pro Tem

  
Member

Attest:

  
Clerk to the Board

Approved and signed August 31, 2005.



August 17, 2005

Neva J. Corkrum  
District 1

Robert E. Koch  
District 2

Frank H. Brock  
District 3

Fred H. Bowen  
County Administrator

Tiffany Coffland  
Human Resources Director

Patricia Shults  
Executive Secretary

Board of County Commissioners  
**FRANKLIN COUNTY**

August 17, 2005

Mr. Patrick D. McBurney, Jr.  
1776 Fowler, Suite 29  
Richland, WA 99352

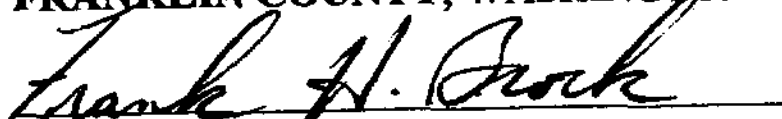
Dear Patrick:

Thank you for your letter regarding your indigent defense contract with Franklin County District Court. Upon great deliberation, we must deny your request to waive section 22 of your contract.

We appreciate your desire to provide legal defense services in Connell Municipal Court. In an effort to maintain consistency in all indigent defense contracts and deter overlapping responsibilities, we feel it is in the best interest of Franklin County to deny changing the contract.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

  
Frank H. Brock, Chair

  
Neva J. Corkrum, Chair Pro Tem

  
Robert E. Koch, Member

cc: District Court  
Dan Hultgrenn



## FRANKLIN COUNTY ACTION SUMMARY

<b>Agenda Item:</b> Green Energy Today	<b>TYPE OF ACTION NEEDED</b>	Consent Agenda
<b>Meeting Date:</b> August 17, 2005	Execute Contract	Public Hearing
<b>Subject:</b> SH-2005-01, Shoreline Management Substantial Development Permit and Conditional Use Permit to construct and operate a hydroelectric facility in the A-P and R-T Zoning Districts.	Pass Resolution X	1st Discussion
	Pass Ordinance	2nd Discussion
<b>Prepared By:</b> Greg Wendt	Pass Motion X	Other: <i>Public Meeting</i>
<b>Reviewed By:</b> Jerrod MacPherson	Other	

**BACKGROUND INFORMATION**

Green Energy Today has applied to construct and operate a hydroelectric facility.

The project will use the hydroelectric potential of the Esquatzel Diversion Canal's water stream as it is discharged from the Canal to the Columbia River. The project consists of a buried diversionary conduit and a 400 square foot generation building.

The property is zoned Agricultural Production (A-P) and Rural Transition (R-T). This application includes a Conditional Use Permit request as required by the County's Shoreline Master Program.

The property is located along the Columbia River, north of Pasco, south of Sagemoor Road, north of Ridgeview Drive, along the east and west sides of Columbia River Road, near the Esquatzel Diversion Canal (Tract A and Parcel Number 126-200-020).

**SUMMARY**

The Franklin County Shorelines Hearing Board held a public hearing on August 2, 2005 and recommended **APPROVAL** (unanimous vote) with the **following six (6) findings and nineteen (19) conditions:**

***Findings of Fact:***

1. The operation of a hydroelectric facility in the A-P and R-T Zones **IS** in accordance with the goals and policies of the County Development Regulations (Zoning), the County Comprehensive Plan, and the Shoreline Master Program.
  - a. The proposal is consistent with the Franklin County Development Regulations (Zoning).
  - b. The proposal is consistent with the intent of the Shoreline Master Program for the issuance of a Shoreline Permit. The Shoreline Master Program, Table 9, Section II-19 Utilities requires the land use approval process for Power generating facilities in the Rural Environment designation area. A Conditional Use Permit is included as part of this approval process.



Action Summary  
SH-2005-01  
Page 2

c. A MDNS has been issued during the SEPA Review.

2. The proposal **WILL NOT** adversely affect public infrastructure.
3. The proposal **WILL BE** constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity.
4. The location and height of proposed structures and site design **WILL NOT** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
5. The operation in connection with the proposal **WILL NOT** be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.
6. The proposal **WILL NOT** endanger the public health, safety, or general welfare if located where proposed.

***Conditions of Approval:***

1. Approval grants the applicant the ability to construct and operate a hydroelectric facility. The project would utilize the hydroelectric potential of the water stream presently discharged from the Esquatzel Diversion Canal to the Columbia River.
2. The project is permitted a generating building (400 s.f. footprint) and concrete slab for the transformer foundation (100 s.f. footprint) within the designated shoreline area.
3. Land disturbance for the project shall be consistent with the application submittals in the Planning Case-file.
4. As proposed, all transmission lines will be constructed underground.
5. Applicant shall comply with the regulatory permitting process for the Department of Ecology. See letter written to the Planning Department on July 14, 2005.
6. Corp of Engineers: Corp of Engineer holds a flowage easement of 1.54 acres in this area. See letter written to the Planning Department on July 7, 2005.
7. United States Bureau of Reclamation: Applicant shall comply with the rules and regulations of the Bureau of Reclamation. See letter dated July 19, 2005 written to the Planning Department.
8. The Benton Franklin Health Department has no objections to this project as long as the generating station has no permanent employees.



Action Summary  
SH-2005-01  
Page 3

9. Permitting for the project requires a Building Permit Application form, 2 sets of WA State engineered prints, Geo-technical engineering reports, and an access permit from Public Works. An excavation permit for the installation of the conduit is also required.
10. Since the Columbia River is a scenic waterway, the color of the generation building shall not consist of bright colors but rather color tones that blend the building into the natural environment. This can be worked out between Planning Staff and the applicant at the time of building permit application.
11. The area around the generation building shall remain free of any fire hazards, including but not limited to weeds and debris.
12. There shall be a properly developed, constructed and approved access lane and turnaround built to Franklin County standards. This access lane (20' wide) and turnaround is needed for Maintenance, Fire Apparatus vehicles, and for recreational needs that may or will be entering the property. For protection of the shoreline from vehicles, etc. and to encourage only pedestrian (walking) access to the river area, the access lane shall include a barrier that will not allow vehicle access to the shoreline area from the access lane. The Applicant is required to submit plans for the access lane and barrier to the Planning/Public Works Staff for review and approval. Signage may also be required.
13. Applicant needs to obtain a County Approach Permit (Public Works) for access to the site. There is also to be documented a recorded access easement to show that proper and legal access to this site has been obtained.
14. To protect both the general public health and welfare as well as to protect this facility from inquisitive minors and/or individuals from entering this property, the building shall contain the following: a) Signage (both English and Spanish) describing the potential dangers in the area. This shall be located on the building and fencing; b) Two (2) fences shall be in place between the building and the river (east-west direction). The fences shall be developed from the north edge of the building and south edge of the building and run down the slope toward the river. The fence(s) shall maintain an adequate setback from the river. The safety fence(s) shall be a minimum of 5-6 feet in height and be a chain link or similar type material. The Applicant and Staff can work out the specifics at the time of building permit for the building.
15. South Columbia Basin Irrigation District: See letter dated July 15, 2005 written to the Planning Department. The applicant shall comply with the SCBID standards and ensure the structural integrity and protection of the Canal, protect against interference with operation and maintenance activities by Reclamation and the District, and protect against impairment of future project operations and development potential.
16. Applicant shall comply with all local, state and federal agency requirements, including the following:



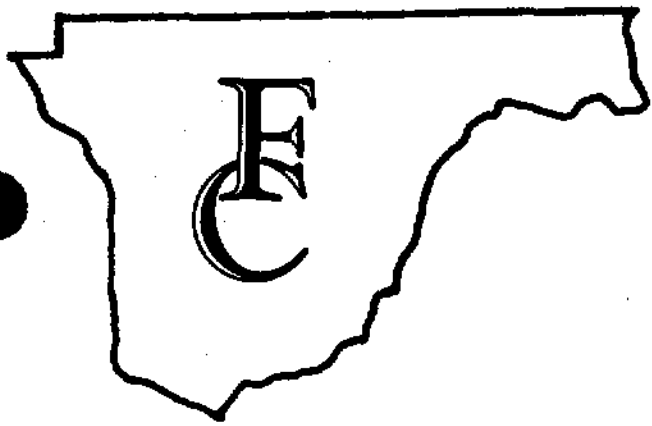
Action Summary  
SH-2005-01  
Page 4

- a. The application must comply with the rules and regulations of the Washington State Department of Fish and Wildlife.
  - b. The application must comply with the rules and regulations of the Washington State Department of Ecology.
  - c. The application must comply with the rules and regulations of the U.S. Army Corp of Engineers.
  - d. The application must comply with the rules and regulations of the National Marine Fisheries Service.
  - e. The application must comply with the rules and regulations of the United States Bureau of Reclamation.
  - f. The application must comply with the rules and regulations of the Federal Energy Regulatory Commission.
  - g. The application must comply with the rules and regulations of the South Columbia Basin Irrigation District.
  - h. The application must comply with the rules and regulations of Franklin County.
17. The applicant shall commence the use authorized in the Shoreline Substantial Development Permit **within 1 year** after the effective date of the permit issuance date, or the permit shall expire.
18. Nothing in this approval shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinances, or regulations applicable to this project.
19. This permit applies to the described lands and shall be for the above named individual and/or his heirs and or assigns. Any transferring of this permit will require that notice be granted to the Franklin County Planning Department or the permit will be cancelled. It cannot be transferred to another site.

**MOTION**

Grant approval to Shoreline Substantial Development Permit and Conditional Use Permit- SH-2005-01, subject to the **six (6) findings and nineteen (19) conditions**





# FRANKLIN COUNTY

## COMMISSIONERS

Courthouse - 1016 North 4th  
Pasco, Washington 99301  
(509) 545-3535

RESOLUTION NUMBER 2005 336

### BEFORE THE BOARD OF COMMISSIONERS, FRANKLIN COUNTY, WASHINGTON IN THE MATTER OF COUNTY PLANNING

**RE:** Shorelines Management Substantial Development Permit and Conditional Use Permit (SH-2005-01) to construct and operate a hydroelectric facility within the Agricultural Production (A-P) and Residential Transition (R-T) Zoning Districts.

**WHEREAS**, on August 17, 2005, the Clerk of the Board did set a public meeting for Shoreline Substantial Development Permit and Conditional Use Permit - SH 2005-01, to consider the recommendation of the Franklin County Shoreline Hearings Board in regards to the application by Green Energy Today (Jerry Straalsund), and

**WHEREAS**, at the public meeting the Board has found as follows:

1. Notice of public meeting was given in accordance with statute;
2. The Shoreline Hearings Board after public hearing and consideration on August 2, 2005, did recommend **APPROVAL** of said application;
3. The conditions imposed on the application have been accepted by the Shoreline Hearings Board and the applicant; and

**WHEREAS**, the public use and interest will be served by **APPROVING** the above-mentioned application and the authority is hereby granted to the Board of County Commissioners Chairman to give signature approval to said shoreline substantial development permit and Conditional Use Permit - SH-2005-01.

**NOW THEREFORE, BE IT RESOLVED** that the above-mentioned application be **APPROVED** in accordance with the provisions of the Franklin County Development Regulations and Shoreline Master Program and as recommended by the Shoreline Hearings Board.

**SIGNED AND DATED THIS 17<sup>th</sup> DAY OF AUGUST 2005.**

**BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON**

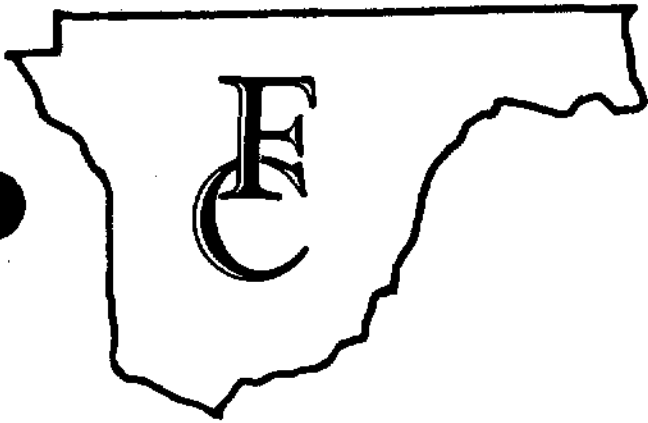
*Frank H. Brink*  
Chairman

*Nancy J. Corbreen*  
Chair Pro Tem

*R. R. R.*  
Member

Attest:  
*May Withers*  
Clerk of the Board





# FRANKLIN COUNTY

## COMMISSIONERS

Courthouse - 1016 North 4th  
Pasco, Washington 99301  
(509) 545-3535

**FRANKLIN COUNTY COMMISSIONERS  
SHORELINE SUBSTANTIAL DEVELOPMENT AND  
CONDITIONAL USE PERMIT  
SH 2005-01**

Resolution Number 2005 336

The following Shoreline Substantial Development Permit and Conditional Use Permit is granted, in accordance with the provisions of the Development Regulations of Franklin County, and according to the motion passed by the Franklin County Board of Commissioners on 17<sup>th</sup> of August 2005.

**APPLICANT:**

Jerry Straalsund (Green Energy Today LLC) 1305 Mansfield, Suite 6, Richland, WA 99352.

**OWNER:**

Franklin County, 1016 North 4<sup>th</sup> Avenue, Pasco, WA 99301.

**FOR THE FOLLOWING DESCRIBED PROPERTY (LEGAL DESCRIPTION):**

**LEGAL DESCRIPTION:** NLY 255' of NE4 NW4 and NLY 255' of Gov't Lot 1, 13-10-28 and PTN over North 880' of W4 13-10-28 EXC N 35' of E 233' of NE4 NW4 and EXC N 75' of Gov't Lot 1 and N 75' of NE4 NW4 EXC THEREFROM TH PTN THEREOF LYING E 233'.

**NON-LEGAL DESCRIPTION:** That property located along the Columbia River, north of Pasco, south of Sagemoor Road, north of Ridgeview Drive, along the east and west sides of Columbia River Road, near the Esquatzel Diversion Canal (Tract A and Parcel Number 126-200-020).

**SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT AND CONDITIONAL  
USE PERMIT USE:**

Approval grants the applicant (Green Energy Today) the ability to construct and operate a hydroelectric facility. The project would utilize the hydroelectric potential of the water stream presently discharged from the Esquatzel Diversion Canal to the Columbia River.



**FRANKLIN COUNTY COMMISSIONERS  
SHORELINE SUBSTANTIAL DEVELOPMENT AND  
CONDITIONAL USE PERMIT**

**SH 2005-01**

**Page 2**

**Resolution Number 2005 336**

**FINDINGS OF FACT:**

1. The operation of a hydroelectric facility in the A-P and R-T Zones **IS** in accordance with the goals and policies of the County Development Regulations (Zoning), the County Comprehensive Plan, and the Shoreline Master Program.
  - a. The proposal is consistent with the Franklin County Development Regulations (Zoning).
  - b. The proposal is consistent with the intent of the Shoreline Master Program for the issuance of a Shoreline Permit. The Shoreline Master Program, Table 9, Section II-19 Utilities requires the land use approval process for Power generating facilities in the Rural Environment designation area. A Conditional Use Permit is included as part of this approval process.
  - c. A MDNS has been issued during the SEPA Review.
2. The proposal **WILL NOT** adversely affect public infrastructure.
3. The proposal **WILL BE** constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity.
4. The location and height of proposed structures and site design **WILL NOT** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
5. The operation in connection with the proposal **WILL NOT** be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.
6. The proposal **WILL NOT** endanger the public health, safety, or general welfare if located where proposed.

**CONDITIONS OF APPROVAL:**

1. Approval grants the applicant the ability to construct and operate a hydroelectric facility. The project would utilize the hydroelectric potential of the water stream presently discharged from the Esquatzel Diversion Canal to the Columbia River.



**FRANKLIN COUNTY COMMISSIONERS  
SHORELINE SUBSTANTIAL DEVELOPMENT AND  
CONDITIONAL USE PERMIT**

**SH 2005-01**

**Page 3**

**Resolution Number 2005 336**

2. The project is permitted a generating building (400 s.f. footprint) and concrete slab for the transformer foundation (100 s.f. footprint) within the designated shoreline area.
3. Land disturbance for the project shall be consistent with the application submittals in the Planning Case-file.
4. As proposed, all transmission lines will be constructed underground.
5. Applicant shall comply with the regulatory permitting process for the Department of Ecology. See letter written to the Planning Department on July 14, 2005.
6. Corp of Engineers: Corp of Engineer holds a flowage easement of 1.54 acres in this area. See letter written to the Planning Department on July 7, 2005.
7. United States Bureau of Reclamation: Applicant shall comply with the rules and regulations of the Bureau of Reclamation. See letter dated July 19, 2005 written to the Planning Department.
8. The Benton Franklin Health Department has no objections to this project as long as the generating station has no permanent employees.
9. Permitting for the project requires a Building Permit Application form, 2 sets of WA State engineered prints, Geo-technical engineering reports, and an access permit from Public Works. An excavation permit for the installation of the conduit is also required.
10. Since the Columbia River is a scenic waterway, the color of the generation building shall not consist of bright colors but rather color tones that blend the building into the natural environment. This can be worked out between Planning Staff and the applicant at the time of building permit application.
11. The area around the generation building shall remain free of any fire hazards, including but not limited to weeds and debris.



**FRANKLIN COUNTY COMMISSIONERS  
SHORELINE SUBSTANTIAL DEVELOPMENT AND  
CONDITIONAL USE PERMIT**

**SH 2005-01**

**Page 4**

**Resolution Number 2005 336**

12. There shall be a properly developed, constructed and approved access lane and turnaround built to Franklin County standards. This access lane (20' wide) and turnaround is needed for Maintenance, Fire Apparatus vehicles, and for recreational needs that may or will be entering the property. For protection of the shoreline from vehicles, etc. and to encourage only pedestrian (walking) access to the river area, the access lane shall include a barrier that will not allow vehicle access to the shoreline area from the access lane. The Applicant is required to submit plans for the access lane and barrier to the Planning/Public Works Staff for review and approval. Signage may also be required.
13. Applicant needs to obtain a County Approach Permit (Public Works) for access to the site. There is also to be documented a recorded access easement to show that proper and legal access to this site has been obtained.
14. To protect both the general public health and welfare as well as to protect this facility from inquisitive minors and/or individuals from entering this property, the building shall contain the following: a) Signage (both English and Spanish) describing the potential dangers in the area. This shall be located on the building and fencing; b) Two (2) fences shall be in place between the building and the river (east-west direction). The fences shall be developed from the north edge of the building and south edge of the building and run down the slope toward the river. The fence(s) shall maintain an adequate setback from the river. The safety fence(s) shall be a minimum of 5-6 feet in height and be a chain link or similar type material. The Applicant and Staff can work out the specifics at the time of building permit for the building.
15. South Columbia Basin Irrigation District: See letter dated July 15, 2005 written to the Planning Department. The applicant shall comply with the SCBID standards and ensure the structural integrity and protection of the Canal, protect against interference with operation and maintenance activities by Reclamation and the District, and protect against impairment of future project operations and development potential.
16. Applicant shall comply with all local, state and federal agency requirements, including the following:
  - a. The application must comply with the rules and regulations of the Washington State Department of Fish and Wildlife.
  - b. The application must comply with the rules and regulations of the Washington State Department of Ecology.
  - c. The application must comply with the rules and regulations of the U.S. Army Corp of Engineers.



**FRANKLIN COUNTY COMMISSIONERS  
SHORELINE SUBSTANTIAL DEVELOPMENT AND  
CONDITIONAL USE PERMIT**

**SH 2005-01**

**Page 5**

**Resolution Number 2005 336**

- d. The application must comply with the rules and regulations of the National Marine Fisheries Service.
  - e. The application must comply with the rules and regulations of the United States Bureau of Reclamation.
  - f. The application must comply with the rules and regulations of the Federal Energy Regulatory Commission.
  - g. The application must comply with the rules and regulations of the South Columbia Basin Irrigation District.
  - h. The application must comply with the rules and regulations of Franklin County.
17. The applicant shall commence the use authorized in the Shoreline Substantial Development Permit within 1 year after the effective date of the permit issuance date, or the permit shall expire.
18. Nothing in this approval shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinances, or regulations applicable to this project.
19. This permit applies to the described lands and shall be for the above named individual and/or his heirs and or assigns. Any transferring of this permit will require that notice be granted to the Franklin County Planning Department or the permit will be cancelled. It cannot be transferred to another site.

**NOTE:** Failure to fulfill the above stated conditions will result in cancellation of the Shoreline Substantial Development Permit and Conditional Use Permit:

NOTHING IN THIS PERMIT SHALL BE CONSTRUED AS EXCUSING THE APPLICANT FROM COMPLIANCE WITH ANY FEDERAL, STATE, OR LOCAL STATUTES, ORDINANCES, OR REGULATIONS APPLICABLE TO THIS PROJECT OTHER THAN THE PERMIT REQUIREMENTS OF THE SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT OF FRANKLIN COUNTY. THIS PERMIT APPLIES TO THE ABOVE DESCRIBED LAND AND SHALL BE FOR THE ABOVE NAMED INDIVIDUAL AND/OR CORPORATION, HIS HEIRS AND/OR ASSIGNS. IT CANNOT BE TRANSFERRED TO ANOTHER SITE.

---



**FRANKLIN COUNTY COMMISSIONERS  
SHORELINE SUBSTANTIAL DEVELOPMENT AND  
CONDITIONAL USE PERMIT**

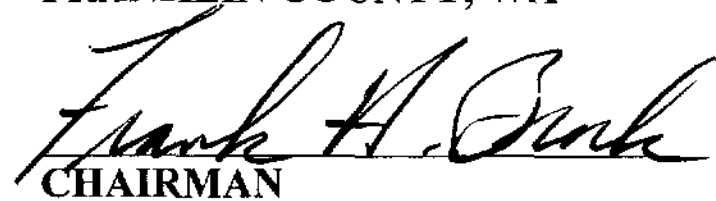
**SH 2005-01**

**Page 6**

**Resolution Number 2005 336**

This Shoreline Substantial Development Permit and Conditional Use Permit issued this  
17<sup>th</sup> day of August 2005.

**BOARD OF COMMISSIONERS  
FRANKLIN COUNTY, WA**

  
**CHAIRMAN**

**ATTEST:**

  
**CLERK OF THE BOARD**

*Original to file*

*Duplicate to Applicant*

*Duplicate to County Commissioners*

*Duplicate to be recorded with Auditor*



## FRANKLIN COUNTY ACTION SUMMARY

<b>Agenda Item:</b> Lauri Richard Lahtinen	<u>TYPE OF ACTION NEEDED</u>	Consent Agenda
<b>Meeting Date:</b> August 17, 2005	Execute Contract	
<b>Subject:</b> ZC 2005-03, to change the zoning designation on approximately 1.18 acres currently zoned Retail Commercial (C-1).	Pass Resolution	
	Pass Ordinance           X	
<b>Prepared By:</b> Greg Wendt	Pass Motion           X	Other: <i>Public Meeting</i>
<b>Reviewed By:</b> Jerrod MacPherson	Other	

**BACKGROUND INFORMATION**

This application is to change the zoning classification on approximately 1.18 acres that is currently zoned Retail Business Zone (C-1). The rezone involves changing the land from C-1 to Medium Density Residential (R-2). The land is within the City of Pasco's Urban Growth Area Boundary. The rezone area is adjacent to other lands zoned R-2 and is consistent with the Urban Area Comprehensive Plan.

The land is located at the northwest intersection of Court Street and Road 52 near site address 5205 Court Street. (118-651-102).

**SUMMARY**

At the regularly scheduled Planning Commission hearing on August 2, 2005 the Planning Commission voted to forward a positive recommendation (unanimous vote) for this application to the Board of County Commissioners subject to the following five (5) findings of fact:

**FINDINGS OF FACT**

- (1) The application to rezone approximately 1.18 acres of land from Retail Business (C-1) to Medium Density Residential (R-2) IS in accordance with the Goals, Policies, and Land Use Map of the Urban Area Comprehensive Plan;
  - a. This application is to change the zoning designation on 1.18 acres of land that is currently zoned Retail Business (C-1);
  - b. The rezone involves changing the land from C-1 to Medium Density Residential (R-2) Zone;
  - c. The land is within the City of Pasco's Urban Growth Area Boundary;
  - d. The rezone is in compliance with the Urban Area Comprehensive Plan.



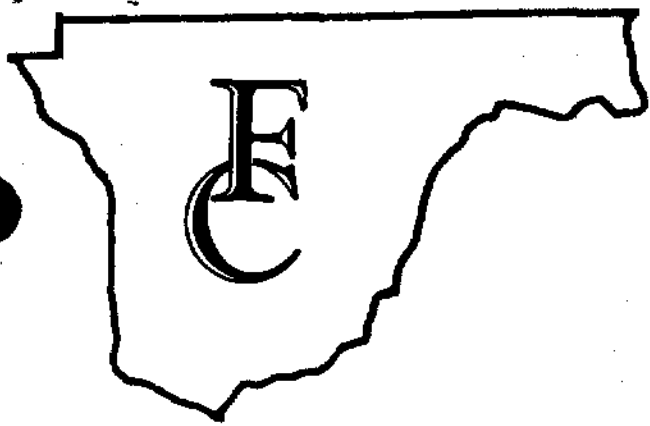
**Page 2**  
**Action Summary**  
**ZC 2005-03**

- (2) The effect of the proposal on the immediate vicinity **WILL NOT** be materially detrimental;
  - a. A home is currently located on the parcel which is consistent with the R-2 Zone;
  - b. The land is located in the Pasco Urban Growth Area Boundary and is rapidly growing with single-family homes. To rezone this land to R-2 furthers the implementation of the Urban Area Comprehensive Plan as adopted.
- (3) There **IS** merit and value in the proposal for the community as a whole;
- (4) Conditions **ARE NOT** required to be imposed in order to mitigate any significant adverse impacts from the proposal;
- (5) A concomitant agreement between the County and the petitioner **IS NOT** required for this application.

**MOTION**

Grant approval of zone change application ZC-2005-03, subject to the five (5) findings of fact.





# FRANKLIN COUNTY

## COMMISSIONERS

Courthouse - 1016 North 4th  
Pasco, Washington 99301  
(509) 545-3535

### ORDINANCE NUMBER # 6-2005

**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY,  
WASHINGTON:**

**IN THE MATTER OF COUNTY PLANNING – ZONING DESIGNATION CHANGE  
FOR APPROXIMATELY 1.18 ACRES LOCATED IN WEST PASCO ALONG COURT  
STREET AND ROAD 52.**

**APPLICANT:** Lauri Richard Lahtinen, 5205 W Court Street, Pasco, WA 99301.

**WHEREAS**, on August 17, 2005 the Clerk of the Board did set this date for a public meeting to consider the positive recommendation of the Franklin County Planning Commission to rezone approximately 1.18 acres. The rezone includes changing the land from C-1 to R-2 a Medium Residential Zoning District. The land is within the City of Pasco's Urban Growth Area Boundary; and

**WHEREAS**, at the public meeting the Board has found as follows:

1. The County Planning Commission, after public hearing and consideration on ZC 2005-03 did recommend approval of said rezone (see attached map), with the following findings of fact;
  - (a) The application to rezone approximately 1.18 acres of land from Retail Business (C-1) to Medium Density Residential (R-2) **IS** in accordance with the Goals, Policies, and Land Use Map of the Urban Area Comprehensive Plan;
    - (i) This application is to change the zoning designation on 1.18 acres of land that is currently zoned Retail Business (C-1);
    - (ii) The rezone involves changing the land from C-1 to Medium Density Residential (R-2) Zone;
    - (iii) The land is within the City of Pasco's Urban Growth Area Boundary;
    - (iv) The rezone is in compliance with the Urban Area Comprehensive Plan.
  - (b) The effect of the proposal on the immediate vicinity **WILL NOT** be materially detrimental;
    - (i) A home is currently located on the parcel which is consistent with the R-2 Zone;
    - (ii) The land is located in the Pasco Urban Growth Area Boundary and is rapidly growing with single-family homes. To rezone this land to R-2 furthers the implementation of the Urban Area Comprehensive Plan as adopted.



**Ordinance Number # 6-2005****Zone Change 2005-03****Page 2**

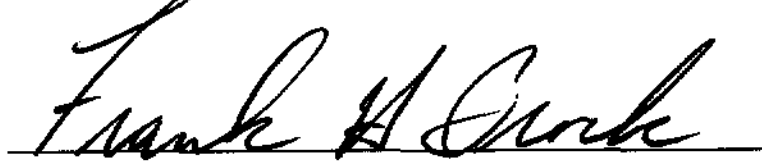
- (c) There **IS** merit and value in the proposal for the community as a whole;
- (d) Conditions **ARE NOT** required to be imposed in order to mitigate any significant adverse impacts from the proposal;
- (e) A concomitant agreement between the County and the petitioner **IS NOT** required for this application.

**WHEREAS**, it appears to be in the public use and interest to approve said zone change.

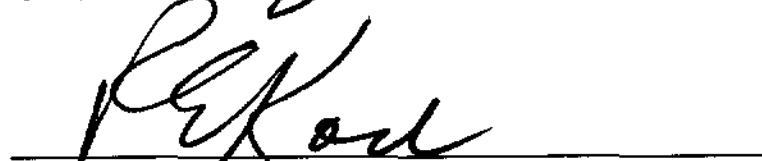
**NOW, THEREFORE, BE IT ORDAINED** that the 1.18 acres (approximate) of land be rezoned as described above (see attached map).

**SIGNED AND DATED THIS 17<sup>th</sup> DAY OF AUGUST 2005.**

**BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON**

  
CHAIRMAN

  
CHAIR PRO TEM

  
MEMBER

**ATTEST:**

  
CLERK OF THE BOARD



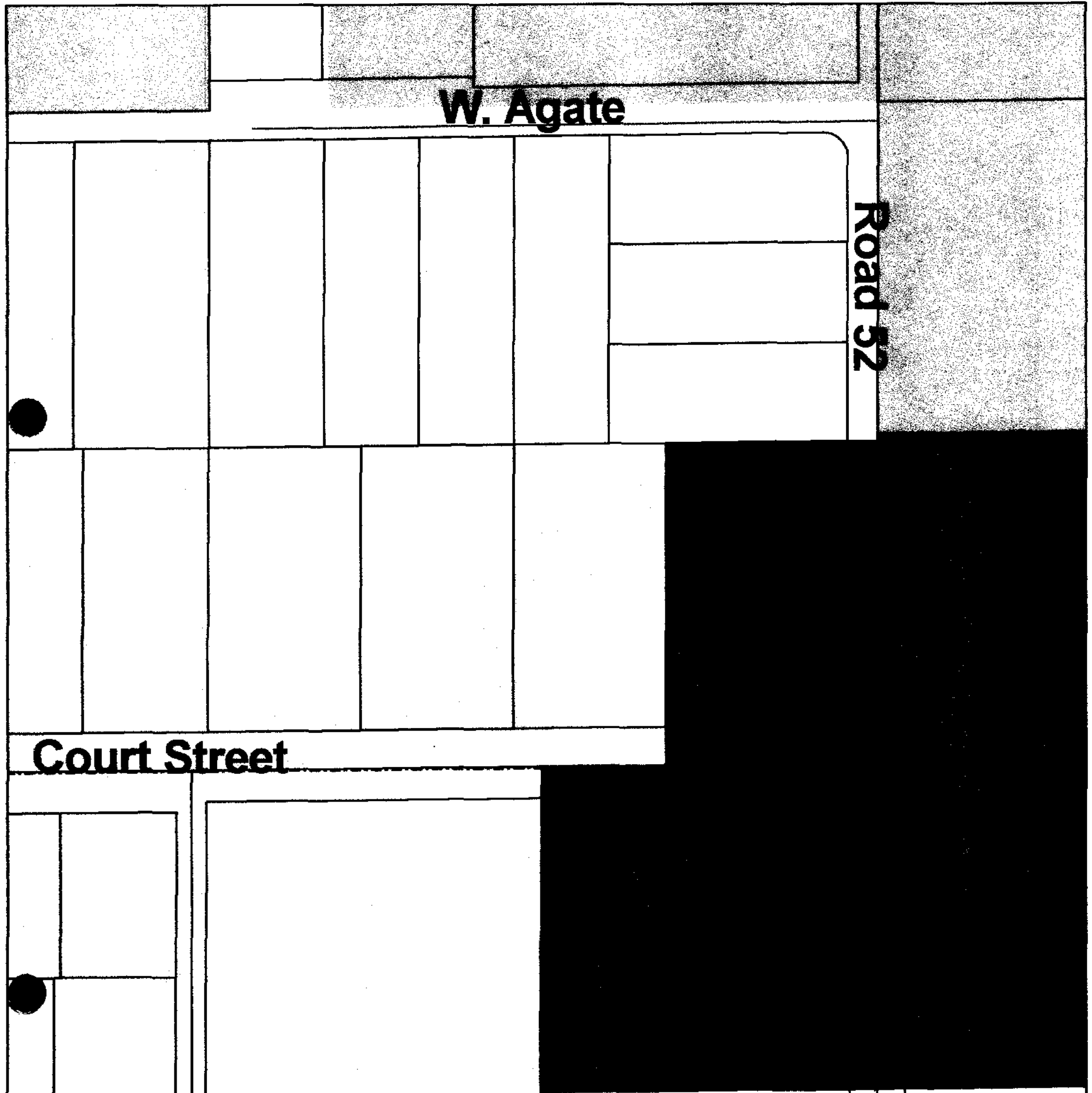
*Ordinance Number # 6-2005*

*Zone Change 2005-03*

*Page 3*

*A rezone  
from C-1 to R-2*

*Parcel # 118-651-102*





**FRANKLIN COUNTY RESOLUTION NO. 2005 337**

BEFORE THE BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, WASHINGTON

**RE: MEMORANDUM OF AGREEMENT, ADDENDUM TO COLLECTIVE BARGAINING AGREEMENT BETWEEN FRANKLIN COUNTY AND LOCAL 874, COUNCIL 2 (PUBLIC WORKS) OF AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES AND THE WASHINGTON STATE COUNCIL OF COUNTY AND CITY EMPLOYEES**

**WHEREAS**, Franklin County Resolution 2004-131 approved the 2004-2005 Collective Bargaining Agreement between Franklin County and Local 874 (Public Works) of American Federation of State, County and Municipal Employees and the Washington State Council of County and City Employees; and

**WHEREAS**, Franklin County Resolution 2004-131 arranged for a wage and medical re-opener for 2005; and

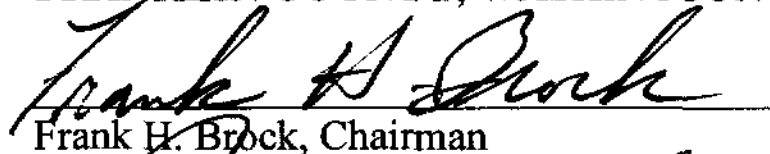
**WHEREAS**, pursuant to RCW 36.01.010 and RCW 36.32.120 the legislative authority of each county is authorized to enter into contracts on behalf of the county and have the care of county property and management of county funds and business; and

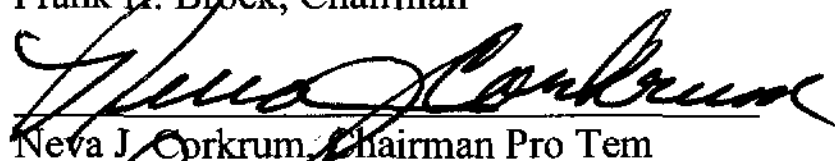
**WHEREAS**, the Board of Franklin County Commissioners constitutes the legislative authority of Franklin County and desires to enter into the attached agreement as being in the best interest of Franklin County.

**NOW, THEREFORE, BE IT RESOLVED** the Franklin County Board of Commissioners hereby approves the attached Memorandum of Agreement, Addendum to the 2004-2005 Collective Bargaining Agreement between Franklin County and Local 874 (Public Works) of American Federation of State, County and Municipal Employees and the Washington State Council of County and City Employees.

**APPROVED** this 17<sup>th</sup> day of August 2005.

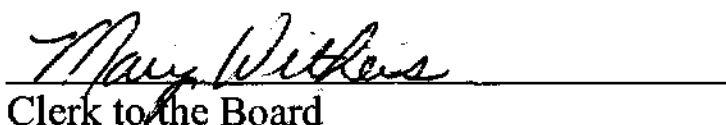
BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

  
Frank H. Brock, Chairman

  
Neva J. Corkrum, Chairman Pro Tem

  
Robert E. Koch, Member

Attest:

  
Clerk to the Board

Originals: Auditor  
Minutes  
Union

cc: Human Resources  
Public Works  
Public Works Accounting Department



## MEMORANDUM OF AGREEMENT

## ADDENDUM TO COLLECTIVE BARGAINING AGREEMENT BETWEEN FRANKLIN COUNTY AND LOCAL 874, COUNCIL 2 (PUBLIC WORKS) OF AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES AND THE WASHINGTON STATE COUNCIL OF COUNTY AND CITY EMPLOYEES

This MEMORANDUM OF AGREEMENT (hereinafter "MOA") is entered into by and between Franklin County (hereinafter "Employer") and Local 874, Council 2 (Public Works) of American Federation of State, County and Municipal Employees and the Washington State Council of County and City Employees, (hereinafter "Union").

WHEREAS, a 2004 – 2005 Collective Bargaining Agreement, hereinafter known and referenced as "Agreement," between the above-named parties currently exists which addresses a wage and health insurance benefits re-opener under Article 16 Section 6 for the 2005 term of the Agreement. The above-named parties have met and negotiated a wage and health insurance benefits settlement for the 2005 term of the Agreement.

NOW, THEREFORE, the above-named parties have mutually agreed that the following benefit as specified below will be in lieu of a Salary or Benefit increase for 2005.

1. For the year 2005 only, employees shall be provided a one (1) time entitlement of Contractual Leave. Contractual Leave is defined as one (1) work week of leave. For this employee group Contractual Leave shall only amount to a total of forty (40) hours of leave for regular full-time employees or prorated leave for benefited regular part-time employees. In addition, the following provisions shall apply:
  - 1.1 Only the provisions of this MOA shall define the meaning of "Contractual Leave."
  - 1.2 To be eligible for Contractual Leave, the employee must be employed by Franklin County at the time of the Union's signing of this MOA.
  - 1.3 Contractual Leave shall only be used within a twelve (12) month period starting August 1, 2005 and ending July 31, 2006. Any Contractual Leave not utilized by July 31, 2006 shall expire and be forfeited without any compensation or benefit owing to the employee.
  - 1.4 Employees shall make specific written request for use of Contractual Leave time to their Elected Official/Department Head. Contractual Leave time for employees will be arranged by their Elected Official/Department Head when such schedules will least interfere with the functions of the County. The employee with the greater seniority shall be given their choice of Contractual Leave time in the event employees request contractual leave at the same time. Otherwise, the first contractual leave request turned in receives first consideration by the Elected Official/Department Head.



1.5 Contractual Leave shall be scheduled in full day increments. Full day increments shall mean the regularly scheduled hours which make up a work day as approved by the Elected Official/Department Head. This means if the employee's scheduled work day is more than the balance of the employee's Contractual Leave, then vacation will have to be used to make up the difference for the work hours for that day.

1.6 This Contractual Leave is a one-time-only contractual clause which means it is valid for only the 2005 term of the Agreement.

1.7 Termination and/or separation of employment with Franklin County shall result in the expiration and forfeiture of all Contractual Leave entitlements accrued by such employee without any compensation or benefit owing to the employee for the Contractual Leave.


1.8 Resolution 2004-131, 2004 – 2005 Collective Bargaining Agreement, Article 18.7 VEBA Election will not apply for the year 2005. (This means if an employee has accrued vacation beyond the limit of 240 hours as of December 31, 2005, for 2005 only, those hours will be forfeited. The balance carried over for 2006 will only be 240 hours with no payment into the employee's VEBA account.)

Both parties agree that the Contractual Leave entitlement shall have no effect upon any employees' wages, hours, benefits, or working conditions.

This MOA shall remain in affect during the term of the Agreement or until a successor agreement is reached between the parties.

IN WITNESS WHEREOF, the parties have caused this Memorandum of Agreement to be signed by their duly constituted and legal representative on the 10 day of August, 2005.

**LOCAL 874, COUNCIL 2:**


  
\_\_\_\_\_  
Luke Van Hollebeke, President Local 874

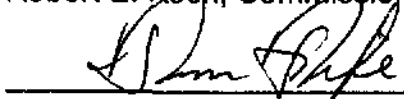
  
\_\_\_\_\_  
Alpha O'Laughlin, Area Representative

**FRANKLIN COUNTY**

  
\_\_\_\_\_  
Frank H. Brock, Commissioner

  
\_\_\_\_\_  
Neva J. Corkrum, Commissioner

  
\_\_\_\_\_  
Robert E. Koch, Commissioner

  
\_\_\_\_\_  
Tim Fife, Public Works Director

  
\_\_\_\_\_  
Fred H. Bowen, Negotiator



**FRANKLIN COUNTY RESOLUTION NO. 2005 338**

BEFORE THE BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, WASHINGTON

**RE: MEMORANDUM OF AGREEMENT, ADDENDUM TO COLLECTIVE BARGAINING AGREEMENT BETWEEN THE FRANKLIN COUNTY BOARD OF COMMISSIONERS AND THE FRANKLIN COUNTY CORRECTIONAL OFFICERS' ASSOCIATION**

**WHEREAS**, Franklin County Resolution 2004-049 approved the 2004-2007 Collective Bargaining Agreement between Franklin County and the Franklin County Correctional Officers' Association; and

**WHEREAS**, Franklin County Resolution 2004-049 arranged for a wage and medical re-opener for 2005; and

**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 Board of Franklin County Commissioners constitutes the legislative authority of Franklin County and desires to enter into the attached agreement as being in the best interest of Franklin County.

**NOW, THEREFORE, BE IT RESOLVED** the Franklin County Board of Commissioners hereby approves the attached Memorandum of Agreement, Addendum to the 2004-2007 Collective Bargaining Agreement between the Franklin County Board of Commissioners and the Franklin County Correctional Officers' Association.

**APPROVED** this 17<sup>th</sup> day of August 2005.

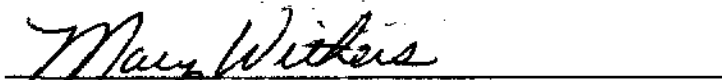
BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

  
Frank H. Brock, Chairman

  
Neva J. Corkrum, Chairman Pro Tem

  
Robert E. Koch, Member

Attest:

  
Clerk to the Board

Originals: Auditor  
Minutes  
Union

cc: Human Resources  
Accounting  
Sheriff's Office  
Corrections Department



## MEMORANDUM OF AGREEMENT

ADDENDUM TO COLLECTIVE BARGAINING AGREEMENT BETWEEN THE  
BOARD OF FRANKLIN COUNTY COMMISSIONERS AND THE FRANKLIN  
COUNTY CORRECTIONAL OFFICERS' ASSOCIATION

This MEMORANDUM OF AGREEMENT (hereinafter "MOA") is entered into by and between The Board of Franklin County Commissioners (hereinafter "Employer") and the Franklin County Correctional Officers' Association, (hereinafter "Association").

WHEREAS, a 2004 – 2007 Collective Bargaining Agreement, hereinafter known and referenced as "Agreement," between the above-named parties currently exists which addresses a wage and health insurance benefits re-opener under Article 22 Section 2 for the 2005 term of the Agreement. The above-named parties have met and negotiated a wage and health insurance benefits settlement for the 2005 term of the Agreement.

NOW, THEREFORE, the above-named parties have mutually agreed that the following benefit as specified below will be in lieu of a Salary or Benefit increase for 2005.

1. For the year 2005 only, employees shall be provided a one (1) time entitlement of Contractual Leave. Contractual Leave is defined as one (1) work week of leave. For this employee group Contractual Leave shall only amount to a total of forty (40) hours of leave for regular full-time employees. In addition, the following provisions shall apply:
  - 1.1 Only the provisions of this MOA shall define the meaning of "Contractual Leave."
  - 1.2 To be eligible for Contractual Leave, the employee must be employed by Franklin County at the time of the Union's signing of this MOA.
  - 1.3 Contractual Leave shall only be used within a twelve (12) month period starting with the signing of this MOA (signing date 8/17/05) and ending exactly 12 months after that date (ending date 8/16/06). Any Contractual Leave not utilized within the 12 month time period shall expire and be forfeited without any compensation or benefit owing to the employee.
  - 1.4 Requests for Contractual Leave shall be in accordance with Resolution 2004-049, 2004 – 2007 Collective Bargaining Agreement, Article 8.6 Leave Approval.
  - 1.5 Contractual Leave shall be scheduled in full day increments. Full day increments shall mean the regularly scheduled hours which make up a work day as approved by the Elected Official/Department Head. This means if the employee's scheduled work day is more than the balance of the employee's Contractual Leave, then vacation will have to be used to make up the difference for the work hours for that day.



1.6 This Contractual Leave is a one-time-only contractual clause which means it is valid for only the 2005 term of the Agreement.

1.7 Termination and/or separation of employment with Franklin County shall result in the expiration and forfeiture of all Contractual Leave entitlements accrued by such employee without any compensation or benefit owing to the employee for the Contractual Leave.

1.8 Resolution 2004-049, 2004 – 2007 Collective Bargaining Agreement, Article 8.5 VEBA Election will not apply for the year 2005. (This means if an employee has accrued vacation beyond the limit of 240 hours as of December 31, 2005, for 2005 only, those hours will be forfeited. The balance carried over for 2006 will only be 240 hours with no payment into the employee's VEBA account.)

Both parties agree that the Contractual Leave entitlement shall have no effect upon any employees' wages, hours, benefits, or working conditions.

This MOA shall remain in affect during the term of the Agreement or until a successor agreement is reached between the parties.

IN WITNESS WHEREOF, the parties have caused this Memorandum of Agreement to be signed by their duly constituted and legal representative on the \_\_\_\_ day of August, 2005.

**FRANKLIN COUNTY CORRECTIONAL  
OFFICERS' ASSOCIATION**

  
Kevin Still, President

**FRANKLIN COUNTY**

  
Frank H. Brock, Commissioner

  
Neva J. Corkrum, Commissioner

  
Robert E. Koch, Commissioner

  
Richard Lathim, Sheriff

  
Fred H. Bowen, Negotiator



**CHANGE OF STATUS**Please enter the following change(s) as of: 09/08/2005Name Chanda TebayEmployee payroll # TEB

Social Security # \_\_\_\_\_

FROM

TO

Job Title		Event Manager
Dept # & Title		TRAC 404-000-001
Budget Line Item #		575.51.10.50
Grade - Step / Hourly Rate		Gr 56 St 5 \$49,347 yrly

**REASON FOR CHANGE:**☒ Hired☒ Regular Full Time☐ Temporary Full Time☐ Regular Part Time☐ Temporary Part Time☐ Seasonal☐ Rehire☐ Promotion☐ Demotion☐ Transfer☐ Length of Service Increase☐ Merit Increase☐ Re-evaluation of Existing Job☐ Resignation☐ Retirement☐ Layoff☐ Discharge☐ Leave of Absence to: \_\_\_\_\_

Date

☐ Family Leave☐ L&I Leave

Other reason or explanation: \_\_\_\_\_

On 7/25/2005 the Classification Review Committee agreed to  
 recommend a starting salary not to exceed \$50,000 based upon  
 experience.

Authorized by: \_\_\_\_\_

Approved by: Frank H. Burk

Reviewed by Human Resources Department: \_\_\_\_\_

Initial /Date

ORIGINAL-HUMAN RESOURCES YELLOW-PAYROLL WORKSHEET PINK-DEPT HEAD GOLD-EMPLOYEE

Revised 6/2002



EXHIBIT 9  
**Franklin County Auditor**

August 17, 2005

1016 North 4th Avenue  
Pasco, WA 99301

ZONA LENHART, Auditor  
509-545-3840 • Fax: (509) 545-2142  
www.co.franklin.wa.us

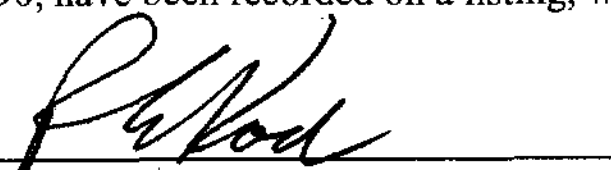
P.O. Box 1451  
Pasco, WA 99301

August 17, 2005

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.


Action: As of this date, August 17, 2005,  
Move that the following warrants be approved for payment:



<u>FUND</u> <u>Expenditures</u>	<u>WARRANT</u> <u>Range</u>	<u>AMOUNT</u> <u>Issued</u>
Current Expense	46389-46403	\$13,898.53
Auditor O & M	344-346	\$887.59
Courthouse Renovation Fund	354	\$15,032.19
Current Expense	46404-46421	\$8,472.25
Crime Victims	319-320	\$2,283.95
Boating Safety	361-362	\$878.52
Franklin County Enhanced 911	1053-1055	\$3,677.51

except for warrant 345 for \$540.37, Auditor O&M Fund

In the amount of 45,130.54. The motion was seconded by  
And passed by a vote of 3 to 0.



Accounting  
545-3505

Elections  
545-3538

Recording  
545-3536

Licensing  
545-3533