

COMMISSIONERS RECORD 48
FRANKLIN COUNTY
Commissioners' Proceeding for April 25, 2007

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

OFFICE BUSINESS

Secretary Patricia Shults met with the Board.

Bid Award: Legal Notice Publication

Motion – Mrs. Corkrum: I move that we approve the low bid for Franklin County Graphic for the county's legal paper. Second by Mr. Koch. 2:0 vote in favor. (Exhibit 1)

Consent Agenda

Motion - Mrs. Corkrum: I move for approval of the consent agenda as listed:

1. Approval of **Resolution 2007-187** approving the Lease Agreement between Franklin County and Benton Franklin Health Department for the lease of a building and property located at 412 W. Clark Street, Pasco, for use by the Health Department, commencing May 1, 2007, at a rate of \$2,500.00 per month, to be received quarterly.
2. Approval of **joint Resolution 2007-188** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the contract amendment (amending Franklin County Resolution 2006-609) between the Juvenile Justice Center and J&J Security. (Exhibit 2: Information sheet.)
3. Approval of **joint Resolution 2007-189** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties Superior Court (civil defense), Juvenile Division, between the Juvenile Justice Center and Diana Anderson, thus, amending Benton County Resolution 02-453 and Franklin County Resolution 2002-373, extending the termination date of the existing PSA from April 30, 2007 to May 31, 2007. (Exhibit 3: Information sheet.)
4. Approval of **joint Resolution 2007-190** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties Superior Court (civil defense), Juvenile Division, between the Juvenile Justice Center and Darin R. Campbell,

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thus, amending Benton County Resolution 05-557 and Franklin County Resolution 2005-342, extending the termination date of the existing PSA from April 30, 2007 to May 31, 2007. (Exhibit 4: Information sheet.)

5. Approval of **joint Resolution 2007-191** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties Superior Court (civil defense), Juvenile Division, between the Juvenile Justice Center and Donna Patricia Mannion, thus, amending Benton County Resolution 04-212 and Franklin County Resolution 2004-254A, extending the termination date of the existing PSA from April 30, 2007 to May 31, 2007. (Exhibit 5: Information sheet.)
6. Approval of **joint Resolution 2007-192** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties Superior Court (civil defense), Juvenile Division, between the Juvenile Justice Center and Kathleen Moreno, thus, amending Benton County Resolution 03-397 and Franklin County Resolution 2003-400, extending the termination date of the existing PSA from April 30, 2007 to May 31, 2007. (Exhibit 6: Information sheet.)
7. Approval of **joint Resolution 2007-193** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties Superior Court (civil defense), Juvenile Division, between the Juvenile Justice Center and Jared D. Paulsen, thus, amending Benton County Resolution 03-318 and Franklin County Resolution 2003-334, extending the termination date of the existing PSA from April 30, 2007 to May 31, 2007. (Exhibit 7: Information sheet.)
8. Approval of **Resolution 2007-194** authorizing Franklin County District Court to increase bail amounts by \$11 for all local non-traffic infractions.
9. Approval of **joint Resolution 2007-195** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the Personal Service Contract between the Juvenile Justice Center and Julie A. Elmenhurst to provide Functional Family Therapy to youth, with said contract expiring June 30, 2007. (Exhibit 8: Information sheet.)
10. Approval of **joint Resolution 2007-196** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation (criminal

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defense) of indigent individuals in Benton and Franklin Counties Superior Court, Juvenile Division, between the Juvenile Justice Center and Darin R. Campbell, thus, amending Benton County Resolution 07-071 and Franklin County Resolution 2007-064, extending the termination date of the existing PSA from April 30, 2007 to May 31, 2007. (Exhibit 9: Information sheet.)

11. Approval of **joint Resolution 2007-197** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation (criminal defense) of indigent individuals in Benton and Franklin Counties Superior Court, Juvenile Division, between the Juvenile Justice Center and Laurie L. Magan, thus, amending Benton County Resolution 06-399 and Franklin County Resolution 2006-365, extending the termination date of the existing PSA from April 30, 2007 to May 31, 2007. (Exhibit 10: Information sheet.)
12. Approval of **joint Resolution 2007-198** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation (criminal defense) of indigent individuals in Benton and Franklin Counties Superior Court, Juvenile Division, between the Juvenile Justice Center and Mia Mendoza, thus, amending Benton County Resolution 04-438 and Franklin County Resolution 2004-430, extending the termination date of the existing PSA from April 30, 2007 to May 31, 2007. (Exhibit 11: Information sheet.)
13. Approval of **joint Resolution 2007-199** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation (criminal defense) of indigent individuals in Benton and Franklin Counties Superior Court, Juvenile Division, between the Juvenile Justice Center and Michael J. Morgan, thus, amending Benton County Resolution 06-498 and Franklin County Resolution 2006-435, extending the termination date of the existing PSA from April 30, 2007 to May 31, 2007. (Exhibit 12: Information sheet.)
14. Approval of **joint Resolution 2007-200** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation (criminal defense) of indigent individuals in Benton and Franklin Counties Superior Court, Juvenile Division, between the Juvenile Justice Center and Karyn Oldfield, thus, amending Benton County Resolution 02-003 and Franklin County Resolution 2002-046, extending the termination date of the existing PSA from April 30, 2007 to May 31, 2007. (Exhibit 13: Information sheet.)

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15. Approval of **joint Resolution 2007-201** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the amended Personal Service Agreement for legal representation (drug court defense) of indigent individuals in Benton and Franklin Counties Superior Court, Juvenile Division, between the Juvenile Justice Center and Karyn Oldfield, thus, amending Benton County Resolution 06-117 and Franklin County Resolution 2006-139, extending the termination date of the existing PSA from April 30, 2007 to May 31, 2007. (Exhibit 14: Information sheet.)

Second by Mr. Koch. 2:0 vote in favor.

Vouchers/Warrants

Motion – Mrs. Corkrum: I move approval of vouchers as listed: Current Expense warrant 56648 for \$4,722.64; Solid Waste warrant 2209 for \$832.10; Franklin County Capital Projects warrant 249 for \$7,882.00; Current Expense warrants 56649 through 56655 for \$5,583.14; Current Expense warrants 56656 through 56673 for \$19,481.19; Auditor O&M warrants 416 through 418 for \$10,207.09; DARE Fund warrant 9 for \$31.39; Jail Commissary warrant 2323 for \$154.36; and Current Expense warrant 56674 for \$470.09; for a total of \$49,364.00. Second by Mr. Koch. 2:0 vote in favor. (Exhibit 15)

Motion – Mrs. Corkrum: I move for approval of payroll as follows: Salary Clearing Payroll warrants 42898 through 42990 for \$178,220.56; warrants 42991 through 43001 for \$209,559.54; and Direct Deposit for \$250,596.23; for a total amount of \$638,376.33. Second by Mr. Koch. 2:0 vote in favor.

The cover sheet also includes the following amounts:

Emergency Management Payroll warrants 8676 through 8687 for \$3654.79; warrants 8688 through 8696 for \$5385.09; and Direct Deposit for \$6919.71; for a total amount of \$15,959.59; and

Irrigation Payroll warrants 12541 through 12554 for \$8014.48; and warrants 12555 through 12562 for \$4322.42; for a total amount of \$12,336.90. (Exhibit 16)

WSU EXTENSION OFFICE

Extension Agent Tim Waters met with the Board.

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New Diagnostic Equipment

Mr. Waters said the Extension Office has received a grant within Washington State University (WSU) to purchase new diagnostic equipment including a dissecting stereoscope (about 100 power level), a compound microscope (400 to 500 power level), and a digital camera. Both plant and insect specimens can be examined under the scopes and photographed. The dissecting scope that has been used in the office is about 60 years old. With the new equipment, we can capture images and send them to experts throughout Washington or throughout the world. Mr. Waters showed the Board some mounted insect specimens and showed some photographs of insects and of plants on the screen. The new equipment is a money-saver and time-saver because the sample does not have to be shipped and a taxonomist can respond more quickly via email or phone. The program is called: **Distance diagnosis through imagery program system**. There are different stations throughout the state with a network of people using the system to help each other with identification. For example, Mr. Waters is an entomologist who will respond to requests from other counties. Mr. Waters said people will prepare a form that will allow them to submit a sample and have it reviewed. He gave an example of a problem with sunflower head moth last year. By having an expert review the information, it was determined that it was too late to spray the field. Proper identification is very important. This tool will help us do this in a timely fashion.

Mr. Waters said Phil Petersen is the new forage agronomist. Together, they are trying to make Extension in Franklin County more of a focal point in the agricultural community. We can't solve everyone's problems but we can point them in the right direction.

Franklin County Extension Web Page

Mr. Waters told the Board about the work that has been done to get the Extension portion of the county web page prepared. It will be a central place to find information.

PUBLIC WORKS

Engineer Tim Fife met with the Board. Present in audience: Tri-City Herald
Reporter Joe Chapman.

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Port of Pasco Lease

Mr. Fife said the rental amount from the Port of Pasco for the county to pay for the Public Works Office is the same as in the previous contract. The contract reads the same except for a section about alterations to the building (now the Port will be requiring more detail) and assignment of the contract (if the county assigns the lease to someone else). The current contract was reviewed and signed 10 years ago. The Board decided the contract does not need to be reviewed by the Prosecutor's Office.

Mr. Fife said he does plan some alterations to the site but what the county will do is something that would be usable to someone else and would not need to be taken out later. The Port of Pasco did not want alterations made or vehicles left on the site.

The lease covers only the area where the office is located. The county rents the ground where the shop is located separately. The buildings in the shop area belong to the county.

Motion – Mrs. Corkrum: I move for approval of a long-term lease between the Port of Pasco/Tri-Cities Airport and our Department, Franklin County Engineer, for the office building. Second by Mr. Koch. This is Resolution 2007-203.

Franklin County Road Pit Sites

Mr. Fife said a current pit site that is used for some county road projects is the Hendricks pit site near Hendricks Road and Sagehill Road. He showed the Board an aerial photograph. The pit site is nearly depleted. He showed the Board a picture of a site that he would like to try to purchase for county use, which is a portion of a 20-acre site that is not being farmed. Contractors can give better prices if they don't have to haul the materials as far. The potential of the existence of railroad mineral rights will be reviewed. Mr. Koch asked if the site would be examined to determine if there is enough rock to make it worthwhile to purchase. Mr. Fife said yes.

Mr. Koch said he thinks it would be beneficial for the county. Mrs. Corkrum agreed. Mr. Fife will proceed to meet with the landowner.

Road Closure Request: Commercial Avenue

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The Public Works Department has received a request from Tom Pentin of Freer Consulting Company to close a portion of Commercial Avenue for two days to allow for installation of utilities in the road. He showed a map of the area to the Board. JR Carr has hired Freer Consulting Company to oversee the building of an onion processing plant. (Exhibit 17)

Motion – Mrs. Corkrum: I move that we approve the road closure request for a portion of Commercial Avenue for two days. Second by Mr. Koch. 2:0 vote in favor.

Road 100 Extension area

Mrs. Corkrum asked Mr. Fife if the route for the Road 100 extension is set in concrete as far as just going to Fanning Road and then going east, or can we extend it? Mr. Fife said you can extend it. He said a public hearing was held and the modeling showed usage that the additional portion will happen eventually but it is not needed at this time. If it is extended, there is one small farm that would have the road go through the middle of it and probably make the farm not usable. The long-term plan is to go through but there is not enough traffic that would be making the turn at this time.

Mr. Fife said JUB Engineers could re-run the model if the Board chooses to do so. Mrs. Corkrum asked if JUB can contact the person who called her. Mr. Fife said he can ask JUB to set up a public meeting for the people in the area.

Mrs. Corkrum said she also has a concern with the Fanning Road intersection area. Mr. Fife said we're going to redo the intersection. Mrs. Corkrum is aware of that.

Mr. Fife responded to Mrs. Corkrum's question about the intersection of Taylor Flats Road and Columbia River Road.

AUDITOR

Auditor Zona Lenhart, Elections Supervisor Diana Killian and Rosa Fernandez met with the Board. Present in audience: Joe Chapman.

Legal Descriptions for precincts

Ms. Lenhart said the legal descriptions for the precincts that were adopted by Resolution 2007-167 should be ready for adoption on the consent agenda next Wednesday.

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Help America Vote Act (HAVA) funds

We have received HAVA money to help produce a voter's pamphlet, \$20,000 for this year and \$20,000 for next year. The local election information will be included in the state voters pamphlet but only for the general election. An ordinance and two interlocal agreements are needed. They have been reviewed by the Prosecutor's Office.

Mrs. Corkrum said the ordinance will not require a public hearing because it does not involve any county taxpayer money.

Out-of-State Travel

Ms. Lenhart said three people from her office will be attending a regional conference in Portland, Oregon, on June 26 through 29 at a cost of about \$1200. It is the annual conference. We have to attend to maintain our certification.

LOBBYIST

Lobbyist Jim Potts talked by telephone with the Board to give a final legislative update at the conclusion of the Washington State Legislative session. Present in audience: Zona Lenhart, Diana Killian, Rosa Fernandez and Joe Chapman.

Mr. Potts said the Benton-Franklin Health District will be receiving \$340,000 annually in January 2008 and some in January 2009.

Franklin County can anticipate receiving about \$146,000 in 2009 and about one-fourth that amount in October 2008 from the sales tax streamlining.

The matter regarding gross negligence for the courts is now changed so that the county has the same standards as the state.

Senate Bill 6075 raises bid limits from \$2500 to \$5000 before going to bid. The \$2500 amount has been in place since 1993.

Mr. Potts expressed his appreciation to the county for using his services. He plans to meet with the Board in the next few months to talk about next year's legislation.

Mrs. Corkrum would like to discuss the capital budget requests and getting state help for jail expansion.

AUDITOR (continuing)

Water Damage

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Ms. Killian showed pictures on the screen of water damage from a leaky roof at the Franklin County Annex storage area. Mr. Bowen will work to get a new roof put on the building at the same time as the museum roofing work is done.

PLANNING AND BUILDING DEPARTMENT

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

Public Meeting: Zone Change ZC 2007-02, a rezone application for Ed Ray to change the zoning classification on approximately 2 parcels of land that are currently zoned Rural Community 5 (RC-5), a five-acre minimum lot size. The rezone involves changing approximately 27.65 acres of land from Rural Community 5 (RC-5) to Rural Community 1 (RC-1). The land is located within the County's Rural Shoreline Area as designated in the County Comprehensive Plan. The land is located south of Sagemoor Road, east of Columbia River Road, and near the south end of Larkspur Road.

Public Meeting convened at 10:17 a.m. Present: Commissioners Koch and Corkrum; County Administrator Fred Bowen; Planning Director Jerrod MacPherson; Assistant Director Greg Wendt; and Clerk to the Board Mary Withers. Present in audience: Joe Chapman and Case VanderMeulen.

Mr. Wendt reviewed the information on the Action Summary (Exhibit 18).

Mr. MacPherson showed a copy of the zoning map on the screen. The rural shoreline planning boundary was shown. Rural Community 1 zoning and Rural Community 5 zoning areas were shown on the map. He showed the applicant's original proposal for rezoning 75.42 acres. It was advertised but then the applicant scaled the application back to 27.65 acres. He said the applicant is in the process of completing a segregation of one area of his property.

Mr. Wendt said a lot of neighbors are concerned about how a future development will be developed from a road standpoint and a water standpoint. Mr. MacPherson said we haven't seen a road layout or water layout. He thinks a lot of concerns will be addressed later. This is just a rezone hearing. He said the area is designated rural shoreline area and the application is consistent with the state law.

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Mr. Wendt reviewed the Findings of Fact.

Mrs. Corkrum asked in the green area (indicated on map), if we approve this zone change as presented, the lots south of his property are not one acre. Are the new lots going to have to be one acre when they subdivide? Mr. MacPherson said the part in question will only be the area outlined in red (indicated). The green areas are currently one acre. Mr. Wendt said the applicant's riverfront properties are already zoned one acre. He said the rezone gives the applicant some flexibility in lot sizes. There is a hillside involved.

Mr. Wendt said people were asking if Larkspur Road is going to be paved as part of a development. The applicant planned to talk to some of the neighbors about it. It seems like a natural connection in the area but the neighbors may not be open to it. Currently Larkspur Road is a private road. Mr. MacPherson said it makes sense from an infrastructure standpoint for the flow of traffic.

Mr. Koch asked if there were any questions from the audience. No one in the audience had any questions.

Motion – Mrs. Corkrum: Mr. Chairman, I move that we grant approval of zone change application 2007-02 subject to the five findings of fact. Second by Mr. Koch. This is Ordinance 3-2007. (Exhibit 19)

Public Meeting: Conditional Use Permit CUP 2007-02, a conditional use permit for applicants Case and Judie VanderMeulen to construct and operate a dairy and feedlot facility in the Agricultural Production 20 (AP-20) Zoning District. The property is located approximately 1.5 miles east of the City of Mesa and along the north side of Pepiot Road.

Public Meeting convened at 10:30 a.m. Present: Commissioners Koch and Corkrum; County Administrator Fred Bowen; Planning Director Jerrod MacPherson; Assistant Director Greg Wendt; and Clerk to the Board Mary Withers. Present in audience: Joe Chapman and Case VanderMeulen.

Mr. Wendt reviewed the information on the Action Summary (Exhibit 20).

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Mr. MacPherson showed a copy of the 2002 aerial photograph with parcel overlay on the screen. The property is 3320 acres in size. The site location for the CUP covers approximately 500 acres. Mrs. Corkrum asked can the facility site be seen from Highway 395 at all? Mr. MacPherson said no, not much. Mr. MacPherson showed a copy of the site plan on the screen.

Mr. Wendt reviewed the conditions of approval.

Mrs. Corkrum asked Mr. VanderMeulen if the milk will be shipped to the coast. Mr. VanderMeulen said yes, because he is a Darigold shipper. Darigold decides where the milk goes.

Mrs. Corkrum asked if there will ever be a chance to have a processing plant here. Mr. VanderMeulen said that would be really nice. He would love it. There is a hauling charge. Darigold has a hauling policy. He explained briefly how the hauling works.

Mr. MacPherson said we had quite a few people who spoke in favor at the hearing, testifying as to what a good operator Mr. VanderMeulen is.

Mr. VanderMeulen explained the site plan is not completely final yet. He said there will be seven rows of corrals. They have been shortened so they won't go into an existing pivot sprinkler area. He said the site plan is estimating where the heifer pens and lagoons will be located. An area that was an airplane crop dusting runway will be used as part of the cattle area.

He told the Board about the topography of the site. It includes a gully so people traveling along Highway 395 could probably see only a small portion of the site. The topography slopes towards the east and there are rock outcroppings. He said the prevailing winds should be helpful.

Mr. Wendt said the zoning on the east side of the town of Mesa is industrial so this type of use is a good transition.

Mr. VanderMeulen said he considered several factors when purchasing the property: not very densely populated, good access to roads and good connections, close to feed, and close to a good place to live and also for labor requirements.

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Mrs. Corkrum asked how many employees do you expect? Mr. VanderMeulen said in phase 1 when he is milking 3000 cows, there will probably be 30 full-time employees. He will be pushing hard to start the structures real shortly and hopefully be milking cows by the end of November or beginning of December. When the facility is at full capacity with 4300 milking cows and 3000 heifers, it will employ probably close to 50 full-time people.

Mr. MacPherson said Mesa's water restrictions will be lifting shortly so there may be an ability for increased housing there soon.

Mr. Koch said he has not heard any negatives about the project.

Mr. VanderMeulen said we want to be good neighbors and be part of the community. The best way to do that is to be open and lay it out like it is, which he has tried to do.

Motion – Mrs. Corkrum: Mr. Chairman, I move that we grant approval to Conditional Use Permit application 2007-02 subject to the six findings of fact and sixteen conditions. Second by Mr. Koch. 2:0 vote in favor. This is Resolution 2007-203.

CARTOON COMMUNITIES

Brian Waite with Cartoon Communities met with the Board.

Poster

Mr. Waite asked if the county would like to participate in a Cartoon Communities poster map featuring Pasco. The Board reviewed the list of prices. The Board decided to purchase two spots, one for the county and one for TRAC.

COUNTY ADMINISTRATOR

County Administrator Fred Bowen met with the Board.

E911 Dispatch Vehicle

Mrs. Corkrum explained why she would like county vehicles to be on the county vehicle replacement schedule. She said not only do we maintain the vehicles but then regardless of the replacement cycle they are on, the money is there to buy a new vehicle. If we approve the request from Dispatch, we won't be able to do that. She said she just has a concern. She said that's why she wanted the Assessor's office to get on the cycle

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because even though the Assessor could buy cheaper vehicles and the Assessor's Office uses them for a long time, down the road we may not have money to buy them upfront.

Mrs. Corkrum said with Mr. Bowen's explanation of the Dispatch request, we'll give this a try and see where it goes.

Mr. Koch said he would be more against it if the Assessor's Office hadn't done it already.

Mrs. Corkrum wants to keep track of the Dispatch budget. If Dispatch does not spend some particular funds by the end of the three-year period as they anticipate doing now, she would like the funds set aside for vehicle replacement at that time.

Mrs. Corkrum said we do have a minimal amount set aside in the Dispatch contract with other users to build up for radios. However, the Dispatch Supervisor's plans for radio replacement will cost much more than we could save up at \$5000 a year from the other users. It would take a decade or more to save the amount needed.

Mr. Koch said I understand your concern. I think we could try it. Mrs. Corkrum said we need to monitor it. She wants to make sure the Dispatch reimbursement from the state pays for the vehicle's maintenance. Mr. Koch said the only thing the reimbursement will pay for is mileage. Mr. Bowen said he thought the Dispatch Supervisor said he could ask for reimbursement for mileage. He can ask again for clarification. Mr. Koch doesn't think Dispatch will get all the maintenance and every bit of the fuel reimbursed.

Motion – Mrs. Corkrum: I move that we approve the E911 dispatch vehicle as presented. Second by Mr. Koch. 2:0 vote in favor.

Franklin County Corrections Center

The Board reviewed a proposed letter for publishing in the Tri-City Herald and the Franklin County Graphic asking for people who are interested to serve on a Citizens Advisory Review Committee regarding expansion of the Franklin County Corrections Center.

Motion – Mrs. Corkrum: I move for approval. Second by Mr. Koch. 2:0 vote in favor.

Mrs. Corkrum would also like the letter to be sent directly to some groups and some people. Some ideas included: Farm Bureau, Chambers of Commerce in Connell

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and Pasco, City Councils in Connell, Kahlotus, Mesa and Pasco. She said the cities and towns all use the jail and should be supportive. She suggested asking if they can have representatives from their entities who would be willing to serve on the committee.

Agreement between Franklin County and CKJT Architects for the Franklin County Public Safety Building and Jail Exterior Upgrades project

Mr. Bowen asked for approval of a contract with CKJT for the painting project.

Motion – Mrs. Corkrum: I move approval regarding the agreement between Franklin County and CKJT Architects for the Franklin County Public Safety Building and Jail Exterior upgrades. Second by Mr. Koch. 2:0 vote in favor. This is Resolution 2007-204.

Mr. Bowen anticipates the bid will come in higher than originally anticipated because we need to replace the seals in all of the windows. He thinks the bid will probably be about \$150,000 with the architect's fees on top. Mr. Koch said there is also lead paint involved.

Cumulative Reserve Account

Mrs. Corkrum asked is there any way we can capture the interest in the Cumulative Reserve (Rainy Day) account and earmark it for something, or is it better to leave it alone? Mr. Bowen said the Finance Committee decided to leave the interest as is but it will be tracked so the Finance Committee reviews the amounts each month. He said we are holding back \$1 million for cash flow purposes. Loans are made from this amount so the current amount available is \$800,000.

Mrs. Corkrum would like to also set aside at least \$100,000, adding an extra \$100,000 into that at budget time. She said if we spend everything when times are good, then we might be in trouble later on.

MINUTES

Motion – Mrs. Corkrum: I move for approval of minutes for April 18, 2007, and also authorize Mr. Miller's signature. Second by Mr. Koch. 2:0 vote in favor.

Adjourned at 11:23 a.m.

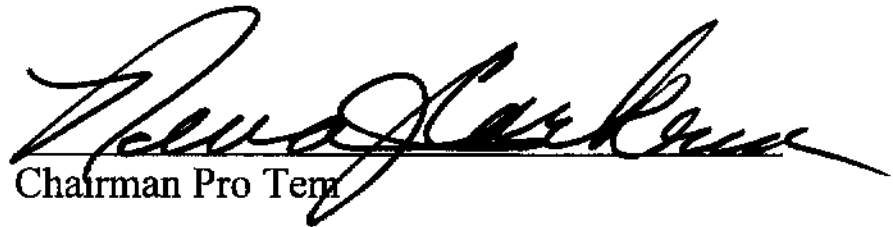
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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until May 2, 2007.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON



Chairman

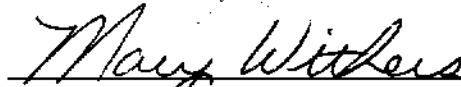


Chairman Pro Tem



Member

Attest:



Clerk to the Board

Approved and signed May 7, 2007.

April 25, 2007

Neva J. Corkrum
District 1

Robert E. Koch
District 2

Rick Miller
District 3



Fred H. Bowen
County Administrator

Rosie H. Rumsey
Human Resources Director

Patricia L. Shults
Executive Secretary

Board of County Commissioners
FRANKLIN COUNTY

April 25, 2007

Kathy Valdez, Owner
Franklin County Graphic
P.O. Box 160
Connell, WA 99326

Re: Bid Award

Dear Mrs. Valdez:

Thank you for submitting a bid for publishing Franklin County's legal notices.

The Board of Commissioners has awarded this bid to the Franklin County Graphic for one year, July 2007 – June 2008.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

A handwritten signature in dark ink, appearing to read "R. Koch", is written over a horizontal line.

Robert E. Koch
Chairman

April 25, 2007

Franklin County Graphic

P.O. Box 160 Connell,
Washington 99326
Telephone (509) 234-3181

April 4, 2007

Franklin County Commissioners
1016 N. Fourth Ave.
Pasco, WA 99301


Commissioners:

The Franklin County Graphic is submitting a bid of \$8.50 per column inch for printing Franklin County's legal notices for one year on six (6) point solid type.

A bond can be furnished if needed.

Enclosed is a statement of mailing for the Franklin County Graphic saturation circulation of 2854.

Thank you,


Kathy Valdez
Owner

Postage Statement - Standard Mail

Post Office Note Mail Arrival Date & Time

| | | | | | | |
|---|---|--|---|--|---|---|
| Mailer | Permit Holder's Name and Address and Email Address, If Any FRANKLIN COUNTY GRAPHIC P.O. BOX 160 346 S. COLUMBIA AVE. CONNELL WA 99326-0160 | | Telephone 234-3281 | Name and Address of Mailing Agent (If other than permit holder) | Telephone | Name and Address of Individual or Organization for Which Mailing Is Prepared (If other than permit holder) |
| | CAPS Cust. Ref. No. Dun & Bradstreet No. | | | Dun & Bradstreet No. | | |
| Mailing | Post Office of Mailing | Processing Category <input type="checkbox"/> Letters <input type="checkbox"/> CMM <input type="checkbox"/> Flats <input type="checkbox"/> Automation Flats (DMM 301.3) <input type="checkbox"/> Parcels | Mailing Date 0-5-07 | Federal Agency Cost Code | | Statement Seq. No. 07-13 |
| | Type of Postage <input type="checkbox"/> Permit Imprint <input type="checkbox"/> Precanceled Stamps <input type="checkbox"/> Metered | | Weight of a Single Piece 0 pounds | | Total Pieces | No. and type of Containers |
| | Permit # | For Mail Enclosed within Another Class <input type="checkbox"/> Periodicals <input type="checkbox"/> Bound Printed Matter <input type="checkbox"/> Library Mail <input type="checkbox"/> Media Mail <input type="checkbox"/> Parcel Post | If Sacked, Based on <input type="checkbox"/> 125 pcs <input type="checkbox"/> 15 lbs. <input type="checkbox"/> both | | Total Weight | Detached Address Labels? (DMM 602.4) <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | For Automation Rate Pieces, Enter Date of Address Matching and Coding (DMM 708.3.3) ____/____/____ | | For Enhanced Carrier Route Rate Pieces, Enter Date of Address Matching and Coding (DMM 708.3.3) ____/____/____ | | For Enhanced Carrier Route Rate Pieces, Enter Date of Carrier Route Sequencing (DMM 245/345/445.6.10.1) ____/____/____ | |
| Parts Completed (Select all that apply) <input type="checkbox"/> A <input type="checkbox"/> B <input checked="" type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> S | | | | | | |
| Postage | Total Postage (Add parts totals) | | | | | 417.44 |
| | Rate at Which Postage Affixed (Check one) (DMM 244, 344, 444) <input type="checkbox"/> Correct <input type="checkbox"/> Lowest <input type="checkbox"/> Neither ____ pcs. x \$ ____ = Postage Affixed | | | | | |
| | Net Postage Due (Subtract postage affixed from total postage) | | | | | |
| | For USPS Use Only: Additional Postage Payment (State reason) | | | | | |
| Certification | For postage affixed add additional payments to net postage due; for permit imprint add additional payment to total postage | | | | | Total Adjusted Postage Affixed |
| | Postmaster: Report Total Postage in AIC 130 | | | | | Total Adjusted Postage Permit Imprint |
| <p>The mailer's signature certifies acceptance of liability for and agreement to pay any revenue deficiencies assessed on this mailing, subject to appeal. If an agent signs this form, the agent certifies that he or she is authorized to sign on behalf of the mailer, and that the mailer is bound by the certification and agrees to pay any deficiencies. In addition, agents may be liable for any deficiencies resulting from matters within their responsibility, knowledge, or control. The mailer hereby certifies that all information furnished on this form is accurate, truthful, and complete; that the mail and the supporting documentation comply with all postal standards and that the mailing qualifies for the rates and fees claimed; and that the mailing does not contain any matter prohibited by law or postal regulation. I understand that anyone who furnishes false or misleading information on this form or who omits information requested on this form may be subject to criminal and/or civil penalties, including fines and imprisonment.</p> <p>Kathy Valdez Privacy Notice: For information regarding our Privacy Policy visit www.usps.com.</p> | | | | | | |
| USPS Use Only | Signature of Mailer or Agent | | Printed Name of Mailer or Agent Signing Form | | | Telephone |
| | Weight of a Single Piece 0 pounds | | Are postage figures at left adjusted from mailer's entries? If "Yes" state reason. <input type="checkbox"/> Yes <input type="checkbox"/> No | | | |
| | Total Pieces | Total Weight | | | | |
| | Total Postage | | | | | |
| | Check One <input type="checkbox"/> Presort Verification Not Scheduled <input type="checkbox"/> Presort Verification Performed as Scheduled | | | | | |
| | I CERTIFY that this mailing has been inspected concerning: (1) eligibility for postage rates claimed; (2) proper preparation (and presort where required); (3) proper completion of postage statement; and (4) payment of annual fee (if required). | | | | | |
| Verifying Employee's Signature | | Date Mailed | Contact | By (Initials) | Time AM PM | |
| | | Print Verifying Employee's Name | | | | |

Standard Mail — Letters and Flats

Check box at left if rates are populated in this section.



Part C

ECR Rates — Letters and Flats - 3.3 oz. (0.2063 lb.) or Less

| Entry | Rate Category | Rate | | Number of Pieces | = | Total |
|-------|-------------------------|------|---|------------------|---|-----------|
| NONE | C1 Saturation Letter | .160 | X | | = | \$ |
| | C2 High Density Letter | .173 | X | | = | \$ |
| | C3 Basic Letter | .204 | X | | = | \$ |
| | C4 Basic Auto Letter | .180 | X | | = | \$ |
| | C5 Saturation Flat | .169 | X | | = | \$ |
| | C6 High Density Flat | .178 | X | | = | \$ |
| | C7 Basic Flat | .204 | X | | = | \$ |
| DBMC | C8 Saturation Letter | .138 | X | | = | \$ |
| | C9 High Density Letter | .151 | X | 1478 | = | \$ 223.18 |
| | C10 Basic Letter | .182 | X | 156 | = | \$ 28.34 |
| | C11 Basic Auto Letter | .158 | X | | = | \$ |
| | C12 Saturation Flat | .147 | X | | = | \$ |
| | C13 High Density Flat | .156 | X | | = | \$ |
| | C14 Basic Flat | .182 | X | | = | \$ |
| DSCF | C15 Saturation Letter | .133 | X | | = | \$ |
| | C16 High Density Letter | .146 | X | | = | \$ |
| | C17 Basic Letter | .177 | X | | = | \$ |
| | C18 Basic Auto Letter | .153 | X | | = | \$ |
| | C19 Saturation Flat | .142 | X | | = | \$ |
| | C20 High Density Flat | .151 | X | | = | \$ |
| | C21 Basic Flat | .177 | X | | = | \$ |
| DDU | C22 Saturation Letter | .127 | X | | = | \$ |
| | C23 High Density Letter | .140 | X | | = | \$ |
| | C24 Basic Letter | .171 | X | | = | \$ |
| | C25 Basic Auto Letter | .147 | X | | = | \$ |
| | C26 Saturation Flat | .136 | X | 1220 | = | \$ 165.92 |
| | C27 High Density Flat | .145 | X | | = | \$ |
| | C28 Basic Flat | .171 | X | | = | \$ |

Part C Total

417.44

Check box at left if rates are populated in this section.



Part D

Letters and Flats More Than 3.3 oz. (0.2063 lb) Not Subject to Surcharge

| Entry | Rate Category | Piece Rate | Or Amt. Affixed | x | No. of Pieces | = | Pieces Subtotal | + | Lb. Rate | x | Pounds | = | Pound Subtotal | = | TOTAL |
|-------|----------------------|------------|-----------------|---|---------------|---|-----------------|---|----------|---|--------|---|----------------|---|-------|
| NONE | D1 Saturation ECR | .036 | | X | | = | | | .643 | X | | = | | = | \$ |
| | D2 High Density ECR | .045 | | X | | = | | | .643 | X | | = | | = | \$ |
| | D3 Basic ECR | .071 | | X | | = | | | .643 | X | | = | | = | \$ |
| | D4 3/5 Automation | .121 | | X | | = | | | .746 | X | | = | | = | \$ |
| | D5 Basic Automation | .162 | | X | | = | | | .746 | X | | = | | = | \$ |
| | D6 3/5 Presort | .150 | | X | | = | | | .746 | X | | = | | = | \$ |
| | D7 Basic Presort | .209 | | X | | = | | | .746 | X | | = | | = | \$ |
| DBMC | D8 Saturation ECR | .036 | | X | | = | | | .538 | X | | = | | = | \$ |
| | D9 High Density ECR | .045 | | X | | = | | | .538 | X | | = | | = | \$ |
| | D10 Basic ECR | .071 | | X | | = | | | .538 | X | | = | | = | \$ |
| | D11 3/5 Automation | .121 | | X | | = | | | .641 | X | | = | | = | \$ |
| | D12 Basic Automation | .162 | | X | | = | | | .641 | X | | = | | = | \$ |
| | D13 3/5 Presort | .150 | | X | | = | | | .641 | X | | = | | = | \$ |
| | D14 Basic Presort | .209 | | X | | = | | | .641 | X | | = | | = | \$ |
| DSCF | D15 Saturation ECR | .036 | | X | | = | | | .511 | X | | = | | = | \$ |
| | D16 High Density ECR | .045 | | X | | = | | | .511 | X | | = | | = | \$ |
| | D17 Basic ECR | .071 | | X | | = | | | .511 | X | | = | | = | \$ |
| | D18 3/5 Automation | .121 | | X | | = | | | .614 | X | | = | | = | \$ |
| | D19 Basic Automation | .162 | | X | | = | | | .614 | X | | = | | = | \$ |
| | D20 3/5 Presort | .150 | | X | | = | | | .614 | X | | = | | = | \$ |
| | D21 Basic Presort | .209 | | X | | = | | | .614 | X | | = | | = | \$ |
| DDU | D22 Saturation ECR | .036 | | X | | = | | | .477 | X | | = | | = | \$ |
| | D23 High Density ECR | .045 | | X | | = | | | .477 | X | | = | | = | \$ |
| | D24 Basic ECR | .071 | | X | | = | | | .477 | X | | = | | = | \$ |

For affixed postage mailings as described in DMM 243, 343 and 443, compute and enter the rate for each piece in the amount affixed column, multiply by number of pieces and complete the total column.

Part D Total

| | | | | |
|--|--|------------------------------|-----------|---|
| AGENDA ITEM: Consent | | TYPE OF ACTION NEEDED | | CONSENT AGENDA <u>xx</u> PUBLIC HEARING 1ST DISCUSSION 2ND DISCUSSION OTHER |
| MEETING DATE: B/C 04-30-07 F/C 04-25-07 | | Executive Contract | <u>xx</u> | |
| SUBJECT: Amend contract with J & J Security to clarify security staff make-up | | Pass Resolution | <u>xx</u> | |
| Prepared By: Kathryn M. Phillips | | Pass Ordinance | | |
| Reviewed By: Sharon Paradis | | Pass Motion | | |
| | | Other | | |

BACKGROUND INFORMATION

J&J Security & Transport, Inc. has been providing security and juvenile transportation services to the Juvenile Justice Center since 1996. J&J Security & Transport, Inc. is a sole source vendor who employs and provides commissioned officers as lead security officers and others officers with past law enforcement, correctional and/or MP military experience, possess current firearms certification and have completed eight hours of Defensive Tactics training. J & J Security & Transport, Inc. performs security services to maintain a safe work environment for staff and clients, which includes the additional security officers and screening especially during high-risk hearings. The contract amendment period begins immediately upon execution through December 31, 2007 and is renewable for successive one-year periods.

SUMMARY

The contract amendment between Benton-Franklin Counties Juvenile Justice Center and J&J Security sets forth the security officer qualifications and shift make-up of the officers providing security to the juvenile justice center.

RECOMMENDATION

We recommend that the Boards of Commissioners of Benton and Franklin Counties sign the Personal Services Contract between Benton-Franklin Juvenile Justice Center and J&J Security & Transport, Inc.

FISCAL IMPACT

There is not fiscal impact to either county.

MOTION

I move that the Boards of Commissioners of Benton and Franklin Counties sign the Personal Services Contract Amendment between Benton-Franklin Counties Juvenile Justice Center and J&J Security & Transport, Inc.

Resolution 2007-188

| | | |
|---|------------------------------|---|
| AGENDA ITEM: Consent | TYPE OF ACTION NEEDED | CONSENT AGENDA <u>xx</u> PUBLIC HEARING 1ST DISCUSSION 2ND DISCUSSION OTHER |
| MEETING DATE: B/C 04-30-07 F/C 04-25-07 | Executive Contract <u>xx</u> | |
| SUBJECT: Contract Amendment for Civil Defense Panel Attorney | Pass Resolution <u>xx</u> | |
| Prepared By: Kathryn M. Phillips | Pass Ordinance | |
| Reviewed By: Sharon Paradis | Pass Motion | |
| | Other | |

BACKGROUND INFORMATION

Attached for Board review and approval is the Personal Service Agreement Amendment between Benton County and Defense Panel Attorney, Diana Anderson.

The Agreement is being amended to extend the Agreement until May 31, 2007 and with an increased rate of compensation until a new contract is fully approved and executed.

SUMMARY

The Benton and Franklin County Boards of Commissioners signed the original Personal Service Agreement for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division for Diana Anderson on September 16, 2002 and October 7, 2002, respectively.

RECOMMENDATION

We recommend that the Boards of County Commissioners approve the Personal Service Agreement Amendment for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division, as written.

FISCAL IMPACT

Compensation for the panel attorney is set forth in the amendment.

MOTION:

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and hereby are authorized to sign, on behalf of their respective county, the Personal Services Agreement Amendment with Ms. Anderson.

Resolution 2007-189

| | | |
|---|------------------------------|--------------------------|
| AGENDA ITEM: Consent | TYPE OF ACTION NEEDED | CONSENT AGENDA <u>xx</u> |
| MEETING DATE: B/C 04-30-07 F/C 04-25-07 | Executive Contract <u>xx</u> | PUBLIC HEARING |
| SUBJECT: Contract Amendment for Civil Defense Panel Attorney | Pass Resolution <u>xx</u> | 1ST DISCUSSION |
| Prepared By: Kathryn M. Phillips | Pass Ordinance | 2ND DISCUSSION |
| Reviewed By: Sharon Paradis | Pass Motion | OTHER |
| | Other | |

BACKGROUND INFORMATION

Attached for Board review and approval is the Personal Service Agreement Amendment between Benton County and Defense Panel Attorney, Darin R. Campbell. The Agreement is being amended to extend the Agreement until May 31, 2007 and with an increased rate of compensation until a new contract is fully approved and executed.

SUMMARY

The Benton and Franklin County Boards of Commissioners signed the original Personal Service Agreement for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division for Darin R. Campbell on August 29, 2005 and August 22, 2005, respectively.

RECOMMENDATION

We recommend that the Boards of County Commissioners approve the Personal Service Agreement Amendment for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division, as written.

FISCAL IMPACT

Compensation for the panel attorney is set forth in the amendment.

MOTION:

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and hereby are authorized to sign, on behalf of their respective county, the Personal Services Agreement Amendment with Mr. Campbell.

Resolution 2007-190

| | | |
|---|------------------------------|--------------------------|
| AGENDA ITEM: Consent | TYPE OF ACTION NEEDED | CONSENT AGENDA <u>xx</u> |
| MEETING DATE: B/C 04-30-07 F/C 04-25-07 | Executive Contract <u>xx</u> | PUBLIC HEARING |
| SUBJECT: Contract Amendment for Civil Defense Panel Attorney | Pass Resolution <u>xx</u> | 1ST DISCUSSION |
| Prepared By: Kathryn M. Phillips | Pass Ordinance | 2ND DISCUSSION |
| Reviewed By: Sharon Paradis | Pass Motion | OTHER |
| Other | | |

BACKGROUND INFORMATION

Attached for Board review and approval is the Personal Service Agreement Amendment between Benton County and Defense Panel Attorney, Donna Patricia Mannion. The Agreement is being amended to extend the Agreement until May 31, 2007 and with an increased rate of compensation until a new contract is fully approved and executed.

SUMMARY

The Benton and Franklin County Boards of Commissioners signed the original Personal Service Agreement for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division for Donna Patricia Mannion on May 17, 2004 and May 24, 2004, respectively.

RECOMMENDATION

We recommend that the Boards of County Commissioners approve the Personal Service Agreement Amendment for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division, as written.

FISCAL IMPACT

Compensation for the panel attorney is set forth in the amendment.

MOTION:

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and hereby are authorized to sign, on behalf of their respective county, the Personal Services Agreement Amendment with Ms. Mannion.

Resolution 2007-191

| | | |
|--|------------------------------|--------------------------|
| AGENDA ITEM: Consent | TYPE OF ACTION NEEDED | CONSENT AGENDA <u>xx</u> |
| MEETING DATE: B/C 04-30-07 F/C 04-25-07 | Executive Contract <u>xx</u> | PUBLIC HEARING |
| SUBJECT: Contract Amendment for Civil Defense Panel Attorney | Pass Resolution <u>xx</u> | 1ST DISCUSSION |
| Prepared By: Kathryn M. Phillips | Pass Ordinance | 2ND DISCUSSION |
| Reviewed By: Sharon Paradis | Pass Motion | OTHER |
| | Other | |

BACKGROUND INFORMATION

Attached for Board review and approval is the Personal Service Agreement Amendment between Benton County and Defense Panel Attorney, Kathleen Moreno. The Agreement is being amended to extend the Agreement until May 31, 2007 and with an increased rate of compensation until a new contract is fully approved and executed.

SUMMARY

The Benton and Franklin County Boards of Commissioners signed the original Personal Service Agreement for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division for Kathleen Moreno on July 28, 2003 and August 4, 2003, respectively.

RECOMMENDATION

We recommend that the Boards of County Commissioners approve the Personal Service Agreement Amendment for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division, as written.

FISCAL IMPACT

Compensation for the panel attorney is set forth in the amendment.

MOTION:

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and hereby are authorized to sign, on behalf of their respective county, the Personal Services Agreement Amendment with Ms. Moreno.

Resolution 2007-192

| | | |
|---|------------------------------|---|
| AGENDA ITEM: Consent | TYPE OF ACTION NEEDED | CONSENT AGENDA <u>xx</u> PUBLIC HEARING 1ST DISCUSSION 2ND DISCUSSION OTHER |
| MEETING DATE: B/C 04-30-07 F/C 04-25-07 | Executive Contract <u>xx</u> | |
| SUBJECT: Contract Amendment for Civil Defense Panel Attorney | Pass Resolution <u>xx</u> | |
| Prepared By: Kathryn M. Phillips | Pass Ordinance | |
| Reviewed By: Sharon Paradis | Pass Motion | |
| | Other | |

BACKGROUND INFORMATION

Attached for Board review and approval is the Personal Service Agreement Amendment between Benton County and Defense Panel Attorney, Jared D. Paulsen. The Agreement is being amended to extend the Agreement until May 31, 2007 and with an increased rate of compensation until a new contract is fully approved and executed.

SUMMARY

The Benton and Franklin County Boards of Commissioners signed the original Personal Service Agreement for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division for Jared D. Paulsen on June 16, 2003 and June 23, 2003, respectively.

RECOMMENDATION

We recommend that the Boards of County Commissioners approve the Personal Service Agreement Amendment for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division, as written.

FISCAL IMPACT

Compensation for the panel attorney is set forth in the amendment.

MOTION:

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and hereby are authorized to sign, on behalf of their respective county, the Personal Services Agreement Amendment with Mr. Paulsen.

Resolution 2007-193

| | | | | |
|---|--|-----------------------|--------------------|----|
| AGENDA ITEM: Consent | | TYPE OF ACTION NEEDED | CONSENT AGENDA | xx |
| MEETING DATE: B/C 04-30-07 F/C 04-25-07 | | | Executive Contract | xx |
| SUBJECT: Contract with Julie Elmenhurst to provide FFT services | | | Pass Resolution | xx |
| Prepared By: Kathryn M. Phillips | | | Pass Ordinance | |
| Reviewed By: Sharon Paradis | | Pass Motion | | |
| | | Other | | |
| | | | PUBLIC HEARING | |
| | | | 1ST DISCUSSION | |
| | | | 2ND DISCUSSION | |
| | | | OTHER | |

BACKGROUND INFORMATION

Julie A. Elmenhurst has worked as Juvenile Probation Counselor for the Benton-Franklin Counties Juvenile Justice Center (BFJJC) since January 3, 2006. Prior to working with BFJJC, Ms. Elmenhurst work for the Walla Walla County Juvenile Court as a Juvenile Probation Counselor and Functional Family Therapist since 1990. Ms. Elmenhurst was a part-time instructor in the Juvenile Justice Program at Walla Walla Community College from 1996 to 2001. Ms. Elmenhurst is a fully licensed Master's level therapist. She is currently under contract with the State of Washington as a consultant to the Functional Family Therapy program. Ms. Campbell has decided to open her private counseling practice in the Tri-Cities area of Washington. Her expertise as a Functional Family Therapist is recognized through out the State of Washington. Due to the specialized nature of the therapy being provided, the Benton-Franklin Counties Juvenile Justice Center would like to enter into a personal services contract with Ms. Elmenhurst beginning immediately upon execution through June 30, 2007.

SUMMARY

Ms. Elmenhurst will provide Functional Family Therapy to youth referred y the Counties in accordance with the FFT model. This includes, but is not limited to providing family therapy sessions to eligible moderate to high-risk youth and families.

RECOMMENDATION

We recommend that the Board of Commissioners of Benton and Franklin Counties sign the Personal Services Contract between Julie A. Elmenhurst and Benton-Franklin Juvenile Justice Center for services immediately upon execution through June 30, 2007.

FISCAL IMPACT

The rates are included in Juvenile's 2007 Budget.

MOTION

I move that the Chairman of the Board of Benton County Commissioners, and the Chairman of the Board Franklin County Commissioners be hereby authorized to sign the personal services contract with Julie A. Elmenhurst to provide a Functional Family Therapy.

Resolution 2007-195

| | | | |
|--|---------------------|--|---|
| AGENDA ITEM: Consent | | TYPE OF ACTION NEEDED Executive Contract <u>xx</u> Pass Resolution <u>xx</u> Pass Ordinance Pass Motion Other | CONSENT AGENDA <u>xx</u> PUBLIC HEARING 1ST DISCUSSION 2ND DISCUSSION OTHER |
| MEETING DATE: B/C 04-30-07 F/C 04-25-07 | | | |
| SUBJECT: Contract to provide interim criminal defense panel coverage | | | |
| Prepared By: | Kathryn M. Phillips | | |
| Reviewed By: | Sharon Paradis | | |

BACKGROUND INFORMATION

Darin R. Campbell has provided criminal and civil defense panel services to the Benton-Franklin Counties Juvenile Justice Center since October of 2004.

Mr. Campbell is currently providing civil attorney services to youth under Truancy, At-Risk, CHINS and BECCA programs. Due to a vacation of a criminal defense panel attorney, Mr. Campbell has agreed to take on that criminal caseload until a new qualified candidate is recruited, selected and appointed.

SUMMARY

Mr. Campbell will continue to operate under his present civil contract as approved by Benton County Resolution 05 577, signed on August 29, 2005, and Franklin County Resolution 2005 342, signed August 22, 2005, and he will take on the additional duties of providing criminal defense panel services to indigent individuals subject to proceedings commenced in the Juvenile Division, and who are financially unable to obtain legal counsel.

Once an attorney is appointed to the vacated position on the defense attorney panel, Mr. Campbell will terminate the criminal contract.

RECOMMENDATION

We recommend that the Board of Commissioners of Benton County sign the Personal Services Agreement between Darin R. Campbell, Attorney at Law, and Benton-Franklin Juvenile Justice Center beginning May 1, 2007 and terminating upon appointment of a new member to the criminal defense panel attorney or no later than May 31, 2007.

FISCAL IMPACT

The criminal defense panel rate is included in Juvenile's 2007 Budget.

MOTION

I move that the Chairman of the Board of Benton County Commissioners, and the Chairman of the Board Franklin County Commissioners be hereby authorized to sign the contract with the between Mr. Darin R. Campbell and the Benton-Franklin Counties Juvenile Justice Center.

Resolution 2007-196

| | | |
|--|------------------------------|--------------------------|
| AGENDA ITEM: Consent | TYPE OF ACTION NEEDED | |
| MEETING DATE: B/C 04-30-07 F/C 04-25-07 | Executive Contract <u>xx</u> | CONSENT AGENDA <u>xx</u> |
| SUBJECT: Contract Amendment for Criminal Defense Panel Attorney | Pass Resolution <u>xx</u> | PUBLIC HEARING |
| Prepared By: Kathryn M. Phillips | Pass Ordinance | 1ST DISCUSSION |
| Reviewed By: Sharon Paradis | Pass Motion | 2ND DISCUSSION |
| | Other | OTHER |

BACKGROUND INFORMATION

Attached for Board review and approval is the Personal Service Agreement Amendment between Benton County and Defense Panel Attorney, Laurie L. Magan. The Agreement is being amended to extend the Agreement until May 31, 2007 and with an increased rate of compensation until a new contract is fully approved and executed.

SUMMARY

The Benton and Franklin County Boards of Commissioners signed the original Personal Service Agreement for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division for Laurie L. Magan on July 17, 2006 and July 24, 2006, respectively.

RECOMMENDATION

We recommend that the Boards of County Commissioners approve the Personal Service Agreement Amendment for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division, as written.

FISCAL IMPACT

Compensation for the panel attorney is set forth in the amendment

MOTION:

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and hereby are authorized to sign, on behalf of their respective county, the Personal Services Agreement Amendment with Ms. Magan.

Resolution 2007-197

| | | |
|---|------------------------------|--------------------------|
| AGENDA ITEM: Consent | TYPE OF ACTION NEEDED | |
| MEETING DATE: B/C 04-30-07 F/C 04-25-07 | Executive Contract <u>xx</u> | CONSENT AGENDA <u>xx</u> |
| SUBJECT: Contract Amendment for Criminal Defense Panel Attorney | Pass Resolution <u>xx</u> | PUBLIC HEARING |
| Prepared By: Kathryn M. Phillips | Pass Ordinance | 1ST DISCUSSION |
| Reviewed By: Sharon Paradis | Pass Motion | 2ND DISCUSSION |
| | Other | OTHER |

BACKGROUND INFORMATION

Attached for Board review and approval is the Personal Service Agreement Amendment between Benton County and Defense Panel Attorney, Mia Mendoza. The Agreement is being amended to extend the Agreement until May 31, 2007 and with an increased rate of compensation until a new contract is fully approved and executed.

SUMMARY

The Benton and Franklin County Boards of Commissioners signed the original Personal Service Agreement for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division for Mia Mendoza on September 20, 2004 and September 27, 2004, respectively.

RECOMMENDATION

We recommend that the Boards of County Commissioners approve the Personal Service Agreement Amendment for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division, as written.

FISCAL IMPACT

Compensation for the panel attorney is set forth in the amendment

MOTION:

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and hereby are authorized to sign, on behalf of their respective county, the Personal Services Agreement Amendment with Ms. Mendoza.

Resolution 2007-198

| | | |
|--|------------------------------|--------------------------|
| AGENDA ITEM: Consent | TYPE OF ACTION NEEDED | |
| MEETING DATE: B/C 04-30-07 F/C 04-25-07 | Executive Contract <u>xx</u> | CONSENT AGENDA <u>xx</u> |
| SUBJECT: Contract Amendment for Criminal Defense Panel Attorney | Pass Resolution <u>xx</u> | PUBLIC HEARING |
| Prepared By: Kathryn M. Phillips | Pass Ordinance | 1ST DISCUSSION |
| Reviewed By: Sharon Paradis | Pass Motion | 2ND DISCUSSION |
| | Other | OTHER |

BACKGROUND INFORMATION

Attached for Board review and approval is the Personal Service Agreement Amendment between Benton County and Defense Panel Attorney, Michael J. Morgan. The Agreement is being amended to extend the Agreement until May 31, 2007 and with an increased rate of compensation until a new contract is fully approved and executed.

SUMMARY

The Benton and Franklin County Boards of Commissioners signed the original Personal Service Agreement for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division for Michael J. Morgan on September 11, 2006 and September 6, 2006, respectively.

RECOMMENDATION

We recommend that the Boards of County Commissioners approve the Personal Service Agreement Amendment for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division, as written.

FISCAL IMPACT

Compensation for the panel attorney is set forth in the amendment

MOTION:

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and hereby are authorized to sign, on behalf of their respective county, the Personal Services Agreement Amendment with Mr. Morgan.

Resolution 2007-199

| | | |
|---|------------------------------|--------------------------|
| AGENDA ITEM: Consent | TYPE OF ACTION NEEDED | CONSENT AGENDA <u>xx</u> |
| MEETING DATE: B/C 04-30-07 F/C 04-25-07 | Executive Contract <u>xx</u> | PUBLIC HEARING |
| SUBJECT: Contract Amendment for Criminal Defense Panel Attorney | Pass Resolution <u>xx</u> | 1ST DISCUSSION |
| Prepared By: Kathryn M. Phillips | Pass Ordinance | 2ND DISCUSSION |
| Reviewed By: Sharon Paradis | Pass Motion | OTHER |
| | Other | |

BACKGROUND INFORMATION

Attached for Board review and approval is the Personal Service Agreement Amendment between Benton County and Defense Panel Attorney, Karyn Oldfield.

The Agreement is being amended to extend the Agreement until May 31, 2007 and with an increased rate of compensation until a new contract is fully approved and executed.

SUMMARY

The Benton and Franklin County Boards of Commissioners signed the original Personal Service Agreement for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division for Karyn Oldfield on January 7, 2002 and January 16, 2002, respectively.

RECOMMENDATION

We recommend that the Boards of County Commissioners approve the Personal Service Agreement Amendment for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division, as written.

FISCAL IMPACT

Compensation for the panel attorney is set forth in the amendment.

MOTION:

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and hereby are authorized to sign, on behalf of their respective county, the Personal Services Agreement Amendment with Ms. Oldfield.

Resolution 2007-200

| | | |
|--|------------------------------|--------------------------|
| AGENDA ITEM: Consent | TYPE OF ACTION NEEDED | |
| MEETING DATE: B/C 04-30-07 F/C 04-25-07 | Executive Contract <u>xx</u> | CONSENT AGENDA <u>xx</u> |
| SUBJECT: Contract Amendment for Drug Court Defense Panel Attorney | Pass Resolution <u>xx</u> | PUBLIC HEARING |
| Prepared By: Kathryn M. Phillips | Pass Ordinance | 1ST DISCUSSION |
| Reviewed By: Sharon Paradis | Pass Motion | 2ND DISCUSSION |
| | Other | OTHER |

BACKGROUND INFORMATION

Attached for Board review and approval is the Personal Service Agreement Amendment between Benton County and Defense Panel Attorney, Karyn Oldfield. The Agreement is being amended to extend the Agreement until May 31, 2007 and with an increased rate of compensation until a new contract is fully approved and executed.

SUMMARY

The Benton and Franklin County Boards of Commissioners signed the original Personal Service Agreement for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division for Karyn Oldfield on February 27, 2006 and March 6, 2006, respectively.

RECOMMENDATION

We recommend that the Boards of County Commissioners approve the Personal Service Agreement Amendment for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division, as written.

FISCAL IMPACT

Compensation for the panel attorney is set forth in the amendment.

MOTION:

I move that the Chairman of the Board of Benton County Commissioners and the Chairman of the Board of Franklin County Commissioners be and hereby are authorized to sign, on behalf of their respective county, the Personal Services Agreement Amendment with Ms. Oldfield.

Resolution 2007-201

EXHIBIT 15
Franklin County Auditor

April 25, 2007

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

April 25, 2007

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, April 25, 2007

Move that the following warrants be approved for payment:



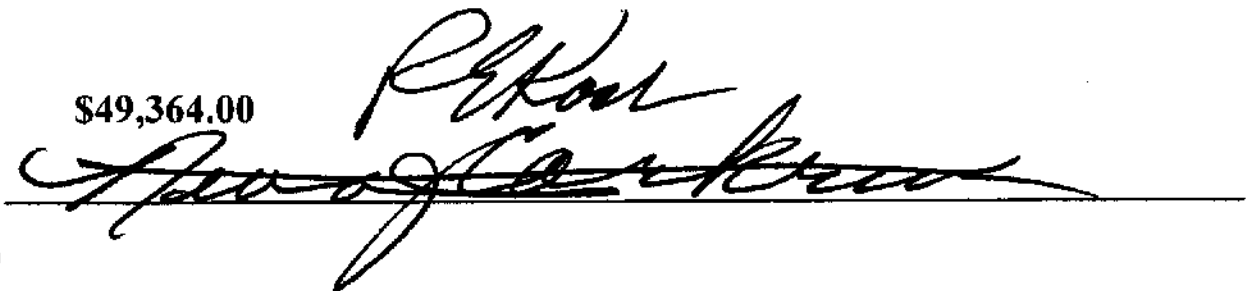
| FUND Expenditures | WARRANT | | | Amount Issued |
|---------------------|---------|-------|----|---------------|
| | From: | To: | | |
| Current Expense | 56648 | 56648 | \$ | 4,722.64 |
| Solid Waste | 2209 | 2209 | | \$832.10 |
| FC Capital Projects | 249 | 249 | | \$7,882.00 |
| Current Expense | 56649 | 56655 | | 5,583.14 |
| Current Expense | 56656 | 56673 | | 19,481.19 |
| Auditor O&M | 416 | 418 | | 10,207.09 |
| DARE Fund | 9 | 9 | | 31.39 |
| Jail Commissary | 2323 | 2323 | | 154.36 |
| Current Expense | 56674 | 56674 | | 470.09 |

In the amount of

\$49,364.00

The motion was seconded by

And passed by a vote of 2 to 0



Accounting
545-3505

Elections
545-3538


Recording
545-3536

Licensing
545-3533

April 25, 2007



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, 04/25/2007 
move that the following warrants be approved for payment.

| FUND | WARRANT | AMOUNT |
|---------------------------------|----------------|-----------------------------------|
| Salary Clearing Payroll: | | |
| | 42898-42990 | 178,220.56 |
| | 42991-43001 | 209,559.54 |
| | Direct Deposit | <u>250,596.23</u> |
| | Total | <u><u>\$638,376.33</u></u> |

In the amount of \$ **638,376.33** . The motion was seconded by 

and passed by a vote of  to  .

Emergency Mgmt Payroll:

| | |
|----------------|----------------------------------|
| 8676-8687 | \$3,654.79 |
| 8688-8696 | 5,385.09 |
| Direct Deposit | <u>6,919.71</u> |
| Total | <u><u>\$15,959.59</u></u> |

Irrigation Payroll:

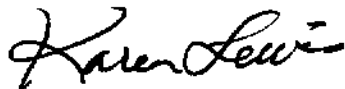
| | |
|----------------|----------------------------------|
| 12541-12554 | \$8,014.48 |
| 12555-12562 | \$4,322.42 |
| Direct Deposit | <u>0.00</u> |
| Total | <u><u>\$12,336.90</u></u> |

April 25, 2007

Tom Pentin of Freer Consulting Co., who was hired by JR Carr to oversee the building of an Onion Processing Plant, has asked if they can close a portion of Commercial Avenue for 2 days to install utilities in the road.

This particular area of Commercial Avenue is mostly used for access to 2 parcels; this parcel is one of them, which is part of a Short Plat that was just finalized. The rest of the businesses along Commercial Avenue use the first entrance of Commercial Avenue, which is closest to SR 12.

Karen Lewis
Engineering Tech

A handwritten signature in cursive script that reads "Karen Lewis".

FRANKLIN COUNTY ACTION SUMMARY

| | | |
|--|-------------------------------------|------------------------------|
| Agenda Item: Ed Ray | <u>TYPE OF ACTION NEEDED</u> | Consent Agenda |
| Meeting Date: April 25, 2007 | Execute Contract | |
| Subject: ZC 2007-02, to change the zoning classification from RC-5 to RC-1 on approximately 27.65 acres | Pass Resolution | |
| | Pass Ordinance X | |
| Prepared By: Greg Wendt | Pass Motion X | Other: <i>Public Meeting</i> |
| Reviewed By: Jerrod MacPherson | Other | |

BACKGROUND INFORMATION

The applicant is proposing to rezone approximately 27.65 acres rather than 75.42 acres as advertised in the public hearing notice for this application.

The application is to change the zoning classification on approximately 27.65 acres (approximately) of land that is currently zoned Rural Community 5 (RC-5) a five (5) acre minimum lot size. The rezone involves changing the acreage from RC-5 to Rural Community 1 (RC-1). The land is located within the County's Rural Shoreline Area.

The rezone area is proposed as follows:

- 1) Portion of 126-190-345 (E.L. Ray); 22.65 acres (approx) in size.
- 2) 126-190-336 (E.L. Ray); 5.0 acres in size.

A total of 27.65 acres (approx) to be rezoned to RC-1.

The applicant plans to complete a segregation process and divide a 68.42 acre parcel (126-190-345) into two (2) lots. The lots would be approximately 22.65 acres (*rezone to RC-1*) and 45.89 acres (*leave zoned RC-5*) in size. The 45.89 acres, zoned RC-5, is situated in the eastern most portion of the original lot that includes an orchard.

The land is located south of Sagemoor Road, east of Columbia River Road and near the south end of Larkspur Road (126-190-345 and 126-190-336).

SUMMARY

At the regularly scheduled Planning Commission hearing on April 3, 2007 the Planning Commission voted to forward a positive recommendation (five to one vote) for this application to the Board of County Commissioners subject to the following five (5) findings of fact:

FINDINGS OF FACT**Findings of Fact:**

1. The application to rezone land from RC-5 to Rural Community 1 (RC-1) **IS** in accordance with the Goals, Policies, and Land Use Map of the Franklin County Comprehensive Plan.
 - a. A rezone to RC-1 is consistent with the County's Rural Shoreline Development Area standards in the County's 2005 Comprehensive Plan (Pg 97-98).

Page 2
Action Summary
ZC 2007-02

- b. The applicant is proposing to rezone approximately 27.65 acres rather than 75.42 acres as advertised in the public hearing notice for this application.
 - c. The Rural Shoreline Development Area is an area where residential development, with a mixture of lots sizes (5 acres and smaller), is expected. This designation provides for the infill and development of land and the area is intended to be residential in nature.
2. The effect of the proposal on the immediate vicinity **WILL NOT** be materially detrimental.
- a. The rezone application will not substantially damage or be harmful to the immediate vicinity.
3. There **IS** merit and value in the proposal for the community as a whole.
- a. The rezone will allow for a mixture of lot sizes which will further the implementation of the Comprehensive Plan and allow development in the County designated Rural Lands and continue protection of the County's designated commercial agricultural lands as identified in the Comprehensive Plan.
4. Conditions **ARE** required to be imposed in order to mitigate any significant adverse impacts from the proposal.
- a. The applicant plans to complete a segregation process and divide a 68.42 acre parcel (126-190-345) into two (2) lots. The lots would be approximately 22.65 acres (rezone to RC-1) and 45.89 acres (leave zoned RC-5) in size. The 45.89 acres, zoned RC-5, is situated in the eastern most portion of the original lot that includes an orchard;
 - b. The rezone area would be as follows: Portion of 126-190-345 (E.L. Ray)- 22.65 acres (approx) in size; and 126-190-336 (E.L. Ray)- 5 acres in size. A total of 27.65 acres (approx) to be rezoned to RC-1;
 - c. Applicant should work with the Planning Staff to ensure the segregation boundary lines are consistent with the intent of this rezone and ensure that the segregation is completed within a 3 month period following final approval of this rezone;
 - d. The 2 acre parcel, 126-190-247 (C. Hastings), will continue to be zoned RC-5 and will not change to RC-1 as part of this rezone;
 - e. All future development at the site shall comply with the County Development Regulations (Zoning and Subdivision). This will ensure the proposed development complies with local and state standards and to ensure proper and adequate access and health issues are adequately addressed.
5. A concomitant agreement between the County and the petitioner **IS NOT** required for this application.
- a. A concomitant agreement is not required since 1 acre type lots are allowed in the Rural Shoreline Area.

MOTION

Grant approval of zone change application ZC-2007-02, subject to the five (5) findings of fact.



FRANKLIN COUNTY

COMMISSIONERS

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

ORDINANCE NUMBER # 03-2007

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

In the Matter of County Planning—Zoning designation change for approximately 27.65 acres (approximately) of land that is currently zoned Rural Community 5 (RC-5) a five (5) acre minimum lot size. The rezone involves changing the acreage from RC-5 to Rural Community 1 (RC-1). The land is located within the County's Rural Shoreline Area.

APPLICANT: E.L. Ray Farms, LLC (Ed Ray), 4114 W Riverhaven, Pasco, WA 99301.

WHEREAS, on April 25, 2007 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 change the zoning classification on approximately 27.65 acres (approximately) of land that is currently zoned Rural Community 5 (RC-5) a five (5) acre minimum lot size. The rezone involves changing the acreage from RC-5 to Rural Community 1 (RC-1). The land is located within the County's Rural Shoreline Area, and;

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

The County Planning Commission, after public hearing and consideration on ZC 2007-02 did recommend approval of said rezone (see attached map), with the following findings of fact:

Findings of Fact:

1. The application to rezone land from RC-5 to Rural Community 1 (RC-1) IS in accordance with the Goals, Policies, and Land Use Map of the Franklin County Comprehensive Plan.
 - a. A rezone to RC-1 is consistent with the County's Rural Shoreline Development Area standards in the County's 2005 Comprehensive Plan (Pg 97-98).
 - b. The applicant is proposing to rezone approximately 27.65 acres rather than 75.42 acres as advertised in the public hearing notice for this application.
 - c. The Rural Shoreline Development Area is an area where residential development, with a mixture of lots sizes (5 acres and smaller), is expected. This designation provides for the infill and development of land and the area is intended to be residential in nature.

ORDINANCE NUMBER # 03-2007**Zone Change 2007-02****Page 2**

2. The effect of the proposal on the immediate vicinity **WILL NOT** be materially detrimental.
 - a. The rezone application will not substantially damage or be harmful to the immediate vicinity.
3. There **IS** merit and value in the proposal for the community as a whole.
 - a. The rezone will allow for a mixture of lot sizes which will further the implementation of the Comprehensive Plan and allow development in the County designated Rural Lands and continue protection of the County's designated commercial agricultural lands as identified in the Comprehensive Plan.
4. Conditions **ARE** required to be imposed in order to mitigate any significant adverse impacts from the proposal.
 - a. The applicant plans to complete a segregation process and divide the 68.42 acre parcel (126-190-345) into two (2) lots. The lots would be approximately 22.65 acres (*rezone to RC-1*) and 45.89 acres (*leave zoned RC-5*) in size. The 45.89 acres, zoned RC-5, is situated in the eastern most portion of the original lot that includes an orchard.
 - b. The rezone area is as follows: Portion of 126-190-345 (E.L. Ray)- 22.65 acres (approx) in size; and 126-190-336 (E.L. Ray)- 5 acres in size. **A total of 27.65 acres (approx) to be rezoned to RC-1.**
 - c. Applicant should work with the Planning Staff to ensure the segregation boundary lines are consistent with the intent of this rezone and ensure that the segregation is completed within a 3 month period following final approval of this rezone.
 - d. The 2 acre parcel, 126-190-247 (C. Hastings), will continue to be zoned RC-5 and will not change to RC-1 as part of this rezone.
 - e. All future development at the site shall comply with the County Development Regulations (Zoning and Subdivision). This will ensure the proposed development complies with local and state standards and to ensure proper and adequate access and health issues are adequately addressed.

ORDINANCE NUMBER # 03-2007**Zone Change 2007-02****Page 3**

5. A concomitant agreement between the County and the petitioner **IS NOT** required for this application.
- a. A concomitant agreement is not required since 1 acre type lots are allowed in the Rural Shoreline Area.

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

NOW, THEREFORE, BE IT ORDAINED that the 27.65 acres (approximate) of land be rezoned from RC-5 to RC-1 as described above and as depicted on the attached map.

SIGNED AND DATED THIS 25th DAY OF APRIL 2007.

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



CHAIRMAN



CHAIR PRO TEM

ATTEST:



CLERK OF THE BOARD

ABSENT

MEMBER

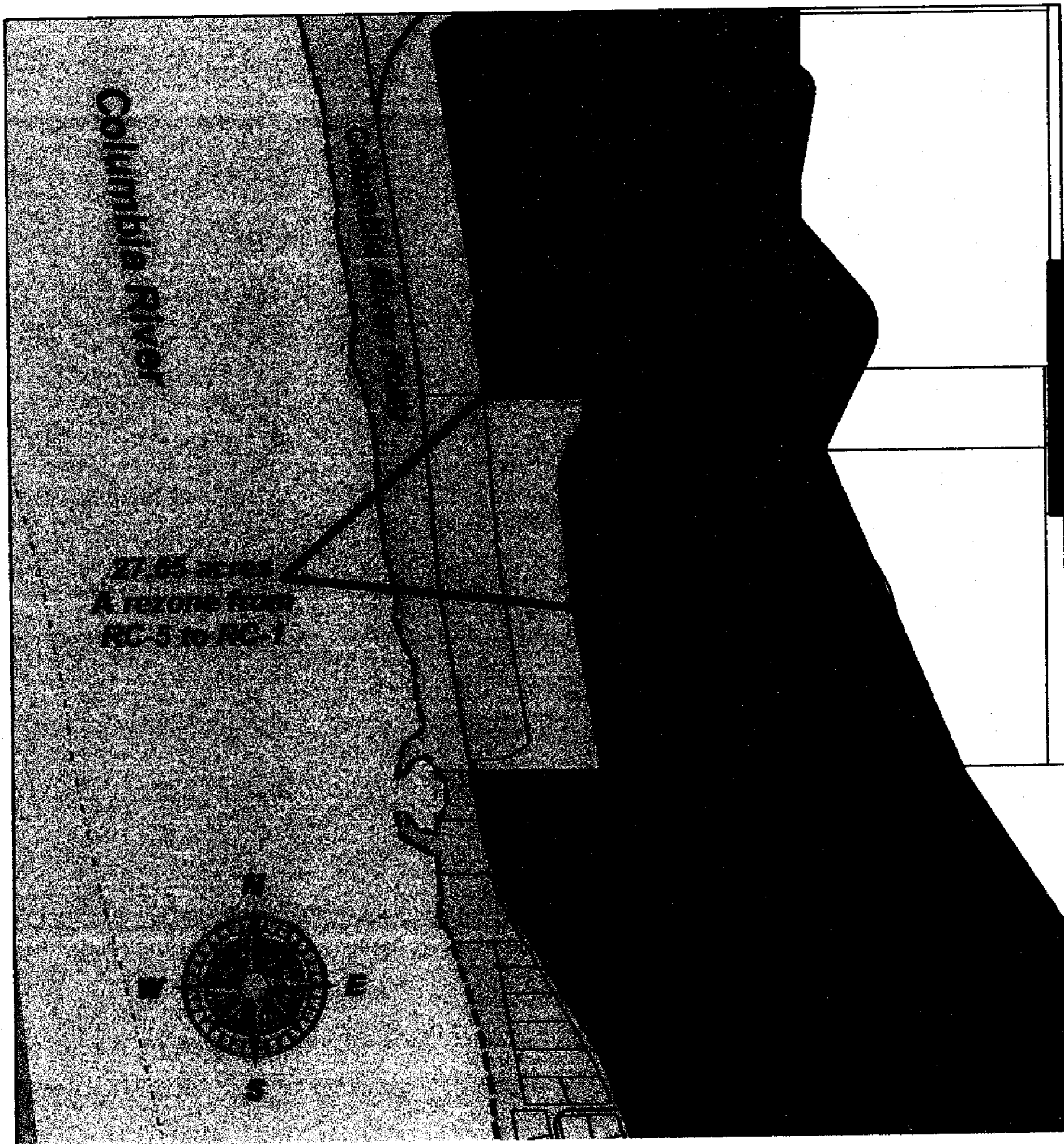
ORDINANCE NUMBER # 03-2007

Zone Change 2007-02

Page 4

A rezone for 27.65 acres
from RC-5 to RC-1

Parcel #'s - Portion of 126-190-345 and 126-190-336



FRANKLIN COUNTY ACTION SUMMARY

| | | |
|---|---|------------------------------|
| Agenda Item: Case VanderMeulen | <u>TYPE OF ACTION NEEDED</u> | Consent Agenda |
| Meeting Date: April 25, 2007 | Execute Contract | Public Hearing |
| Subject: CUP 2007-02, a conditional use permit to construct and operate a dairy and feedlot facility in the Agricultural Production 20 (AP-20) Zoning District | Pass Resolution X | 1st Discussion |
| | Pass Ordinance | 2nd Discussion |
| Prepared By: Greg Wendt | Pass Motion X | Other: <i>Public Meeting</i> |
| Reviewed By: Jerrod MacPherson | Other | |

BACKGROUND INFORMATION

This is a Conditional Use Permit application to construct and operate a dairy and feedlot facility in the Agricultural Production 20 (AP-20) Zoning District. The total owner acreage in the general area is proposed to be approximately 3,320 acres. Numerous site improvements are proposed for the site including but not limited to shops, barns, calving sheds, and pens/corrals.

At full build out, the operations will consist of 4,300 milking cows, 900 dry cows, and up to 3,000 young stock which is less than 2 years of age.

The property is located approximately 1.5 miles east of the City of Mesa and along the north side of Pepiot Road (Parcel Numbers 109-290-019, 109-330-012, and 109-320-021).

A Conditional Use Permit is required for a dairy operation that has expanded in size and has 500 or more animal units. Also, a Conditional Use Permit is required for any feedlot operation that has expanded in size and has 1,000 or more animal units (Per County Zoning Ordinance 7-2005 and applicable since March 1999).

SUMMARY

The Planning Commission held a public hearing on April 3, 2007 and recommended **APPROVAL** (unanimous vote) with the following six (6) findings of fact and (16) sixteen conditions.

Findings of Fact:

1. The construction and operation of a dairy and feedlot operation in the AP-20 Zoning District **IS** in accordance with the goals and policies of the County Development Regulations (Zoning) and the County Comprehensive Plan.
 - a. The land is zoned Agricultural Production and the Comprehensive Plan designation is Agricultural.
 - b. A Dairy operation greater in size than 500 head count and a feedlot that is greater in size than 1,000 head count requires a special/conditional use permit.
 - c. Encourage agricultural industries in agricultural areas (Comprehensive Plan, Page 113).

Action Summary
CUP 2007-02
Page 2

2. The proposal **WILL NOT** adversely affect public infrastructure.
 - a. Pepiot Road is a paved County Right-of-Way.
 - b. The activities at the site will not be more adverse to the public roadway and public infrastructure than other approved animal agricultural operations or industries that are located in Franklin County.
 - c. Mitigation such as load size limitations, restrictions, and public works permitting, etc. will be required if winter conditions exist and Public Works restrictions exist.
3. The proposal **WILL** be constructed, maintained, and operated to be in harmony with the existing or intended character of the general vicinity.
 - a. The existing and intended character of the area is for agricultural activities and agriculturally related industries and operations.
 - b. The general vicinity is predominately active agricultural lands. The site is generally 500 acres in size and the applicant owns approximately 3,320 acres in the general area.
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.
 - a. The site is located in an area that is not densely populated. It is located approximately 1.5 miles and up-wind from the City of Mesa.
 - a. The area is predominately agricultural and rangeland by nature.
 - b. Agricultural industries and animal operations are consistent with the agricultural area.
 - c. The area is zoned Agricultural Production 20 and this project will not discourage the development of other agricultural uses in the area.
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.
 - a. Area is zoned AP-20 and the operation is not more objectionable than other permitted uses allowed in the area.
 - b. With the implementation of a Nutrient Management Plan and Ground Water Assessment, along with a Fly and Odor Control Plan, the operation will further its compatibility with other permitted uses allowed in the area.
6. The proposal **WILL NOT** endanger the public health, safety, or general welfare if located where proposed.

Action Summary
CUP 2007-02
Page 3

- a. The Conditional Use Permit Conditions of Approval requires the applicant to submit a Waste Management Plan (Nutrient Management Plan). This plan will assist in addressing the issues of groundwater protection as it relates to this operation. The Plan will assist in ensuring that irrigation water management, soil, nutrient, and manure testing is completed at the site.

Conditions of Approval:

1. Approval allows for a conditional use permit to construct and operate a dairy and feedlot facility in the Agricultural Production 20 (AP-20) Zoning District. Total owner acreage in the general area is proposed to be approximately 3,320 acres. Numerous site improvements are proposed for the site including but not limited to shops, barns, calving sheds, and pens/corrals.

A Conditional Use Permit is required for a dairy operation that has expanded in size and has 500 or more animal units. Also, a Conditional Use Permit is required for any feedlot operation that has expanded in size and has 1,000 or more animal units (Per County Zoning Ordinance 7-2005 and applicable since March 1999).

2. This operation (both Dairy and Feedlot) shall comply with the Odor and Fly Control Guidelines adopted by County Resolution 2001-238 by the Board of County Commissioners. This includes developing an Odor and Fly Control Plan (as described on Page 7 of the Odor and Fly Control Guidelines) as a component of the applicants required Nutrient Management Plan. A copy of the Odor and Fly Control Plan shall be submitted to the County Planning Department to be placed in the applicants CUP file. **This shall be completed within two (2) years of CUP approval.**
3. A Mitigated Determination of Non-Significance (MDNS) has been issued as part of the SEPA review and determination.
4. **The Benton Franklin Health Department** has no objections to the project, provided: 1) The facility is served by an on-site sewage disposal system, permitted, installed, and approved by this Office for all residential wastewater generated by this facility; 2) This facility is served by an approved public water supply approved by the Washington State Dept of Health in accordance with the WAC 246-291; 3) The dairy is in compliance with an approved Dairy Nutrient Management Plan; 4) The dairy has a waste disposal system permitted, installed, and approved by the Washington State Dept of Ecology for all industrial wastewater generated by this facility; 5) All homes proposed for the facility must be served by on-site sewage disposal systems permitted, installed, and approved by this Office. These homes also must be served by an approved water source, either an approved public water supply, individual wells, or an approved farm exempt well.
5. Applicant shall, at all times, comply with the necessary Federal and State standards, including the Washington State Department of Agriculture for dairy operations and confined animal feeding operations (CAFO's).
6. Meet and comply with the requirements of the **County Building Division** regarding new construction.
 - a. A completed Building Permit application for each building is required;
 - b. A current access permit is required from the Public Works Dept.;
 - c. A current septic permit is required from the Health Department;
 - d. Submit copy of potable water approval from the Health Department/Ecology;
 - e. Submit copy of Geo Technical Engineering report for site;

Action Summary
CUP 2007-02
Page 4

- f. Comply with Fire Code requirements for each building that is proposed and access road requirements;
 - g. 2 copies of WA State Engineered plans will be required for submittal and review of all structures requiring permits and WA State Non Residential Energy Code forms will be required;
 - h. Copy of Special Inspector licenses will be required for all compaction/fill, concrete, bolting, and welding inspections;
 - i. Current County Business registration is required for all contractors working at the site.
7. The operation shall comply with the rules and regulations of the **Franklin County Public Works Department**. The proposed Dairy would be located off Pepiot Road which is an existing hard surfaced county road that accesses onto SR 395 but is not constructed to all-weather standards. What this means is that the road does not have the proper depth of rock and asphalt to support heavy loads during the freeze/thaw periods of late winter. Based on the severity of our winters, when the frost depth is considerably greater than the average mild winter and we experience a quick warming in the temperature, the sub bases of roads like this turn soft and weak to the point that heavy loads have a tendency to destroy the road. When a winter like this happens, we initiate road restrictions which restrict the hauling of most legal loads. We do, by permit process, allow the hauling of certain products but restrict these loads to weights that do not cause damage to the roadway. Finally, it is hard to predict the weather and the winters we have so road restrictions may not happen for years or they could be enforced for an unknown amount of consecutive years. Also, approach permits are required for any new approaches onto county roads.
8. The **master plan** for the operation includes the following:
- a. Head Count: Numbers: At full build out, the operations will consist of 4,300 milking cows, 900 dry cows, and up to 3,000 young stock (which is less than 2 years of age). The project may be phased and will begin with 3,000 milking cows, 600 dry cows, and 1,000 young stock with a plan to be at capacity in or near 5 years.
 - b. Building Sizes and Locations: Sizes are approximate and may need to be adjusted slightly to accommodate the equipment that goes into each. The proposed structures include: Dairy Parlor (31,500 sf); Calving Shed (8,800 sf), Shop (6,000 sf), Barn (36,000 sf), Hospital Barn (15,000 sf); numerous shades 24,000 sf, pens, corrals, lagoons. See site plan for further details. The site plans shows locations that are approximate and may require modification for building locations due to terrain, etc.
9. If an office is planned at the site, office standards and permitting is required. The office may be subject to compliance with **ADA standards** and development regulation parking standards.
10. If a 20 acre segregation of the property is planned on the farm, please see the Assessor's office for the necessary paperwork.
11. An **Annual Franklin County Certificate of Business Registration** will be needed for this business activity.
12. The following **Fire Code Official** requirements shall be complied with: The project is located within Fire District #1. A fire apparatus lane shall be constructed to county standards and maintained free of materials and debris. The lane is listed on the site plan as a driveway. County standards are 20 feet wide, with 12 feet of crushed surfacing - 5/8 minus - 4" inches in depth with a 4' clear area on each side.

Action Summary
CUP 2007-02
Page 5

- a. Setbacks: The following separation standards shall be required for all existing, new building(s)/structure(s) placed on this parcel: unless there is a Fire Hydrant located within 500 Feet of the proposed buildings/structures.
- i. Front yard setback: Twenty-five (25) feet from a road right-of way and/or a dedicated roadway/easement, and/or fifty-five (55) feet from the center line of such road right-of way and/or roadway/easement which ever is greater.
 - ii. Rear yard setback: Twenty-five (25) feet.
 - iii. Side yard setback: Twenty (20) feet.
 - iv. Building separation standards will be determined at the time of building permit plan review.
13. CUP 2007-02 shall be commenced (the facility building permit shall be applied for) at the site within 2 years of CUP approval.
14. Any discontinuance or abandonment of the approved use for a period of one (1) year shall null and void this approval.
15. Nothing in this CUP approval shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinances, or regulations applicable to this project.
16. 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 Conditional Use Permit Application CUP-2007-02, subject to the six (6) findings of fact and sixteen (16) conditions.