

COMMISSIONERS RECORD 48  
FRANKLIN COUNTY  
Commissioners' Proceeding for May 23, 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; and Rick Miller, Member; Fred Bowen, County Administrator; and Mary Withers, Clerk to the Board.

**OFFICE BUSINESS**

Secretary Patricia Shults met with the Board.

Consent Agenda

Superior Court Administrator Pat Austin met with the Board. She explained item 13 on the consent agenda was previously approved. It is a formality to approve the resolution today.

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

1. Approval of **Resolution 2007-238** in the matter of setting the salary for the Board of Franklin County Commissioners, Districts 1 and 2, for 2009 through 2012.
2. Approval of **joint Resolution 2007-239** 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 May 31, 2007 to June 30, 2007. (Exhibit 1: Information sheet.)
3. Approval of **joint Resolution 2007-240** 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, thus, amending Benton County Resolution 05-557 and Franklin County Resolution 2005-342, extending the termination date of the existing PSA from May 31, 2007 to June 30, 2007. (Exhibit 2: Information sheet.)
4. Approval of **joint Resolution 2007-241** 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

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Mannion, thus, amending Benton County Resolution 04-212 and Franklin County Resolution 2004-254A, extending the termination date of the existing PSA from May 31, 2007 to June 30, 2007. (Exhibit 3: Information sheet.)

5. Approval of **joint Resolution 2007-242** 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 May 31, 2007 to June 30, 2007. (Exhibit 4: Information sheet.)
6. Approval of **joint Resolution 2007-243** 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 May 31, 2007 to June 30, 2007. (Exhibit 5: Information sheet.)
7. Approval of **joint Resolution 2007-244** 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 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 May 31, 2007 to June 30, 2007. (Exhibit 6: Information sheet.)
8. Approval of **joint Resolution 2007-245** 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 May 31, 2007 to June 30, 2007. (Exhibit 7: Information sheet.)
9. Approval of **joint Resolution 2007-246** 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 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 May 31, 2007 to June 30, 2007. (Exhibit 8: Information sheet.)

10. Approval of **joint Resolution 2007-247** 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 May 31, 2007 to June 30, 2007. (Exhibit 9: Information sheet.)
11. Approval of **joint Resolution 2007-248** 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 May 31, 2007 to June 30, 2007. (Exhibit 10: Information sheet.)
12. Approval of ***Out-of-State Travel Request*** for Zona Lenhart, Diana Killian, and Ashley Brown to attend the 2007 Pacific Northwest Elections Conference June 26-29, 2007 in Portland, Oregon for estimated expenses as follows:  
  
Zona Lenhart: \$644.59   Diana Killian: \$433.13   Ashley Brown: \$120.00  
(Exhibit 11)
13. Approval of **joint Resolution 2007-249** in the matter of establishing a salary grade for the Adult Drug Court permanent part-time secretary in the Superior Court Administrator's Office. (Exhibit 12: Information sheet.)
14. Approval of **joint Resolution 2007-250** in the matter of the request for signature from the Chairman of the Boards of Benton and Franklin County Commissioners on the Professional Service Agreement for legal representation of indigent individuals in Benton and Franklin Counties Superior Court, Juvenile Division, between the Juvenile Justice Center and Susan Darden Henwood, effective June 1, 2007 through December 31, 2009. (Exhibit 13: Information sheet.)

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Second by Mr. Miller. 3:0 vote in favor.

Assessor Steve Marks joined the audience.

Vouchers/Warrants

**Motion** – Mr. Miller: I move approval of Current Expense vouchers for warrants 57233 through 57260 for \$187,184.63. Second by Mrs. Corkrum. 3:0 vote in favor.

(Exhibit 14)

**ASSESSOR**

Assessor Steve Marks met with the Board.

Department Update

The Assessor's Office is completing revaluation of the east side of the county including the dryland wheat area and Connell, Mesa, Kahlotus, Eltopia and Basin City.

We are outsourcing all of our mailing, which has worked well for us. We are going to use a postcard for most revaluation notices. For people who own more than one parcel, a roster will be sent in an envelope instead of a postcard. It will reduce postage and printing costs. The roster listing all properties should also be an asset to the owners.

The software vendor is rewriting the whole computer program in a major revision. We will not be charged. Mr. Marks has been working very closely with the vendor to help rewrite it. The vendor now serves 11 counties in the state with assessor/treasurer software. The first new software module is electronic filing of real estate excise tax, which the Treasurer has begun using. We received two brand new servers from the state at no cost to the county. The vendor says we have the most up-to-date servers of any they work with in the country.

The Assessor's website has been upgraded. We have already received phone calls about how nice it is.

Mr. Marks told the Board about a major change that is planned for his office. Once every four years we have to file a revaluation plan with the Department of Revenue. We feel the state will force us at some point in the future to go to an annual revaluation. The plan we are filing is to go on an annual revaluation. We would inspect about 4300 parcels once a year (about 1/6<sup>th</sup>). The other 5/6ths will be a statistical update based on

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what the sales are indicating. It will hopefully flatten out the large increases in value. There are some costs that go with it including mailing costs (28,000 notices as opposed to between 4000 and 5000). Mr. Marks said we think we can do it. We have good staff and good software. It will be extra work for the assessors.

One additional cost will be for computer replacement. The laptops have worked well for the assessors but we need something even more portable. We are considering upgrading to a Tablet PC that is thin and light. Mr. Marks explained how the computers would work. They cost about \$800 more than standard laptop computers. We're working with Information Services Department to decide whether to get two, three, or four of the tablet PCs.

We are also trying to speed up our work in the field and become more efficient. We are planning to purchase at least one Laser Tape Measure. If it works out, we will purchase more. He explained how it works. They cost about \$450 to \$500 apiece.

The revaluations in Connell are at around a 30% increase. The revaluations in central Pasco were around 35% to 40%. We have to assess at 100% market value. We have to have a levy to pay for bonds such as school bonds. The state still gets their money. Mr. Marks said that the County Current Expense levy can only go up 1% over what it got last year except for new construction and anything that the public votes on.

## **PUBLIC WORKS**

Engineer Tim Fife met with the Board.

### Truck

Mr. Koch will talk to the Dispatch Superintendent about the use of a truck that is assigned to Dispatch.

### Road 100 Talking Points

A representative from J-U-B Engineers is scheduled to meet with the River Ridge Homeowners Association next week on behalf of the county. Mr. Fife gave the Board a list of talking points that the engineer will be using during that meeting. The River Ridge Homeowners Association would like the county to include an additional piece of road in

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the Road 100/Dent Road project. However, the traffic study shows it is not needed at this time.

TRAC Parking Lot

Mr. Fife said we're putting the design for a TRAC parking lot area together and sending it to the City of Pasco for review. It went to the city once but has been changed.

**CHIEF CIVIL DEPUTY PROSECUTOR**

Chief Civil Deputy Prosecutor Ryan Verhulp met with the Board.

**Executive Session** at 9:54 a.m. regarding litigation based on RCW 42.30.110.1(i) expected to last 15 minutes.

**Open Session** at 10:11 a.m.

Connell

Mr. Verhulp talked to the Board briefly about impacts of the Coyote Ridge prison expansion.

**PLANNING AND BUILDING DEPARTMENT**

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

Public Meeting: Conditional Use Permit CUP 2007-03, a Conditional Use Permit application to construct and install a new 80' high wood utility pole to utilize as a wireless communication facility. The property is zoned Agricultural Production 20 (AP-20) Zoning District. The applicant is US Cellular.

Public meeting convened at 10:16 a.m. Present: Commissioners Koch, Corkrum and Miller; County Administrator Fred Bowen; Planning Director Jerrod MacPherson; Assistant Director Greg Wendt; and Clerk to the Board Mary Withers. No one was present in the audience.

Mr. Wendt reviewed the information on the Action Summary (Exhibit 15). Mr. Wendt said this is not a standard steel pole but a wooden pole that will be used as a repeater site.

Mr. MacPherson showed an aerial photograph with parcel overlay on the screen. The pole would be allowed outright on a farm property but requires a conditional use

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permit for this application. He showed the other tower facilities located in the vicinity. He said there is a five-mile radius for placement of the towers but this is a unique situation because Big Bend Electric would not allow it to be co-located on their power pole and the tower located on Pepiot Road is nearly full. The intent of this pole is for a repeater site to collect a signal from a tower to the west and give better coverage to the town of Mesa. It will be fenced.

Mr. Wendt reviewed the findings and conditions of approval.

**Motion** – Mr. Miller: I move that we grant approval to Conditional Use Permit application CUP 2007-03 subject to the six findings of fact and twelve conditions. Second by Mrs. Corkrum. 3:0 vote in favor. This is Resolution 2007-251.

**Public Meeting:** Conditional Use Permit CUP 2007-04, a Conditional Use Permit application to operate a heavy equipment/farm machinery equipment service business in the Agricultural-Production 20 Zoning District. The applicant is John Ossman.

Public meeting convened at 10:25 a.m. Present: Commissioners Koch, Corkrum and Miller; County Administrator Fred Bowen; Planning Director Jerrod MacPherson; Assistant Director Greg Wendt; and Clerk to the Board Mary Withers. No one was present in the audience.

Mr. Wendt reviewed the information on the Action Summary (Exhibit 16).

Mr. MacPherson showed a copy of the parcel map with aerial overlay on the screen. He showed a series of photos supplied by the applicant. The signs advertising the business were shown. He said we're allowing him to keep the three signs. The county's current sign code is old. Mr. Wendt said we have told Mr. Ossman we will review the signs when the new sign code is adopted.

Mr. MacPherson showed a video of the site. He said several people testified in behalf of Mr. Ossman. No one testified in opposition.

Mr. Wendt reviewed the conditions of approval.

**Motion** – Mrs. Corkrum: I move we grant approval to Conditional Use Permit Application 2007-04 subject to the six findings of fact and fourteen conditions. Second by Mr. Miller. 3:0 vote in favor. This is Resolution 2007-252.

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**Recessed** at 10:40 a.m.

**Reconvened** at 10:42 a.m.

**TRAC**

TRAC Manager Troy Woody met with the Board.

Hanford Health Expo

Attendance of 35,000 was reported for the Hanford Health Expo yesterday.

Horse Shows

BRN4D is building 576 stalls for a barrel race this weekend. They expect over 1000 for the barrel races alone. There will also be a trade show.

Rock removal: Mr. Woody is obtaining a cost from Apollo for sifting rocks just like mining in a gravel pit. In the long term, if concrete is put down, some dirt will be replaced and sifted but it would not have to be done again. Only two horse groups have an issue with the rocks. They are the smallest groups.

Mr. Koch would like to have the rockpicker sold and use the money to pay for the mining or whatever other solution is decided on.

Mr. Woody said 64 RV spots have been sold and paid for in addition to the RV Park spots.

Bid Opening: Chairs

Bid opening convened at 10:49 a.m. Present: Commissioners Koch, Corkrum and Miller; County Administrator Fred Bowen; TRAC Manager Troy Woody; and Clerk to the Board Mary Withers.

Bargreen Ellingson \$87,212.91 including tax and including delivery. Chairs are uncrated and inspected and packaging material is removed so the chairs would be delivered to us ready to serve.

Sysco of Spokane \$95,411.45 including tax. Shipping if needed will be added to the invoice. The chairs would be drop shipped at TRAC.

Mr. Bowen said the estimate was at \$80,000 not including sales tax. The bids will be reviewed with award of bid expected next Wednesday. The chairs can be stacked on



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the carts that TRAC already has. Mr. Woody said TRAC has about 2300 pink chairs. The bid is for 1000 additional black banquet chairs.

**Recessed** at 11:01 a.m.

**Reconvened** at 11:06 a.m.

**COUNTY ADMINISTRATOR**

County Administrator Fred Bowen met with the Board.

Budget Funds

Some budget funds were reviewed (Exhibit 17). Mr. Bowen showed the Board the Rainy Day fund budget and explained the efforts to keep \$1 million in the fund and the accounting work that is required. Ongoing and completed projects were listed on the budget sheets. Some of the projects are reimbursable. The Board decided to hold a workshop session to review the projects and budget amounts.

WSU Extension

WSU Extension Director Kay Hendrickson and Information Services Director Kevin Scott joined the meeting. Present in audience: Jerrod MacPherson.

Ms. Hendrickson said it will cost about \$35,000 to establish a computer lab as part of our Spanish Literacy Program, which will expand and continue the program. The Gates Foundation has asked us to do a concept paper because they liked our proposal. The grant is a little over \$1 million of which \$80,000 was for computer equipment and lab. The grant includes furniture and a display wall. The Gates Foundation told us they would not fund technology because when they have funded technology in the past, people put computer labs in and used them for the short term project and then later the computer lab sits idle. Their thought is if people have community input, they are far more likely to use the lab over a long period of time.

Mrs. Corkrum said if we could spend \$30,000 to leverage \$1 million that it would make sense to her. She thinks this could be utilized not just for the WSU program, but used by others in the county when not used by the WSU program, for instance for training. Mr. Bowen said yes, it could be used as a training area for county staff and for Risk Management and L&I training.

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The county could commit to the \$35,000 expenditure contingent on grant funds of about \$1 million coming in. Instead of putting 20 brand new computers in this lab, we can take some good used computers and transfer them out of our county pool and replace the 20 brand new ones inside of Current Expense departments. It seems like a better way to utilize the equipment and funds.

Ms. Hendrickson said the Gates Foundation is allowing 30 days to get the proposal to them. She may need to contact service organizations for some funding. Mrs. Corkrum would rather not have WSU Extension contact service organizations. The grant includes some matching amounts which can be met at least in part by the county providing space and staff time.

Mr. Scott said if we added computers, we will have to pay a one-time, upfront fee to add some computers to the contract with Microsoft. He said one concern is that Information Services staff cannot be available 24/7 to support the lab. He has made that clear. We will do our best to be proactive and deal with problems so there won't be any issues after hours. He thinks it is a very worthy project and would like to see it go forward. Ms. Hendrickson said she did put .1 FTE for Information Services work and some start-up funds in the grant proposal.

At this point, the county would need to set aside \$35,000 and submit a letter of intent.

The 2007 budget allows for 25% replacement of computers throughout the county plus the Microsoft contract fee. Mr. Bowen said if the Board chooses to do this, it should be an additional \$35,000. It may cut down on computer replacement over the next several years because we're speeding up computer replacement by 20 computers.

Mrs. Corkrum asked if existing funds in the IS budget could be used. Mr. Scott said we are about six months behind in computer installation because we have had several major projects hit us at one time that had deadlines. He thinks IS will get done by the end of the year with the planned computer replacements. Mrs. Corkrum said so we do need to supplement by \$35,000. She thinks there will be revenue available for various projects because of the increased sales tax percentage approved by the legislature.

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Mr. Bowen plans to send a letter to all departments to ask them to review their revenue and expenditure budgets in preparation for budget review in July.

Mr. Koch said let's mentally back off on paving the TRAC parking lot at this point, which will give an extra \$650,000 leeway for a few months and that will give us the revenue to get into the computers if the grant comes through.

The Board had **consensus approval** to pay \$35,000 if the grant is received.

Ms. Hendrickson will prepare a letter of support for Board approval.

Accounting Software

Mr. Scott said a rough estimate for new county accounting software is about \$350,000 to \$500,000. We have not received prices or gone out to bid.

County Awards Banquet

Mr. Bowen said the Awards Banquet Committee would like to hire a comedian for entertainment at the Awards Banquet. The cost is \$1500. The evening would include a nice dinner, a DJ for a dance, and a comedian. Mr. Bowen asked if the Board wants to approve the comedian. The total budget for the Awards Banquet is \$12,000. The comedian cost would be included in the \$12,000. Mr. Koch said since we budgeted \$12,000 and it's within the budget, it's okay with him. Mrs. Corkrum is somewhat hesitant because of the total cost. Mr. Bowen said it is an awards project as an incentive for employees.

**Adjourned** at 11:44 a.m.

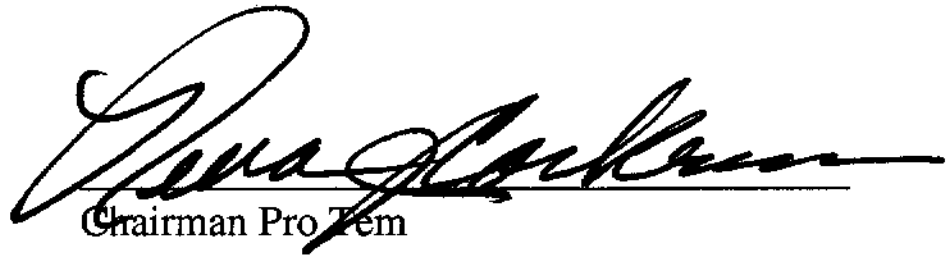
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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until May 30, 2007.

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON



Chairman



Chairman Pro Tem



Member

Attest:



Clerk to the Board

Approved and signed May 30, 2007.

<b>AGENDA ITEM:</b> Consent	<b>TYPE OF ACTION NEEDED</b>	
<b>MEETING DATE:</b> B/C 06-04-07 F/C 05-23-07	Executive Contract <u>xx</u>	CONSENT AGENDA <u>xx</u>
<b>SUBJECT:</b> Contract Amendment for Civil Defense Panel Attorney	Pass Resolution <u>xx</u>	PUBLIC HEARING
<b>Prepared By:</b> Kathryn M. Phillips	Pass Ordinance	1ST DISCUSSION
<b>Reviewed By:</b> 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, Diana Anderson.

The Agreement is being amended to extend the Agreement until June 30, 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 2007-239*

<b>AGENDA ITEM:</b> Consent	<b>TYPE OF ACTION NEEDED</b>	
<b>MEETING DATE:</b> B/C 06-04-07 F/C 05-23-07	Executive Contract <u>xx</u>	CONSENT AGENDA <u>xx</u>
<b>SUBJECT:</b> Contract Amendment for Civil Defense Panel Attorney	Pass Resolution <u>xx</u>	PUBLIC HEARING
<b>Prepared By:</b> Kathryn M. Phillips	Pass Ordinance	1ST DISCUSSION
<b>Reviewed By:</b> 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, Darin R. Campbell. The Agreement is being amended to extend the Agreement until June 30, 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 2007-240*

<b>AGENDA ITEM:</b> Consent	<b>TYPE OF ACTION NEEDED</b>	CONSENT AGENDA <u>xx</u>
<b>MEETING DATE:</b> B/C 06-04-07 F/C 05-23-07	Executive Contract <u>xx</u>	PUBLIC HEARING
<b>SUBJECT:</b> Contract Amendment for Civil Defense Panel Attorney	Pass Resolution <u>xx</u>	1ST DISCUSSION
<b>Prepared By:</b> Kathryn M. Phillips	Pass Ordinance	2ND DISCUSSION
<b>Reviewed By:</b> 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 June 30, 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 2007-241*

<b>AGENDA ITEM:</b> Consent	<b>TYPE OF ACTION NEEDED</b>	CONSENT AGENDA <u>xx</u>
<b>MEETING DATE:</b> B/C 06-04-07 F/C 05-23-07	Executive Contract <u>xx</u>	PUBLIC HEARING
<b>SUBJECT:</b> Contract Amendment for Civil Defense Panel Attorney	Pass Resolution <u>xx</u>	1ST DISCUSSION
<b>Prepared By:</b> Kathryn M. Phillips	Pass Ordinance	2ND DISCUSSION
<b>Reviewed By:</b> 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 June 30, 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 2007-242*



<b>AGENDA ITEM:</b> Consent	<b>TYPE OF ACTION NEEDED</b>	
<b>MEETING DATE:</b> B/C 06-04-07 F/C 05-23-07	Executive Contract <u>xx</u>	CONSENT AGENDA <u>xx</u>
<b>SUBJECT:</b> Contract Amendment for Civil Defense Panel Attorney	Pass Resolution <u>xx</u>	PUBLIC HEARING
<b>Prepared By:</b> Kathryn M. Phillips	Pass Ordinance	1ST DISCUSSION
<b>Reviewed By:</b> 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, Jared D. Paulsen. The Agreement is being amended to extend the Agreement until June 30, 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 2007-243*

AGENDA ITEM: Consent		TYPE OF ACTION NEEDED	CONSENT AGENDA	xx
MEETING DATE: B/C 06-04-07 F/C 05-23-07			Executive Contract	xx
SUBJECT: Contract to provide interim criminal defense panel coverage			Pass Resolution	xx
Prepared By: Kathryn M. Phillips			Pass Ordinance	
Reviewed By: Sharon Paradis			Pass Motion	
		Other		
			1ST DISCUSSION	
			2ND DISCUSSION	
			OTHER	

**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 June 1, 2007 and terminating upon appointment of a new member to the criminal defense panel attorney or no later than June 30, 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 2007-244*

<b>AGENDA ITEM:</b> Consent	<b>TYPE OF ACTION NEEDED</b>	CONSENT AGENDA <u>xx</u>
<b>MEETING DATE:</b> B/C 06-04-07 F/C 05-23-07	Executive Contract <u>xx</u>	PUBLIC HEARING
<b>SUBJECT:</b> Contract Amendment for Criminal Defense Panel Attorney	Pass Resolution <u>xx</u>	1ST DISCUSSION
<b>Prepared By:</b> Kathryn M. Phillips	Pass Ordinance	2ND DISCUSSION
<b>Reviewed By:</b> 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, Laurie L. Magan. The Agreement is being amended to extend the Agreement until June 30, 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 2007-245*

<b>AGENDA ITEM:</b> Consent	<b>TYPE OF ACTION NEEDED</b>	
<b>MEETING DATE:</b> B/C 06-04-07 F/C 05-23-07	Executive Contract <u>xx</u>	CONSENT AGENDA <u>xx</u>
<b>SUBJECT:</b> Contract Amendment for Criminal Defense Panel Attorney	Pass Resolution <u>xx</u>	PUBLIC HEARING
<b>Prepared By:</b> Kathryn M. Phillips	Pass Ordinance	1ST DISCUSSION
<b>Reviewed By:</b> 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 June 30, 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 2007-246*

<b>AGENDA ITEM:</b> Consent	<b>TYPE OF ACTION NEEDED</b>	
<b>MEETING DATE:</b> B/C 06-04-07 F/C 05-23-07	Executive Contract <u>xx</u>	CONSENT AGENDA <u>xx</u>
<b>SUBJECT:</b> Contract Amendment for Criminal Defense Panel Attorney	Pass Resolution <u>xx</u>	PUBLIC HEARING
<b>Prepared By:</b> Kathryn M. Phillips	Pass Ordinance	1ST DISCUSSION
<b>Reviewed By:</b> 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 June 30, 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 2007-247*

<b>AGENDA ITEM:</b> Consent	<b>TYPE OF ACTION NEEDED</b>	CONSENT AGENDA <u>xx</u> PUBLIC HEARING 1ST DISCUSSION 2ND DISCUSSION OTHER
<b>MEETING DATE:</b> B/C 06-04-07 F/C 05-23-07	Executive Contract <u>xx</u>	
<b>SUBJECT:</b> Contract Amendment for Drug Court Defense Panel Attorney	Pass Resolution <u>xx</u>	
<b>Prepared By:</b> Kathryn M. Phillips	Pass Ordinance	
<b>Reviewed By:</b> 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, Karyn Oldfield.

The Agreement is being amended to extend the Agreement until June 30, 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 2007-248*

# OUT-OF-STATE TRAVEL REQUEST

THE BOTTOM 2 COPIES OF THIS FORM WILL GO TO THE TREASURER FOR PICK UP OF FUNDS WHICH WILL BE AVAILABLE THE DAY BEFORE DEPARTURE UNLESS OTHERWISE NOTIFIED

Name: Zona Lenhart  
 Dates: June 26 - 29, 2007  
 Destination: Portland, OR  
 Purpose: Annual Election Conference - Regional  
 Account/Budget # 001-000-090  
511.70.43.0000

## ESTIMATED EXPENSE

Mileage 436 rt Miles @ .485 Per Mile \$ 211.46  
 Meals..... \$ 120.00  
 Lodging..... \$ 313.13  
 Registrations, Fares ..... \$ 0  
 Supplies ..... \$ 0  
**TOTAL**..... \$ 644.59

Recommended: Zona Lenhart 5-21-2007  
 (Elected Official/Dept. Head) (Date)

Examined and allowed by the Board of Commissioners, Franklin County, Washington

May 23, 2007

[Signature], Chair

[Signature] Member

[Signature], Member

## ADVANCED TRAVEL

(TO BE FILLED OUT BY TREASURER'S OFFICE)

	Original Advance	Additional Funds	Returned Funds	Actual Expenses
Check No.	_____	_____	_____	
Date	_____	_____	_____	
Amount	_____	_____	_____	\$ _____

Received by: \_\_\_\_\_

# OUT-OF-STATE TRAVEL REQUEST

THE BOTTOM 2 COPIES OF THIS FORM WILL GO TO THE TREASURER FOR PICK UP OF FUNDS WHICH WILL BE AVAILABLE THE DAY BEFORE DEPARTURE UNLESS OTHERWISE NOTIFIED

Name: Diana Killian  
 Dates: June 26 - June 29, 2007  
 Destination: Portland, OR  
 Purpose: Election Conference  
 Account/Budget # 001-000-090  
511.70.43.0000

## ESTIMATED EXPENSE

Mileage \_\_\_\_\_ Miles @ \_\_\_\_\_ Per Mile \$ 0  
 Meals..... \$ 120.00  
 Lodging..... \$ 313.13  
 Registrations, Fares ..... \$ 0  
 Supplies ..... \$ 0  
**TOTAL**..... \$ 433.13

Recommended: Lona Lenhart 5-21-07  
 (Elected Official/Dept. Head) (Date)

Examined and allowed by the Board of Commissioners, Franklin County, Washington

May 23, 2007

[Signature], Chair

[Signature], Member

[Signature], Member

## ADVANCED TRAVEL (TO BE FILLED OUT BY TREASURER'S OFFICE)

	Original Advance	Additional Funds	Returned Funds	Actual Expenses
Check No.	_____	_____	_____	
Date	_____	_____	_____	
Amount	_____	_____	_____	\$ _____

Received by: \_\_\_\_\_



# OUT-OF-STATE TRAVEL REQUEST

THE BOTTOM 2 COPIES OF THIS FORM WILL GO TO THE TREASURER FOR PICK UP OF FUNDS WHICH WILL BE AVAILABLE THE DAY BEFORE DEPARTURE UNLESS OTHERWISE NOTIFIED

Name: Ashley Brown  
 Dates: June 26-29, 2007  
 Destination: Portland, OR  
 Purpose: Election Conference, Regional  
 Account/Budget # 001-000-090  
511.70.43.0000

## ESTIMATED EXPENSE

Mileage _____	Miles @ _____	Per Mile	\$ <u>0</u>
Meals.....			\$ <u>120.00</u>
Lodging.....			\$ <u>0</u>
Registrations, Fares .....			\$ <u>0</u>
Supplies .....			\$ <u>0</u>
<b>TOTAL</b> .....			\$ <u>120.00</u>

Recommended: Lynn Lenhart 5-21-07  
 (Elected Official/Dept. Head) (Date)

Examined and allowed by the Board of Commissioners, Franklin County, Washington

May 23, 2007

[Signature], Chair

[Signature], Member

[Signature], Member

## ADVANCED TRAVEL (TO BE FILLED OUT BY TREASURER'S OFFICE)

	Original Advance	Additional Funds	Returned Funds	Actual Expenses
Check No.	_____	_____	_____	
Date	_____	_____	_____	
Amount	_____	_____	_____	\$ _____

Received by: \_\_\_\_\_

## FRANKLIN COUNTY AGENDA ITEM

AGENDA ITEM:	Type of Action		
MEETING DATE: <u>5/23/07</u>	Execute Contract		CONSENT AGENDA <u>X</u>
SUBJECT: <u>Adult Drug Court -</u>	Pass Resolution	<u>X</u>	PUBLIC HEARING
<u>Secretarial Position</u>	Pass Ordinance		1 <sup>ST</sup> DISCUSSION
	Pass Motion		2 <sup>ND</sup> DISCUSSION
Prepared By: <u>Pat Austin</u>	Other		OTHER
Reviewed By: <u>Fred Bowen</u>	Approve for Hearing		

**BACKGROUND INFORMATION**

Both Franklin County and Benton County approved funding for the Adult Drug Court for the 2007 budget year. Within that program is a one-half time secretary position to be filled beginning May 1, 2007. We have established this position as a grade 4 on the bi-county non-bargaining salary scale. Attached is the bi-county resolution establishing the position and grade for the position.

**SUMMARY****RECOMMENDATION**

Approval of the bi-county resolution and adult drug court one-half time secretarial position.

**FISCAL IMPACT**

Approved under the 2007 Adult Drug Court budget.

**MOTION**

I move to approve bi-county resolution no. \_\_\_\_\_ authorizing the position of a one-half time adult drug court secretarial position at a grade 4 on the bi-county non-bargaining salary scale effective May 1, 2007.

*Resolution 2007-249*

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>
MEETING DATE: B/C 05-21-07 F/C 05-23-07			PUBLIC HEARING
SUBJECT: Professional Services Agreement for Criminal Defense Panel Attorney			1ST DISCUSSION
			2ND DISCUSSION
			OTHER
Prepared By:	Kathryn M. Phillips		
Reviewed By:	Sharon Paradis		

**BACKGROUND INFORMATION**

Attached for Board review and approval is the Professional Service Agreement between the Benton-Franklin Counties Juvenile Justice Center (BFJJC) and Defense Panel Attorney, Susan Darden Henwood. Ms. Henwood has practiced law for several years in Washington. This negotiated Professional Service Agreement meets the current Office of Public Defense standards and is for the term of June 1, 2007 through December 31, 2009.

**SUMMARY**

There are four (4) originals of the Professional Service Agreements for Legal Representation of Indigent Individuals in Benton and Franklin Counties Superior Court Juvenile Division that need to be signed by both the Benton and Franklin County Boards of Commissioners.

**RECOMMENDATION**

We recommend that the Board of Commissioners of Benton County approve and sign the Professional Service Agreement 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 Juvenile Court's 2007 budget, which has been approved by both Boards of County Commissioners.

**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, on behalf of their respective county, the Professional Services Agreement with Ms. Henwood.

*Resolution 2007-250*

EXHIBIT 14  
*Franklin County Auditor*

May 23, 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

May 23, 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, May 23, 2007

Move that the following warrants be approved for payment:

FUND Expenditures	WARRANT Range			Amount Issued
	From:	To:		
Current Expense	57233	57260	\$	187,184.63

In the amount of

\$187,184.63

The motion was seconded by

And passed by a vote of 3 to 0



Accounting  
545-3505

Elections  
545-3538

Recording  
545-3536

Licensing  
545-3533

## FRANKLIN COUNTY ACTION SUMMARY

<b>Agenda Item:</b> US Cellular (Dan McKinney)	<b><u>TYPE OF ACTION NEEDED</u></b>	Consent Agenda
<b>Meeting Date:</b> May 23, 2007	Execute Contract	Public Hearing
<b>Subject:</b> CUP 2007-03, a conditional use permit to construct a 80' high wood utility pole to utilize as a wireless communication facility	Pass Resolution <b>X</b>	1st Discussion
	Pass Ordinance	2nd Discussion
<b>Prepared By:</b> Greg Wendt	Pass Motion <b>X</b>	Other: <b><i>Public Meeting</i></b>
<b>Reviewed By:</b> Jerrod MacPherson	Other	

**BACKGROUND INFORMATION**

A Conditional Use Permit application to construct and install a new 80' high wood utility pole to utilize as a wireless communication facility. The proposal is to use this pole as a repeater site and improve the wireless communication and service (US Cellular) in the Mesa area. The property is located in the Agricultural Production 20 (AP-20) Zoning District.

The site is located on leased ground owned by Raymond Bailie and will be directly accessed via R-170.

The property is located northwest of the City of Mesa, approximately ¾ to 1 mile west of the SR-17 and R-170 intersection along the south side of R-170 (121-660-015).

**SUMMARY**

The Planning Commission held a public hearing on May 1, 2007 and recommended **APPROVAL** (unanimous vote) with the following six (6) findings of fact and twelve (12) conditions of approval:

**Findings of Fact:**

1. This project is located in the AP-20 Zone and IS in accordance with the goals and policies of the County Development Regulations (Zoning) and the County Comprehensive Plan.
2. The proposal **WILL NOT** adversely affect public infrastructure.
3. The proposal **WILL BE** constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity.
4. The location and height of proposed structures and the site design **WILL NOT** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
5. The operation in connection with the proposal **WILL NOT** be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.

## Action Summary

CUP-2007-03

Page 2

6. The proposal **WILL NOT** endanger the public health, safety, or general welfare if located where proposed.

**Conditions of Approval:**

1. Approval allows for the construction of a new 80' high wood utility pole to utilize as a wireless communication facility. The proposal is to use this pole as a repeater site and improve the wireless communication and service (US Cellular) in the Mesa area. The property is located in the Agricultural Production 20 (AP-20) Zoning District. The site is located on leased ground owned by Raymond Bailie and will be directly accessed via R-170. The property is located northwest of the City of Mesa, approximately  $\frac{3}{4}$  to 1 mile west of the SR-17 and R-170 intersection along the south side of R-170 (121-660-015).
2. The Planning Department has determined the following for this application:
  - a. An adjacent utility pole, 212 feet in height, is not available for co-location per letter from Big Bend REA. The existing cellular tower, known as the Pepiot Tower, along Pepiot Road is also not adequate for use as a co-location tower in this application. Space availability is extremely limited on this tower as it is currently used by numerous service providers;
  - b. The cell tower site to the west of Mesa (approx 4 miles), which currently has US Cellular service, is not adequate as a repeater site to service the town of Mesa. Also, placing the repeater facilities on an existing building around Mesa was not found to be a feasible option by the applicant;
  - c. SEPA Review and a MDNS have been completed for this application. Applicant shall ensure the project is in compliance with Ecology standards at all times;
  - d. Applicant has submitted a co-location statement explaining US Cellular's desire to negotiate in good faith to facilitate antenna co-location at the site. The utility pole has reserve capacity for additional antennas but is not built to the same engineering standard as a typical metal wireless communication tower;
  - e. The pole shall comply with FAA and FCC standards and regulations;
  - f. The pole shall be no higher in height than 80 feet.
3. Applicant shall comply with the County Building Division for building permit requirements for the site;

**Action Summary****CUP-2007-03****Page 3**

4. A copy of a recorded access easement shall be provided describing the access to the site location. The applicant shall provide a fire apparatus road from R-170 to the pole location. The road shall be a 20' clear area with 12' of gravel as required by the County Design Standards. The property shall be free of fire hazards including but not limited to weeds and debris.
5. The perimeter of the facility (approximately 20' x 20') shall be enclosed with chain link type fencing.
6. If a shelter(s) is required for the facility, a site design shall be submitted to the Planning Department for review. The County Zoning Ordinance has design standards for building size, etc.
7. If at any point in time the wooden pole is not in operation (an operational service provider located on the pole) for a continuous period of 12 months the pole and facility shall be considered to be abandoned and shall be removed within 90 days from that date.
8. US Cellular shall obtain a County Business Registration on an annual basis. This shall be completed prior to building permit issuance. The tower contractor for construction shall also obtain a business registration with the County.
9. Approach permits are required for any new approaches onto County Roads. Contact Public Works for more information.
10. All conditions shall be complied with within **1 year** (from the date of Board of Commissioner Approval) of CUP approval or the permit becomes null and void.
11. 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.
12. 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-2007-03, subject to the six (6) findings of fact and twelve (12) conditions.

## FRANKLIN COUNTY ACTION SUMMARY

<b>Agenda Item:</b> John Ossman	<u>TYPE OF ACTION NEEDED</u>	Consent Agenda
<b>Meeting Date:</b> May 23, 2007	Execute Contract	Public Hearing
<b>Subject:</b> CUP 2007-04, a conditional use permit to operate a heavy equipment/farm machinery equipment service business in the Agricultural Production 20 (AP-20) Zoning District	Pass Resolution                      X	1st Discussion
	Pass Ordinance	2nd Discussion
<b>Prepared By:</b> Greg Wendt	Pass Motion                              X	Other: <i>Public Meeting</i>
<b>Reviewed By:</b> Jerrod MacPherson	Other	

**BACKGROUND INFORMATION**

The applicant has requested a conditional use permit to operate a farm machinery/heavy machinery service business, known as Quick and Fair Mobile Service Repair, in the Agricultural Production 20 (AP-20) Zoning District.

Currently, the applicant is approved as a mobile repair business and is requesting the ability to operate the business from his home site and existing shop building located north of Pasco, approximately 1 mile west of the Glade North Road and Selph Landing Road intersection along the north side of Selph Landing Road at site address 3944 Selph Landing Road, Pasco, WA 99301 (124-240-106).

The County Zoning Ordinance allows the operation of heavy machinery service businesses in the Agricultural Production Zoning District(s) with the approval of a Conditional Use Permit. Typical auto repair service businesses are not a permitted or conditional use in the Agricultural Zones but are allowed in the Rural Service Commercial zoning districts.

**SUMMARY**

The Planning Commission held a public hearing on May 1, 2007 and recommended **APPROVAL** (unanimous vote) with the following six (6) findings of fact and fourteen (14) conditions.

**Findings of Fact:**

1. This project is in the AP-20 Zone and **IS** in accordance with the goals and policies of the County Development Regulations (Zoning) and the County Comprehensive Plan.
2. The proposal **WILL NOT** adversely affect public infrastructure.
3. The proposal **WILL BE** constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity.



## Action Summary

CUP-2007-04

Page 2

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

**Conditions of Approval:**

1. Approval grants the applicant the ability to operate a farm machinery/heavy equipment service business in the Agricultural Production 20 (AP-20) Zone. As proposed, the applicant is proposing to utilize an existing shop to accommodate the farm machinery and heavy machinery business. A home and shop is currently located on the parcel of land. The property is part of Short Plat 81-24, which established the legal access to the property.
2. The applicant currently has three (3) signs advertising his business. Staff is requesting that the applicant be able to maintain the three (3) signs until such time that the County updates its current sign code. Once the updated code is adopted, the applicant shall bring the business and this approved CUP into compliance with the new sign code.
3. Applicant shall provide adequate parking spaces for the activities to occur internally at the site. Farm/heavy machinery and equipment shall be parked in a designated area and shall not be parked in the 20' clear access drive to the shop and home. All parking shall be on site. At no time shall parking occur along Selph Landing Road for this business. Equipment to be serviced at the site should be stored in the shop to the greatest extent possible.
4. No more than 10 pieces of heavy/farm equipment shall accumulate in the designated parking area at one time so as to not become a nuisance or junkyard. All parking areas for the business operation should, at a minimum, be graveled.
5. Fire Code Official and Fire District #3 are requesting that **a) The property shall remain free of any fire hazards, including but not limited to weeds, debris, accumulation of new or used tires, discarded vehicle parts, hazardous waste, etc.; b) A 20' access from Selph Landing Road to the applicants shop and parking area shall be maintained and kept clear and passable; c) One (1) ADA parking space shall be provided adjacent to the shop. This space shall be paved, marked, signage provided and be a minimum of 8 feet in width; d) Waste oil needs to be on a non flammable support and protected from vehicles or moved out of the traffic area; e) Fire extinguishers need to be clearly marked and installed. Applicant shall contact the Planning and Building Department, within 6 months of CUP approval, to arrange a meeting to verify the above items have been adequately addressed at the site.**

## Action Summary

CUP-2007-04

Page 3

6. The County Building Official is requesting that 1) A Labor and Industry (L&I) Electrical Final Inspection be completed for the shop. A copy of the approval shall be provided to the Planning Department within 6 months of CUP approval; 2) All welding shall be done outside the shop; 3) The steps on the south exterior side of the building are to be uniform—see east side of steps. When there are 4 steps or more, a handrail is required 34-38" in height from the front edge of steps and the handrail ends are to be returned to posts. **Applicant shall contact the Planning and Building Department, within 6 months of CUP approval, to arrange a meeting to verify the above items have been adequately addressed at the site.**
7. The South Columbia Irrigation District's Right of Way adjoining the applicants' property shall not be used for storage or access as it relates to the activities included in this CUP application and vehicles shall not be parked or stored within this designated ROW without written approval from SCBID or the Bureau of Reclamation. A copy of such approval (access and storage) shall be provided to the Planning Department for the CUP File.
8. The County Zoning Ordinance does not allow traditional commercial auto repair and service to occur at the site. **Only heavy/farm machinery service is allowed.** Commercial auto repair is allowed in the C-2 Rural Service Commercial Zoning Districts and not the Agricultural Production (AP-20) Zoning District.
9. The Benton Franklin Health Department has no objections to the operation of a family run mobile repair business from this residence. Expansion of this business to include employees will require an on-site sewage system and an approved public water supply.
10. Applicant is required to apply for and receive a Franklin County Business Registration on an annual basis.
11. Approach permits are required for any new approaches onto county roads.
12. Any discontinuance or abandonment of the approved use for a period of one (1) year shall null and void this approval.
13. 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.
14. 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-2007-04, subject to the six (6) findings of fact and fourteen (14) conditions.

**2007**  
**#001-000-700 Rainy Day**

Beginning Balance	\$ 2,857,832.59	Transfer Date:
Transfer for HayGroup	\$ 53,000.00	3/26/2007
Transfer to #720-Grand Old 4th	\$ 45,138.71	4/4/2007
Interest Earned (thru March 07)	\$ 64,224.48	
Transfer to Capital Projects #300	\$ 1,823,918.36	
<b>Sub-Total</b>	<b>\$ 1,000,000.00</b>	
 Port of Pasco (Loan)	 - \$ 150,520.00	
Treasurer's System	- \$ 80,000.00	
	<hr/>	
<b>Total</b>	<b>\$ 769,480.00</b>	

**2007**  
**#300-001 Capital Projects Budget**

**Balance Capital Projects as of January 1, 2007** **\$ 317,570.30**

**Funds Encumbered:**

		<b><u>Balance</u></b>	
Funds Spent as of 3/16/07	\$ (97,737.63)	\$	219,832.67
Transfer from Rainy Day	\$ 1,823,918.36	\$	2,043,751.03
Courthouse Security	\$ (1,557,227.00)	\$	486,524.03
Work Release Labor (Approx)	\$ (6,082.74)	\$	480,441.29
Work Release (New Portable)	\$ (33,073.05)	\$	447,368.24
Corrections Expansion (Pre-Design Study)	\$ (72,500.00)	\$	374,868.24
Old Work Release (Existing)	\$ (52,000.00)	\$	322,868.24
Health Department (Annex) Remodel	\$ (247,225.46)	\$	75,642.78
TRAC Parking Lots	\$ (650,000.00)	\$	(574,357.22)
Chiawana Park Boat Dock	\$ (37,000.00)	\$	(611,357.22)

**Reimbursements/Transfers-In:**

BFHD Remodel	\$ 304,917.09	\$	(306,440.13)
2006 TRAC Balance Remaining	\$ 46,534.00	\$	(259,906.13)
TRAC (2006 Subsidy from Pasco)	\$ 61,466.00	\$	(198,440.13)
<b>Total</b>		<b>\$</b>	<b>(198,440.13)</b>

**2007**  
**#310-000-001 Courthouse Budget**

**Balance of Courthouse Renovation as of February 28, 2007** **\$ 1,000,315.33**

**Funds Spent**

February 28 Outstanding Warrants	\$	4,486.34
March 28 Outstanding Warrants	\$	6,202.46

**Balance**

**Sub-Total \$ 10,688.80 \$ 989,626.53**

**Additional Projects**

1218 N. 4th Remodel (Health Dept)	\$	300,000.00
Paint PSB & Jail	\$	155,920.00
Portable Building	\$	200,000.00
Misc Exp, sculpture, furniture, etc	\$	44,005.80
Blinds for 2nd Floor		7,189.51
Security System (Cameras)	\$	110,000.00

**Sub-Total \$ 817,115.31 \$ 172,511.22**

**Reimbursements**

Historic Grant - Fountain	\$	16,000.00
		\$ 172,511.22
		<b>\$ 188,511.22</b>

**Totals \$ 16,000.00 \$ 188,511.22**