

COMMISSIONERS RECORD 51  
FRANKLIN COUNTY  
Commissioners' Proceedings for February 29, 2012

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Brad Peck, Chairman; Rick Miller, Chair Pro Tem; and Robert E. Koch, Member; Fred Bowen, County Administrator; and Mary Withers, Clerk to the Board. Meeting convened at 9:00 am.

### **PUBLIC WORKS**

Interim Franklin County Engineer Malcolm Bowie met with the Board.

Bid Opening: Three new motor graders

Bid opening convened at 9:00 am. Present: Commissioners Peck, Miller and Koch; County Administrator Fred Bowen; Interim Public Works Director Malcolm Bowie; Public Works Shop Foreman Darrel Farnsworth; and Clerk to the Board Mary Withers. Present in audience: Victor Reeve, Roger Lenk, Tri-City Herald Reporter Kristi Pihl, Craig Patterson, John Holland, Aaron H\_\_kon, Blaine Hulse and one other man.

Four bids were received for replacement of three motor graders with Option 1 and Option 2. Mr. Bowie noted that bidders were not required to bid on all options.

#### **Rowand Machinery Company (RMC)**

Option 1 for motor grader #1	Net total bid \$94,762.50
Option 2 for motor grader #1	Net total bid \$240,967.50
Option 1 for motor grader #2	Net total bid \$94,762.50
Option 2 for motor grader #2	Net total bid \$240,967.50
Option 1 for motor grader #3	Net total bid \$240,967.50
Option 2 for motor grader #3	Net total bid \$240,967.50

#### **Case Central Machinery Sales**

Option 1 for motor grader #1	Net total bid \$ (no bid amount listed)
Option 2 for motor grader #1	Net total bid \$243,675.00
Option 1 for motor grader #2	Net total bid \$ (no bid amount listed)
Option 2 for motor grader #2	Net total bid \$243,675.00
Option 1 for motor grader #3	Net total bid \$ (no bid amount listed)
Option 2 for motor grader #3	Net total bid \$243,675.00

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## Clyde West

Option 1 for motor grader #1	Net total bid \$111,440.70
Option 2 for motor grader #1	Net total bid \$263,060.00
Option 1 for motor grader #2	Net total bid \$133,100.70
Option 2 for motor grader #2	Net total bid \$263,060.70
Option 1 for motor grader #3	Net total bid \$160,175.70
Option 2 for motor grader #3	Net total bid \$

The Clyde West bid is missing the net bid page for Option 2, motor grader 3

## Western States (Cat)

Option 1 for motor grader #1	Net total bid \$ (no bid amount listed)
Option 2 for motor grader #1	Net total bid \$296,878.46
Option 1 for motor grader #2	Net total bid \$ (no bid amount listed)
Option 2 for motor grader #2	Net total bid \$296,878.46
Option 1 for motor grader #3	Net total bid \$ (no bid amount listed)
Option 2 for motor grader #3	Net total bid \$296,878.46

Bids will be reviewed by county staff.

**VOUCHERS**Vouchers

**Motion** - Mr. Koch moved for approval of fund expenditures vouchers for a total of \$115,079.13. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 1)

<b>Fund Expenditures</b>	<b><u>Warrants</u></b>		<b>Amount Issued</b>
Current Expense	62372	62416	\$32,826.12
Current Expense	62459	62513	\$46,087.81
RV Park	62514	62516	\$2,301.97
Election Equipment Revolving	62517	-	\$121.94
Crime Victims/Witness Assist	62518	-	\$276.60
Courthouse Facilitator Program	62519	-	\$1,050.00
Jail Commissary	62520	62523	\$5,191.26
Law Library	62524	62527	\$23,294.62

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Veteran's Assistance	62528	62530	\$3,928.81
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**Motion** – Mr. Koch moved for approval of payment of Public Works vouchers for County Road, Motor Vehicle, Solid Waste and Probation Work Crew in the bottom line of \$160,284.35, signed by Malcolm Bowie and Len Langston. Second by Mr. Miller. 3:0 vote in favor.

County Road 2011 vouchers for \$14,685.68, 2012 vouchers for \$125,368.56. Total \$140,054.24; Motor Vehicle vouchers for \$19,321.84; Solid Waste vouchers for \$411.62; and Probation Work Crew vouchers for \$496.65. Grand total is \$160,284.35. (Exhibit 2)

**Motion** – Mr. Koch moved for approval of Salary Clearing payroll, Emergency Management payroll and Irrigation payroll. Salary Clearing is \$745,207.81, Emergency Management is \$15,254.39 and Irrigation is \$14,852.66. The bottom line is \$775,314.86. They are from the Auditor. Second by Mr. Miller. 3:0 vote in favor.

Salary Clearing payroll warrants 55481 through 55577 for \$181,644.49; Direct Deposit for \$325,043.91; and Benefits warrants 55578 through 55592 for \$238,519.41; for a total of \$745,207.81;

Emergency Management payroll warrants 62332 through 62341 for \$3779.67; Direct Deposit for \$6884.33; and Benefits warrants 62342 through 62350 for \$4590.39; for a total of \$15,254.39; and

Irrigation payroll warrants 62351 through 62363 for \$6071.68; Direct Deposit for \$3015.93; and Benefits warrants 62364 through 62371 for \$5765.05; for a total of \$14,852.66.

Grand total is \$775,314.86. (Exhibit 3)

### **LEGAL NEWSPAPER**

Bid Opening: Official County Newspaper, RCW 36.72.075

Bid Opening convened at 9:16 am. Present: Commissioners Peck, Miller and Koch; County Administrator Fred Bowen; and Clerk to the Board Mary Withers. Present in audience: Kristi Pihl, Malcolm Bowie, Sally McKenzie, Jerrod MacPherson, Greg Wendt, Victor Reeve, Roger Lenk, Judith Gidley, Debra Biondolillo, Rob Puckett and one other man.

One bid was received: Franklin County Graphic \$9 per column inch for printing Franklin County legal notices in 6-point solid type.

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**PLANNING AND BUILDING DEPARTMENT**

Planning Director Jerrod MacPherson met with the Board.

CUP 2012-01, a Conditional Use Permit application for the construction of a 7,000 square foot (approximate) building to be used for winery and rural retail business activities

Present: Commissioners Peck, Miller and Koch; County Administrator Fred Bowen; Planning Director Jerrod MacPherson; Assistant Director Greg Wendt; and Clerk to the Board Mary Withers. Present in audience: Ed Thornbrugh, Rob Puckett, Kristi Pihl, Malcolm Bowie, Sally McKenzie, Victor Reeve, Judith Gidley, Debra Biondolillo, Roger Lenk and one other man.

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

Mr. MacPherson showed aerial photos and diagrams of the proposed building and elevation of the building on the screen and answered Mr. Peck's questions. Mr. Wendt reviewed the conditions of approval. Mr. MacPherson showed the applicant's site plan. Mr. MacPherson and Mr. Wendt answered Mr. Peck's questions about access and landscaping. Mr. Koch commented briefly.

Mr. Wendt said the applicant expects to return later this summer with a request for a Comprehensive Plan amendment. He said the applicant's long-range goal is to have the corner be designated commercial rather than agricultural.

Mr. Peck asked as a courtesy, not a requirement, if anyone in the audience cared to comment. There was no response.

**Motion** – Mr. Miller: I move for approval of CUP 2012-01 subject to the six findings of fact and 15 conditions of approval. Second by Mr. Koch.

Mr. Peck asked if the storage tanks could be used as the source of the requirement for water storage for fire fighting. Mr. MacPherson said we have already had that discussion with the applicant and Fire District #3. A nearby pond holds over 1 million gallons. They do have alternatives. Mr. Peck said the bottom line is let's be creative to help people solve these things with minimal cost.

**Vote: 3:0 vote in favor.** Resolution 2012-077 was approved.

CUP 2012-02, a Conditional Use Permit application for the operation of a secure RV storage facility

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Meeting convened at 9:32 am. Present: Commissioners Peck, Miller and Koch; County Administrator Fred Bowen; Planning Director Jerrod MacPherson; Assistant Director Greg Wendt; and Clerk to the Board Mary Withers. Present in audience: Ed Thornbrugh, Rob Puckett, Kristi Pihl, Malcolm Bowie, Sally McKenzie, Victor Reeve, Judith Gidley, Debra Biondolillo, Roger Lenk and one other man.

Mr. MacPherson showed the zoning map, an aerial photograph of the area, and the applicant's site plan on the screen. He said an office will be used initially that will be replaced with a caretaker's residence at some time. The applicant's site plan is not to scale but the facility will meet setback and other requirements.

Mr. Wendt reviewed the conditions of approval on the Action Summary Report (Exhibit 5).

Mr. Koch is concerned with placement of fire hydrants. Rob Puckett said the area is 366' from Court Street to the north property line. Mr. Koch said it's not the buildings that will burn but the RVs or equipment in the lot. He said fire crews could have difficulty getting a fire truck in to lay line to the back part of the property because of equipment being in the way. Mr. Puckett said the facility will have locked gates in the wall that the fire department will be able to access using keys. The fire code now states 400'. Mr. Koch said he stands corrected if the code has changed. Mr. Peck said it sounds like the application is compliant with the code. He thanked Mr. Koch for bringing it up.

Mr. Peck asked about the landscaping requirements. Mr. MacPherson said there is a 10' setback requirement for landscaping around the perimeter. The Planning Department proposed an alternative of using trees that would create a shade canopy. It would be lower maintenance than having to mow grass.

Because of the additional cost, Mr. Peck questioned why the landscape easement for beautification purposes is necessary. Mr. MacPherson said staff felt it would create a canopy and visual buffer from residents to the north and east. He said the applicant is not a big fan of arborvitae. Mr. MacPherson said the City of Pasco requirements were also reviewed. Mr. Peck said if it's a safety issue or code issue, he understands, but for optional things he personally would like to minimize the cost. Mr. Puckett said landscaping across the back doesn't make a lot

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of sense because there is a corn field there now. He believes the area will be developed into homes in the future. Mr. Puckett said at that time we'd be happy to participate in a landscaping program but I would rather put a gate in a locked fence on the west side so that the fire department would have access 24 hours. Mr. MacPherson said the 10' setback requirement is a code requirement. Mr. Peck said it sounds like it's a visual barrier for surrounding properties. He asked Mr. Puckett, "Are you okay with trees?" Mr. Puckett said, "It's going to be fine. It beats the arborvitaes."

**Motion** – Mr. Miller: Mr. Chairman, I move we grant approval for CUP 2012-02 subject to the six findings of fact and 18 conditions of approval. Second by Mr. Koch.

Mr. Peck asked if there is an alternative to the fire hydrant placement. The planners said there is a requirement that the entrance can accommodate either the length or width for two vehicles. As the property develops, we are asking the applicant to work with the fire chief for proper placement of fire hydrants.

Mr. Puckett said we could put a second separate 4' gate on the south side of the property. Mr. Peck it sounds like it's not a requirement but if you want to do it, that's fine.

**Vote: 3:0 vote in favor.** Resolution 2012-078 was approved.

**OFFICE BUSINESS**

Present in audience: Ed Thornbrugh, Rob Puckett, Kristi Pihl, Malcolm Bowie, Sally McKenzie, Victor Reeve, Judith Gidley, Debra Biondolillo, Roger Lenk and one other man.  
Consent Agenda

**Motion** - Mr. Miller: Mr. Chairman, I move we approve the consent agenda items 1 through 4. Second by Mr. Koch. 3:0 vote in favor.

1. Approval of Franklin County Request for reimbursement of work pursuant to agreement between Benton County and Franklin County (Exhibit 6)
2. Approval of Resolution 2012-079, reappointment of Paul Herrman and David Beach to the Franklin County Noxious Weed Control Board, terms expiring March 1, 2016
3. Approval of Resolution 2012-080, Amendment #6 to Interagency Agreement between State of Washington Department of Ecology and Franklin County Solid Waste redistributing \$41,944 and creating a new Organics task within Franklin County's

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Coordinated Prevention Grant Agreement for the period January 1, 2010, through December 31, 2011, amending Franklin County Resolution 2010-055

4. Approval of Resolution 2012-081, inter budget transfer of \$17,648 from 2011 Current Expense Non-Departmental Budget 700, Reserved Fund Balance, to Public Defense Budget #001-000-180 to finalize the payment of outstanding contractor and vendor bills from 2011

**HUMAN SERVICES (HS)**

HS Administrator Ed Thornbrugh and Chief Civil Deputy Prosecutor Ryan Verhulp met with the Board. Present in audience: Judith Gidley, Debra Biondolillo, Roger Lenk, Kristi Pihl, Gordon Hanscom and one other man.

Consolidated Homeless Grant (No. 12-46108-03) offered by Department of Commerce

Mr. Thornbrugh said there are five material areas of concern on a contract that the Board will be asked to approve. There are additional concerns that are largely grammatical in nature. Mr. Verhulp summarized the concerns.

Mr. Thornbrugh said one option instead of Franklin County approving the contract is to ask Benton County if they want to be the regional manager for the consolidated homeless grant. It is also possible the Department of Commerce could contract directly with Benton-Franklin Community Action Committee (CAC) as a provider.

There was discussion about asking that changes be made to the contracts in the future. Mr. Koch said we need to list the items on a white paper and see what kind of support we can get from WSAC and the rest of the counties.

Mr. Peck asked Mr. Verhulp to prepare a brief transmittal to the Board summarizing the five specific areas of concern regarding state contracts. He said with the current contract provisions, we don't feel it's a sound legal recommendation to move forward with this contract.

The Board had **consensus agreement** to have Mr. Thornbrugh ask if Benton County would act as the bi-county agent. Franklin County will not approve the contract at this time.

**COUNTY ADMINISTRATOR (10:19 am)**

County Administrator Fred Bowen met with the Board. Present in audience: Roger Lenk, Kristi Pihl and one other man.

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LCA Architects+pH, LLC

Agenda Summary Report was reviewed (Exhibit 7).

**Motion** – Mr. Miller: I move that we approve amendment #1 to the agreement between Franklin County and LCA Architects+pH, LLC, for architectural work regarding the Franklin County Corrections Facility. Second by Mr. Koch.

Mr. Bowen said the agreement allows the architects to prepare the complete design and write specifications. It will take us from design through to completion of construction. The price is a lump sum fee for services in the total amount \$1,379,836. It has been reviewed by Civil Attorney Ryan Verhulp. A recommendation has also been made to buy additional insurance to cover a period of time during the construction. The reason for the lump sum fee is because we have areas in this project that we may have to shell because of budget but the architects still have to do 100% of the design work. It will be bid with alternatives for shelling. This is standard practice for these types of situations.

**Vote: 3:0 vote in favor.** Resolution 2012-082 was approved.

Gordon Hanscom and Ryan Verhulp joined the audience.

Inter-Fund Loan of \$100,000 from 2012 Miscellaneous Expense 1999 Distressed Counties fund to .3% Criminal Justice Construction Fund

The loan will be made so the construction budget can pay for costs incurred prior to bond funds being received. Any loan funds can be reimbursed once the bond funds are received, which is anticipated to be in June.

**Motion** – Mr. Koch: Mr. Chairman, I would move for approval of Resolution Number 2012-083:

Inter-fund loan in the amount of \$100,000 from the 2012 Miscellaneous Expense 1999 Distressed Cap GO Bonds Fund Number 280-000-002 to the 2012 Miscellaneous Expense .3% Criminal Justice Construction Fund Number 355-000-001; and

Creation of non-expenditure line item 581.10.00.0003 (I/F loan/.3% Criminal Justice Construction Fund) within the 2012 Miscellaneous Expense 1999 Distressed Cap GO Bonds Fund Number 280-000-002; and

Creation of non-expenditure line 581.20.00.0003 (I/F loan/.3% Criminal Justice Construction Fund) within the 2012 Miscellaneous Expense Franklin County .3% Criminal Justice Construction Fund Number 355-000-001; and



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Authorizing the auditor to generate a warrant in the amount of \$100,000, from the 2012 Miscellaneous Expense 1999 Distressed Cap GO Bonds Fund Number 280-000-002 for this loan.

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

Jail Expansion: Conceptual Design Massing Model Views

Mr. Bowen showed the Board the conceptual design views. There was brief discussion about parking areas.

**FACILITIES (10:37 am)**

Facilities Director Gordon Hanscom met with the Board. Present in audience: Ryan Verhulp, Roger Lenk, Kristi Pihl and one other man.

Bids: Annex Roof

Mr. Hanscom said he would recommend the bids be rejected. The first bid from Meyer Roofing had incompliance. The bid from All Surface Roofing is out of the scope of the funding we had set aside but was compliant. Mr. Hanscom recommended going back out for bid. The small works roster could be used. Mr. Peck asked Mr. Verhulp if he was comfortable from a legal perspective. Mr. Verhulp said yes. He said formal quotes were sought in this process initially. A second option would be to dispense with formal quotes and utilize the small works roster. Mr. Hanscom said we have companies on the small works roster who can do the work. The Board had **consensus approval** to use the small works roster and asked Mr. Hanscom to bring it back to the Board for final approval.

**Recessed at 10:41 am.**

**Reconvened at 10:51 am.**

**OTHER BUSINESS**

Present in audience: Shawn Sant, Janet Taylor and Kristi Pihl.

Minutes

**Motion** – Mr. Miller: Mr. Chairman, I move for approval of Commissioners Proceedings for February 22, 2012. Second by Mr. Koch. 3:0 vote in favor.

Payroll

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The Board had **consensus agreement** for Mr. Peck to sign a letter authorizing release of March 15, 2012, payroll if it becomes necessary due to lack of a quorum. Mr. Peck signed the letter but plans to find more information. The letter will not be delivered at this time.

Prosecutor

Prosecutor Shawn Sant and Deputy Prosecutor Janet Taylor met with the Board. Present in audience: Kristi Pihl.

**Executive Session** at 10:57 am pursuant to RCW 42.30.110(1)(i), to consider legal risks of a proposed action related to the termination of former Franklin County employee Dennis Huston, expected to last 30 minutes. Ms. Pihl left the audience.

**Open Session** at 11:29 am.

**Recessed** at 11:30 am.

**Reconvened** at 11:37 am. Present in audience: Kristi Pihl.

**Executive Session** at 11:38 am pursuant to RCW 42.30.110(1)(g) to evaluate qualifications of an applicant for employment or in this situation to review performance of public employees Tim Fife and Guy Walters, expected to last 20 minutes. Ms. Pihl left the audience.

**Open Session** at 12:01 pm. Ms. Pihl joined the audience.

Vouchers

The Board gave **consensus approval** for the Chairman to sign Public Works payroll after Mr. Bowen has reviewed it.

County Road payroll warrants 62417 through 56436 for \$30,952.07; Direct Deposit for \$38,514.62; and Benefits warrants 62437 through 62440 for \$11,646.63; for a total of \$81,113.32; and

Motor Vehicle payroll warrants 62441 through 62454 for \$4751.11; Direct Deposit for \$5901.42; and Benefits warrants 52455 through 62458 for \$1834.11; for a total of \$12,486.64.

Grand total is \$93,599.96 (Exhibit 8)

**Adjourned** at 12:03 pm.


*This document is a summarized version of the Board of Commissioners proceedings. Access to an audio recording of the meeting is available upon request.*

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until March 7, 2012.

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

  
Brad Peck, Chairman

  
Rick Miller, Chairman Pro Tem

  
Robert E. Koch, Member

Attest:

  
Clerk to the Board

Approved March 14, 2012.



# FRANKLIN COUNTY AUDITOR

*Matt Beaton, Auditor*

2/29/2012

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims.

Action: As of this date, 2/29/2012

Move that the following warrants be approved for payment:

certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.

FUND Expenditures	WARRANTS		AMOUNT ISSUED
Current Expense	62372	62416	\$32,826.12
Current Expense	62459	62513	\$46,087.81
RV Park	62514	62516	\$2,301.97
Election Equipment Revolving	62517	-	\$121.94
Crime Victims/Witness Assist	62518	-	\$276.60
Courthouse Facilitator Program	62519	-	\$1,050.00
Jail Commissary	62520	62523	\$5,191.26
Law Library	62524	62527	\$23,294.62
Veteran's Assistance	62528	62530	\$3,928.81

In the amount of

**\$115,079.13**

The motion was seconded by

And passed by a vote of 3 to 0

A handwritten signature in dark ink, appearing to read "Matt Beaton".

The attached vouchers have been approved by Auditor or Deputy

A handwritten signature in dark ink, appearing to read "Matt Beaton".

Vouchers Audited By



# FRANKLIN COUNTY


## PUBLIC WORKS DEPARTMENT

Tim Fife, P.E., Public Works Director/County Engineer  
Guy F. Walters, Assistant Public Works Director

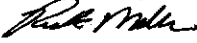
February 15, 2012

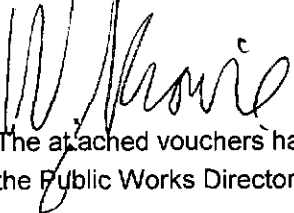
Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims certified by RCW 42.24.90, have been recorded on a listing, which has been sent to the board members.

Action: As of this date, February 15, 2012,   
move that the following vouchers be approved for payment:

<u>FUND</u>	<u>AMOUNT</u>
<b>County Road</b>	
- Vouchers (2011)	\$14,685.68
- Vouchers (2012)	\$125,368.56
<b>Total</b>	<b>\$140,054.24</b>
<b>Motor Vehicle</b>	
- Vouchers	\$19,321.84
<b>Total</b>	<b>\$19,321.84</b>
<b>Solid Waste</b>	
- Vouchers	\$411.62
<b>Total</b>	<b>\$411.62</b>
<b>Probation Work Crew</b>	
- Vouchers	\$496.65
<b>Total</b>	<b>\$496.65</b>

in the total amount of **\$160,284.35** ( \$496.65 + \$411.62 + \$19,321.84 + \$140,054.24 ).  
The motion was seconded by  and passed by a vote of 3 to 0.

  
The attached vouchers have been approved by  
the Public Works Director

  
Vouchers Prepared By



# FRANKLIN COUNTY AUDITOR

*Matt Beaton, Auditor*

February 29, 2012

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, February 29, 2012  
move that the following warrants be approved for payment.

A handwritten signature, likely of the Auditor, Matt Beaton, in dark ink.

<u>FUND</u>	<u>WARRANT</u>	<u>AMOUNT</u>
<b>Salary Clearing Payroll:</b>		
Payroll	55481-55577	181,644.49
Direct Deposit		325,043.91
		506,688.40
Benefits	55578-55592	238,519.41
	<b>Total</b>	<b>\$745,207.81</b>
 <b>Emergency Mgmt Payroll:</b>		
Payroll	62332-62341	\$3,779.67
Direct Deposit		6,884.33
		\$10,664.00
Benefits	62342-62350	4,590.39
	<b>Total</b>	<b>\$15,254.39</b>
 <b>Irrigation Payroll:</b>		
Payroll	62351-62363	\$6,071.68
Direct Deposit		3,015.93
		\$9,087.61
Benefits	62364-62371	5,765.05
	<b>Total</b>	<b>\$14,852.66</b>
 <b>Grand Total All Payrolls</b>		 <b>\$775,314.86</b>

In the total amount of **\$775,314.86**

(\$745,207.81+\$15,254.39+\$14,852.66)

The motion was seconded by

A handwritten signature, likely of a board member, in dark ink.

and passed by a vote of 3 to 0.

The attached payroll has been approved by Auditor or Deputy

Payroll Prepared By

**Franklin County**  
**Board of Commissioners**  
**Agenda Summary Report**

**DATE:** February 21, 2012**PRESENTED BY:** Jerrod MacPherson**ITEM:** (Select One)☐ Consent Agenda.☒ To Be Brought Before the Board. Date: February 29, 2012Time needed: 30 minutes

**SUBJECT / ISSUE:** CUP 2012-01, a Conditional Use Permit (CUP) application for the construction of a 7,000 square foot (approximate) building to be used for winery and rural retail business activities.

**ACTION(S) REQUESTED:**

Review the Planning Commission Recommendation in a Public Meeting; Pass a motion; and Pass a Resolution.

**BACKGROUND:**

A Conditional Use Permit application request for the construction of a 7,000 square foot (approximate) building to be used for winery and rural retail business activities.

The new structure will be used to store and sell wine. A tasting room will also be provided.

Additionally, the rural retail business will sell farm produce along with products and prepackaged items such as bakery goods.

The land is located approximately 2 miles north of the City of Pasco, along the south side of East Vineyard Drive and along the east side of Highway 395 near site address 502 East Vineyard Drive (Parcel Number 124-660-039).

**Public Testimony and Discussions:**

Phone and/or In-Office Discussions: Planning Staff did not receive any phone calls or in office inquiries regarding this application.

Open Record Hearing Testimony:

**-In support of application:** The applicant spoke in support of the application.

**-Opposed to application:** No public spoke against the application.

**-Clarification only:** None.

Planning Commission Voting/Discussion: Positive recommendation with 4 in favor; 0 against;

**Summary:**

At the regularly scheduled Planning Commission hearing on February 7, 2012 the Franklin County Planning Commission voted to forward a positive recommendation for this application to the Board of County Commissioners subject to the following six (6) findings of fact and fifteen (15) conditions of approval:

**Finding of Fact:**

1. The construction and operation of a winery (tasting room) and rural retail business in the AP-20 Zoning District IS in accordance with goals and policies of the County Development Regulations (Zoning) and the County Comprehensive Plan.

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**Agenda Summary Report**

- a. The siting of this facility at this location is in compliance with the County Comprehensive Plan. Specifically, this facility is not being sited in a designated critical area and will not negatively impact adjacent properties and the natural environment.
- b. The property is zoned Agricultural Production 20 (AP-20). The construction and operation of a winery and associated uses such as a tasting room and a rural retail business requires the approval of a Conditional Use Permit.
2. The proposal **WILL NOT** adversely affect public infrastructure.
  - a. The site has frontage along Highway 395 and East Vineyard Drive for access.
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 immediate area is Agricultural. The proposed use, located adjacent to the existing winery at the site, is in harmony with the surrounding activities and uses.
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 location of the proposed use is on 29 acres and will not discourage permitted agricultural uses in the surrounding area.
  - b. The applicant plans to utilize approximately 2.5 acres for the proposed use.
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. The AP-20 Zone allows a wide range of activities that may produce noise, fumes, vibrations, dust, traffic and flashing lights. The proposed use is consistent with the activities allowed as a permitted use in the AP-20 Zoning District.
6. The proposal **WILL NOT** endanger the public health, safety, or general welfare if located where proposed.
  - a. Operations at the site are to be in compliance with the standards and requirements of the Benton Franklin Health Department at all times.

**Conditions of Approval:**

1. This is a conditional use permit to construct a new building for the use as a winery and rural retail business.

The new structure will be used to store and sell wine. A tasting room will also be provided.

Additionally, the rural retail business will sell farm produce along with products, goods or commodities that are grown, produced, or packaged off-site. The applicant has proposed winery related gifts and prepackaged bakery type items.
2. **Benton Franklin Health Department:** This office has no objections provided:
  - a. This facility will be served by an on-site sewage disposal system that is permitted, installed, and approved in accordance with Benton Franklin District Board of Health Rules and Regulations No.2.



**Page 3**  
**Agenda Summary Report**

- b. The lot must meet minimum usable land area requirements as specified in Benton Franklin District Board of Health Rules and Regulations No. 2.
  - c. The business will be served by an approved public water supply in accordance with WAC 246-290.
  - d. Plans for the food service establishment must be submitted, reviewed, and approved in accordance with WAC 246-215 by this office prior to construction and operation.
3. A County Business Registration is required to be applied for on an annual basis.
4. Proposed signage for the site shall be in compliance with the County Sign Code (#9-2010, as amended). Any new sign for the business is considered commercial in use as it relates to the Code.
5. **Public Works:**
- a. The approach off of East Vineyard Drive shall be located as close as possible to the easterly property line as shown on the site plan. This location maximizes the best sight distance to the east. Approach permits are required for any new approaches onto county roads.
  - b. The existing shrubbery that lies within the right of way for East Vineyard Drive shall be removed due to the fact that the shrubs prohibit storm water from running off the roadway into the ditch line. Any proposed landscaping lying within the right of way shall only be allowed through a permit process from the Public Works Department.
6. **WA State Department of Transportation:** Application shall comply with the standards and requirements of the WA State Department of Transportation. Please see letter dated January 23, 2012 from State DOT to the County Planning Department. This letter is maintained in the Planning case-file.
7. **County Building Division:** New construction requires the following type of submittals.
- a. A completed building permit application for each new structure is required along with 2 sets of WA State Engineered plans.
  - b. A current access permit is required from the Franklin County Public Works office.
  - c. A current septic permit for the site is to be submitted.
  - d. A Water Availability notification is to be submitted.
  - e. Plans should also include onsite fire protection water storage tank and installation engineering.
8. **Fire Code:**
- a. This property shall remain free of all fire hazards, including but not limited to weeds, debris, new or used tires, discarded vehicle parts, hazardous waste, fuel or oil storage.
  - b. The proposed use & occupancy shall meet the adopted Building Codes, Fire Codes and Fire & Life Safety codes in effect and as adopted by Franklin County.
  - c. ADA handicap and parking requirements for this facility are required.
  - d. For fire fighting purposes an approved and suitable water supply is to be available at this site (Ordinance 6-2010--Section 8, Rural Area Land Development Standards). Land development standards for rural areas where adequate and reliable water sources do not exist or where the development of full fire flow requirements is impractical are as follows:

**Page 4**  
**Agenda Summary Report**

- i. Standard on-site water storage: Where year round, on-site water storage is required (as determined by building occupancy classification) in accordance with this code, a minimum of 20,000 gallons shall be provided. The required on-site water storage may be above ground, below ground, or stored in some other alternative form/method as approved by the Fire Code Official.
9. Outdoor lighting at the business operation shall be shielded down to the best extent possible. This will assist in ensuring the outdoor lighting will not become a nuisance to traffic, neighboring properties, and will limit light pollution in rural Franklin County.
10. The applicant shall comply with the submitted site plan including plans for parking and landscaping areas.
11. The applicant shall commence the use authorized in the Conditional Use Permit within 2 years after the effective date of the permit issuance date, or the permit shall expire.
12. Any discontinuance or abandonment of the approved use for a period of (1) year shall null and void this CUP approval.
13. If land owner chooses in the future to transfer this approval to any other corporation or entity, the Planning Department shall be notified of this change. All conditions and requirements will continue for the new applicant.
14. 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.
15. 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.

**COORDINATION:**

N/A

**RECOMMENDATION:**

The County Planning Commission recommends the Board of Commissioners approve CUP 2012-01 with the following motion:

**Motion:**

Grant approval of CUP-2012-01, subject to the six (6) findings of fact and fifteen (15) conditions of approval.

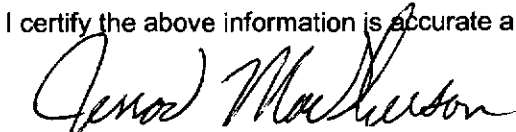
**HANDLING / ROUTING:**

N/A

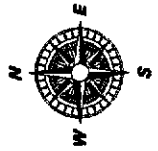
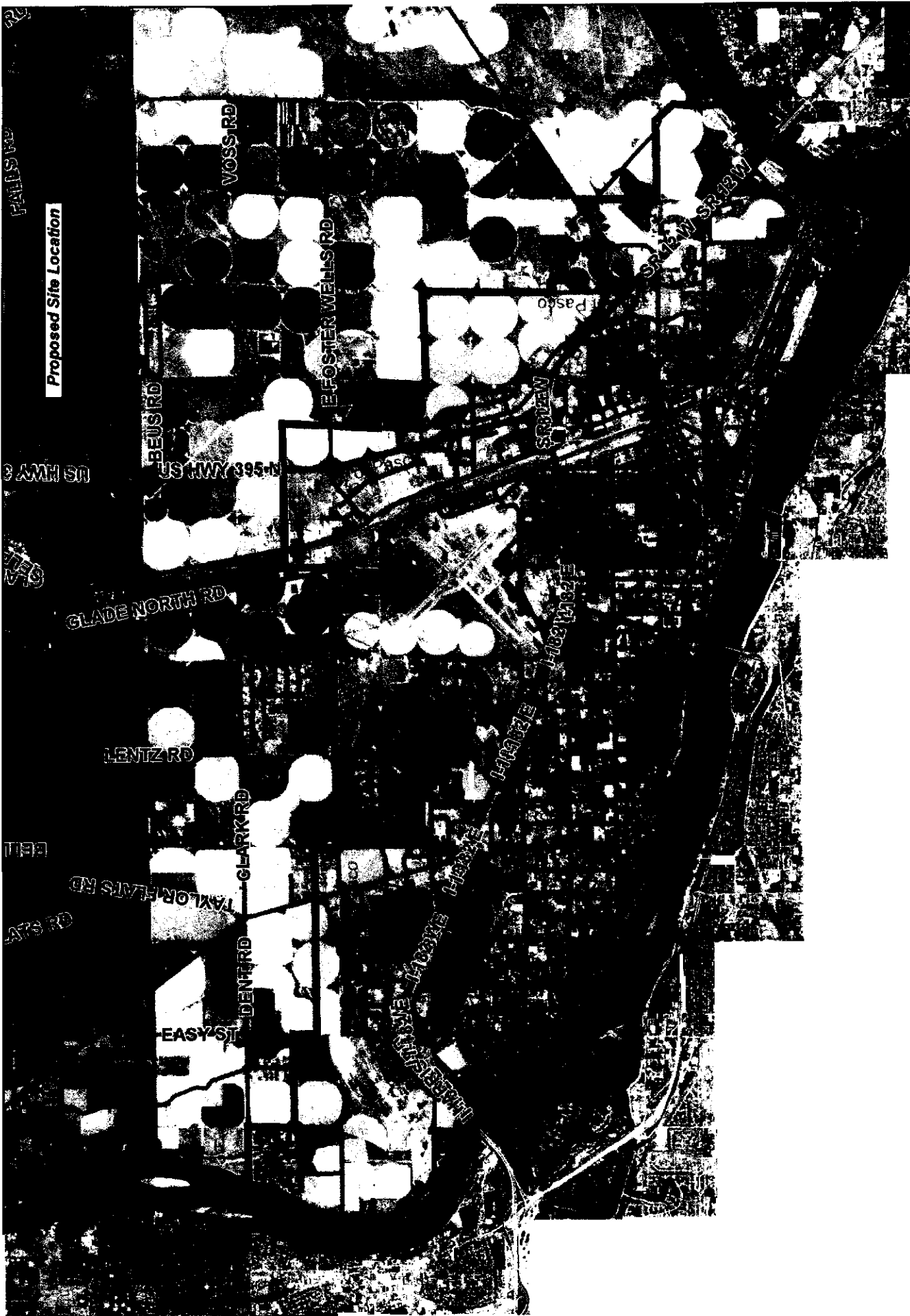
**ATTACHMENTS:**

Six (6) exhibits are attached for consideration: 1) An aerial overly map of the general area; 2) An aerial overlay map of the specific parcel(s) in question; 3) A detailed aerial overlay map of the approximate building location and the intersection of Highway 395 and East Vineyard Drive; 4) A copy of the applicant's detailed site plan; 5) Elevations of the proposed building; and 6) A copy of the comment letter from the Washington State Department of Transportation.

I certify the above information is accurate and complete.



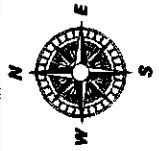
Jerrod MacPherson – Director of Planning and Building



**CUP 2012-01 - Brent Preston - Winery Application**

Franklin County Regional Information System  
1016 North 4th Avenue  
Pasco, Washington 99301  
Telephone: (509)545-3585 Fax: (509)546-5871

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# **CUP 2012-01 - Brent Preston - Winery Application**

February 7, 2012

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griff@co.franklin.wa.us

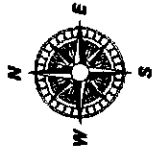
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**Approximate Proposed Building Location**

**Existing Preston Winery Sign Location**



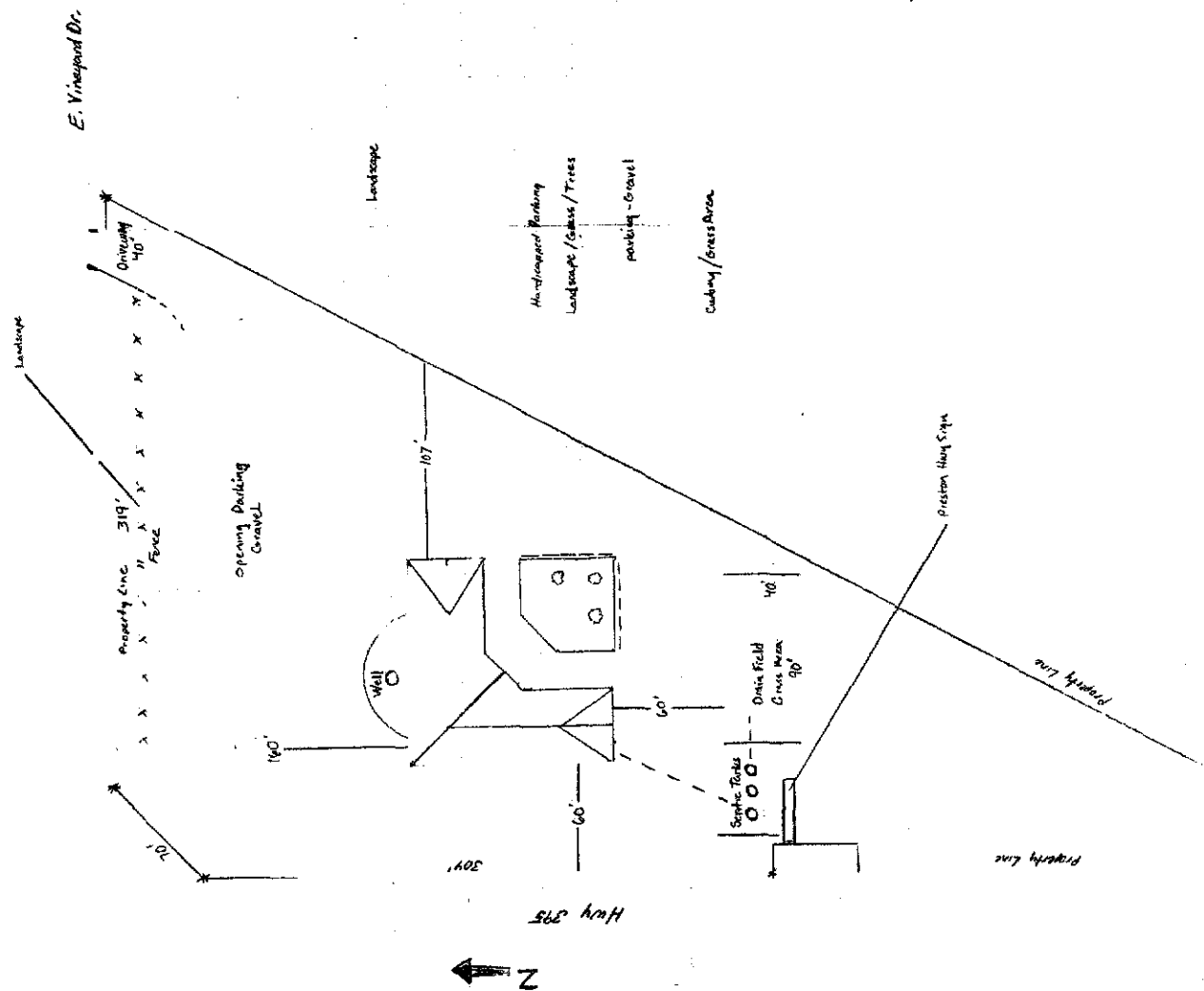
**CUP 2012-01 - Brent Preston - Winery Application**

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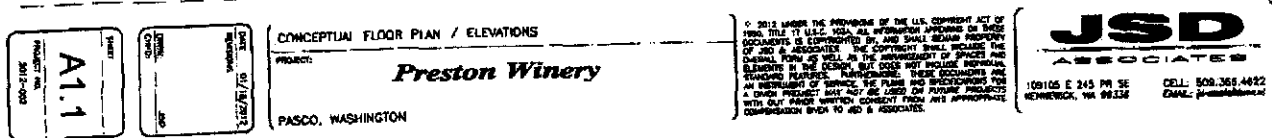
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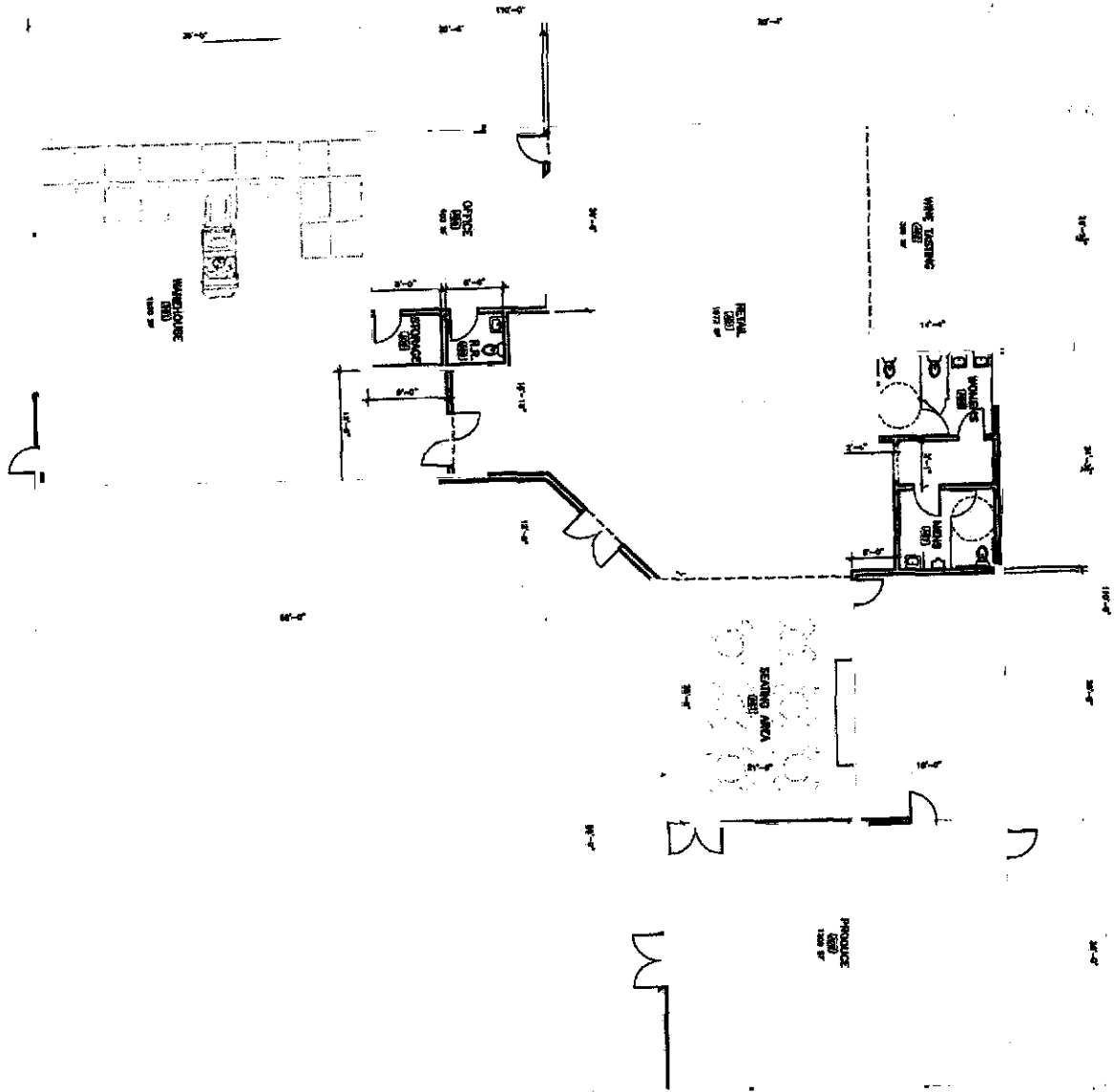
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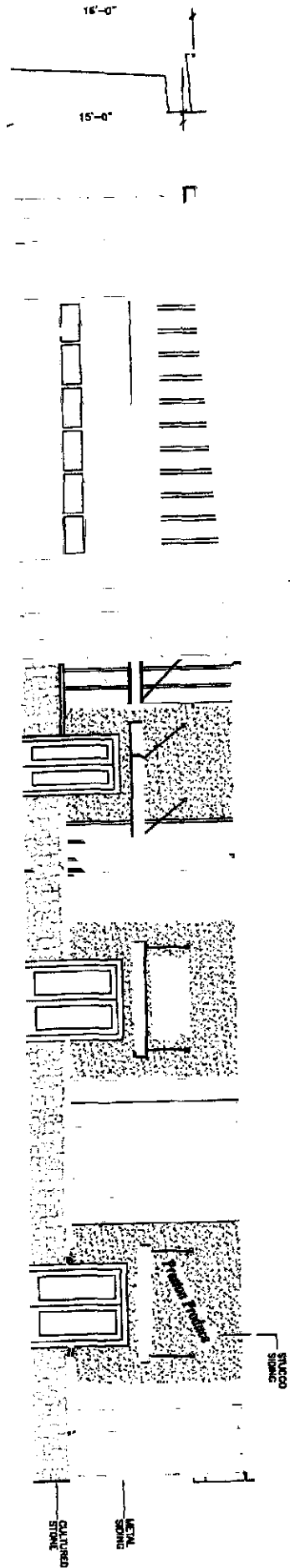
Arceid # 124660039

Scale  
1/4" = 10'









SOUTH ELEVATION  
SCALE 3/16" = 1'-0"

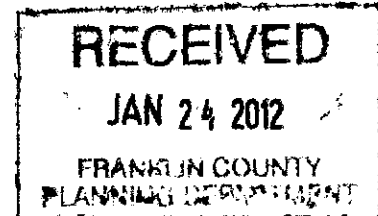


**Washington State  
Department of Transportation**  
**Paula J. Hammond, P.E.**  
Secretary of Transportation

**South Central Region**  
2809 Rudkin Road, Union Gap  
P.O. Box 12560  
Yakima, WA 98909-2560  
509-577-1600  
TTY: 1-800-833-6388  
www.wsdot.wa.gov

January 23, 2012

Franklin County Planning and Building Department  
1016 N. 4<sup>th</sup> Avenue  
Pasco, WA 99301



Attention: Greg Wendt, Assistant Director

Subject: CUP-2012-01 – Preston Winery  
SR 395, milepost 27.64 / E. Vineyard Drive

We have reviewed the proposed project and have the following comments.

- The proposed project is adjacent to U. S. Highway 395 (US 395). US 395 is a partially-controlled limited access facility with a posted speed limit of 70 miles per hour. The intersection with the county road (E. Vineyard Drive) is fully channelized and does not have a history of significant collision occurrences. The Washington State Department of Transportation (WSDOT) has acquired all the access rights from the parent parcel. No commercial approaches are allowed on limited access highways. The limited access boundary extends east 250 feet along East Vineyard Drive from the northbound US 395 centerline. The property has existing deeded access rights to E. Vineyard Drive, easterly of Highway Engineer's Station 12+50. Based on the configuration shown in the site plan received, it appears that the proposed access driveway is beyond the 250 feet limited access termination point on E. Vineyard Drive.
- Stormwater and surface runoff generated by this project must be retained and treated on site in accordance with regulating agencies' standards, and not be allowed to flow onto WSDOT rights-of-way.
- US 395 is an existing facility. The proponent should be aware that they are developing in an area with traffic noise. They should also expect that traffic noise may continue to grow into the future, and, US 395 may need to be expanded to accommodate future traffic growth. If the proponent is concerned with traffic noise affecting this development, it is his responsibility to dampen or deflect any traffic noise for it.
- Any proposed lighting should be directed down towards the site, and away from US 395.
- Structure setbacks are measured from WSDOT rights of way. No appurtenances shall be constructed or placed within this right of way. The section of US 395 adjacent to the proposed development has a right of way width of 75 feet to the east from the centerline of the northbound alignment.. See attached plan entitled "PASCO TO SAGEMOOR, FRANKLIN COUNTY, RIGHT OF WAY, STATION 261+00 TO STATION 293+00".

Greg Wendt, Franklin County Planning and Building Department  
January 23, 2012  
Page 2 of 2

- The applicant has entered a ground lease agreement with WSDOT (I.C. No. 5-11-04348) for the maneuvering of farm equipment. This change in use, from agricultural to commercial, requires the ground lease to be revised by the WSDOT. Prior to CUP approval, the proponent must contact Mr. Stewart Reif, Property Management Supervisor, Real Estate Services, to negotiate a new lease. He can be reached at (509) 577-1661. The WSDOT right of way fence adjacent to the proposed development is currently located 19 feet inside of right of way, along the western boundary of said leased area. This fence shall remain in place, unaltered, until the lease is revised. It will be determined at that time if the fence will need to be moved and/or modified.
- The site plan received from the applicant shows a proposed well. The 100 foot wellhead protection zone for any new well shall not encumber WSDOT rights of way. The wellhead must be located at least 100 feet from US 395 right of way.

Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding our comments, please contact Rick Holmstrom at (509) 577-1633.

Sincerely,



Paul Gonseth, P.E.  
Planning & Materials Engineer

PG: mls  
cc: File #2, US 395  
Larry Wilhelm, Area 3 Maintenance Supervisor

p:\planning\devrev\sr395\FrankCo\_CUP\_Preston Winery.docx

**Franklin County**  
**Board of Commissioners**  
**Agenda Summary Report**

**DATE:** February 21, 2012**PRESENTED BY:** Jerrod MacPherson

**ITEM:** (Select One)      ☐ Consent Agenda.  
                                 ☒ To Be Brought Before the Board.    Date: February 29, 2012  
                                 Time needed: 30 minutes

**SUBJECT / ISSUE:** CUP 2012-02, a Conditional Use Permit (CUP) application for the operation of a secure RV storage facility.

**ACTION(S) REQUESTED:**

Review the Planning Commission Recommendation in a Public Meeting; Pass a motion; and Pass a Resolution.

**BACKGROUND:**

A Conditional Use Permit application to construct and operate a secure RV storage facility.

The proposal includes the construction of an office and perimeter fencing (block fencing along Court Street and chain link along the sides and rear yards).

The applicant is additionally requesting the flexibility in the future to construct a caretakers' residence to assist with managing the business and the ability to construct 3 sided or enclosed storage structures.

The property is located east of Road 68, west of Road 64 along the north side of Court Street in the Pasco Urban Growth Area (Parcel Number 118-602-049).

**Public Testimony and Discussions:**

Phone and/or In-Office Discussions: Planning Staff did not receive any phone calls or in office inquiries regarding this application.

Open Record Hearing Testimony:

-**In support of application:** The applicant spoke in support of the application.

-**Opposed to application:** No public spoke against the application.

- **Clarification only:** None.

Planning Commission Voting/Discussion: Positive recommendation with 4 in favor; 0 against;

**Summary:**

At the regularly scheduled Planning Commission hearing on February 7, 2012 the Franklin County Planning Commission voted to forward a positive recommendation for this application to the Board of County Commissioners subject to the following six (6) findings of fact and eighteen (18) conditions of approval:

**Finding of Fact:**

1. The operation of a RV storage facility at the proposed location in the C-1 Zoning District **IS** in accordance with goals and policies of the Urban Area Comprehensive Plan.
  - a. The siting of this facility at this location is in compliance with the Urban Area Comprehensive Plan. The County Zoning Ordinance requires the approval of a Conditional Use Permit for the proposed use.

**Page 2**  
**Agenda Summary Report**

2. The proposal **WILL NOT** adversely affect public infrastructure.
  - a. The site has frontage along Court Street for access.
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 immediate area is *Commercial*. The proposed use, located in an area with other commercial uses, is consistent with the surrounding activities and uses.
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 location of the proposed use is located on approximately 4.5 acres and will not discourage permitted uses in the surrounding area. Perimeter fencing is proposed to assist in minimizing impacts to the surrounding lands.
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. The C-1 Zone allows a wide range of activities that may produce noise, fumes, vibrations, dust, traffic and flashing lights. The proposed use is consistent with the activities allowed as a permitted use in the C-1 Zoning District.
6. The proposal **WILL NOT** endanger the public health, safety, or general welfare if located where proposed.
  - a. Operations at the site are to be in compliance with the standards and requirements of the Benton Franklin Health Department at all times.

**Conditions of Approval:**

1. This is a conditional use permit to construct and operate a secure RV storage facility.

The proposal includes the construction of an office and perimeter fencing (block fencing along Court Street and chain link along the sides and rear yards).

The applicant is additionally requesting the flexibility in the future to construct a caretakers' residence to assist with managing the business and the ability to construct 3 sided or enclosed storage structures. The property is located east of Road 68, west of Road 64 along the north side of Court Street in the Pasco Urban Growth Area (Parcel Number 118-602-049).
2. Comply with the standards of the **Benton Franklin Health Department, including the following:**
  - a. The caretaker's residence will be served by an on-site sewage disposal system that is permitted, installed, and approved in accordance with Benton Franklin District Board of Health Rules and Regulations No.2.
  - b. The lot must meet minimum usable land area requirements as specified in Benton Franklin Board of Health Rules and Regulations No.2.
3. Comply with the standards of the **County Public Works Department**. After reviewing the above referenced CUP for an RV storage facility, we have the following comments:

**Page 3**  
**Agenda Summary Report**

- a. Although the proposed site lies within the county, the access onto Court Street is within the Pasco City Limits. Access will need to be approved by the City of Pasco.
- b. This section of Court Street is classified as an Urban Principle Arterial and by county standards, the right of way should be 80 feet in width, 40 feet each side of the true centerline of Court Street. The existing right of way on the north side of Court Street is 36 feet so we are recommending the owner dedicate an additional 4 feet of right of way to achieve the standard of 40 feet.
4. The portion of Court Street fronting the applicants' property is located in the City of Pasco. Applicant shall coordinate and meet the standards of the City of Pasco regarding the requirements for 4' of road dedication.
5. **Fire Code:**
  - a. This property shall remain free of all fire hazards, including but not limited to weeds, debris, new or used tires, discarded vehicle parts, hazardous waste, fuel or oil storage.
  - b. The proposed use & occupancy shall meet the adopted Building Codes, Fire Codes and Fire & Life Safety codes in effect and as adopted by Franklin County.
  - c. One (1) Fire Hydrant is required to be located at the site prior to final building permit approval of the new office structure. This hydrant shall be located along the east side of the proposed entrance driveway along the south side of the proposed new parking spaces. Coordination with Fire District 3/Fire Code Official regarding placement of the hydrant shall occur.
  - d. Two (2) additional Fire Hydrants may be required as necessary in the future to provide a water supply to all areas of this site and the new structure(s) located on it. This will occur through coordination with Fire District 3/Fire Code Official and will be required at the time of building permit for new structures.
  - e. ADA handicap requirements for facility parking including access is required.
  - f. As new structures are constructed, coordination with the Fire District #3/Fire Code Official shall occur to ensure a clear travel area is in place (around RV parking spaces/stalls and new structures) and setbacks from property lines are adequate for fire purposes.
6. Outdoor lighting at the facility shall be shielded down to the best extent possible. This will assist in ensuring the outdoor lighting will not become a nuisance to neighboring properties and will limit light pollution in the West Pasco area.
7. The storage facility area shall consist of an all weather parking surface such as gravel or pavement. This shall be completed prior to beginning business operations.
8. **RV Storage:**
  - a. Types of storage allowed at the site includes: Boats, recreational vehicles and licensed/operable automobiles that are typically found in residential areas.
  - b. Types of Storage *not allowed* at the site: Inoperable vehicles, parking/storing of large commercial vehicles, heavy equipment/machinery, and construction supplies/materials.
9. **Court Street- Fencing, Landscaping, and Parking:**
  - a. The applicant shall provide one parking space for every 300 square feet of office space.

**Page 4**  
**Agenda Summary Report**

- b. One (1) handicap parking space shall be provided.
- c. The public parking area and access lane to the storage lot (between Court Street and proposed access gate) is proposed to be paved.
- d. The public parking area shall be setback a minimum of 10' from the Court Street right of way line.
- e. The parking lot setback area (as shown on the site plan as a landscaped area) shall be treated with landscaping with no less than 50% of the surface being live vegetation. One (1) tree which provides shade or is capable of providing shade at maturity is required for every 200 square feet of required landscaped area. Landscaped areas must be adequately protected from damage by vehicles.
- f. Fencing along Court Street is proposed to be a block estate type fence.
- g. Facility access gate along Court Street shall be setback from Court Street an adequate distance to ensure that two (2) RV's arriving simultaneously to access the facility will not need to be stopped or parked in Court Street causing a traffic hazard. Adding an additional access lane or an extra wide lane may assist in limiting this potential hazard. Coordination with the Planning and Building Department shall occur on gate/fence placement.

**10. Perimeter Fencing and Landscaping:**

- a. The applicant is proposing a chain link fence along the east, north and west property lines. Additionally, slats shall be provided. Existing fencing may be utilized or the applicant shall place a new fence for the facility.
- b. As an alternative to planting a 10' landscape setback area, the applicant shall plant trees (evergreen and/or deciduous) that are capable of providing shade/canopy at maturity and shall be spaced at no more than 30 feet on center spacing. Trees shall be located inside the applicants fence along the east (commercial and mixed residential), north (residential) and west (commercial with a single family home) sides of the property.

**11. Building Division: New structures require, at a minimum, the following:**

- a. A completed Building Permit application is required.
- b. A current Access permit is required.
- c. A current Septic permit is required.
- d. Water availability notification is required.

- 12. Irrigation shall be provided to all landscaping and trees. Dead or diseased trees/landscaping shall be replaced immediately.
- 13. The applicant shall apply for and receive a County business registration on an annual basis. This shall be obtained prior to final building permit approval for the new office building.
- 14. The applicant shall commence (obtain building permit for office building) the use authorized in the Conditional Use Permit within 2 years after the effective date of the permit issuance date, or the permit shall expire.
- 15. Any discontinuance or abandonment of the approved use for a period of (1) year shall null and void this CUP approval.

**Page 5**  
**Agenda Summary Report**

16. If the land owner chooses in the future to transfer this approval to any other corporation or entity, the Planning Department shall be notified of this change. All conditions and requirements will continue for the new applicant.
17. 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.
18. 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.

**COORDINATION:**

N/A

**RECOMMENDATION:**

The County Planning Commission recommends the Board of Commissioners approve CUP 2012-02 with the following motion:

**Motion:**

Grant approval of CUP-2012-02, subject to the six (6) findings of fact and eighteen (18) conditions of approval.

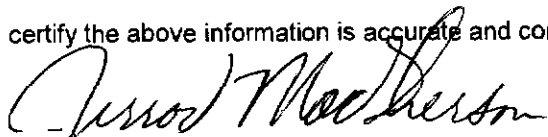
**HANDLING / ROUTING:**

N/A

**ATTACHMENTS:**

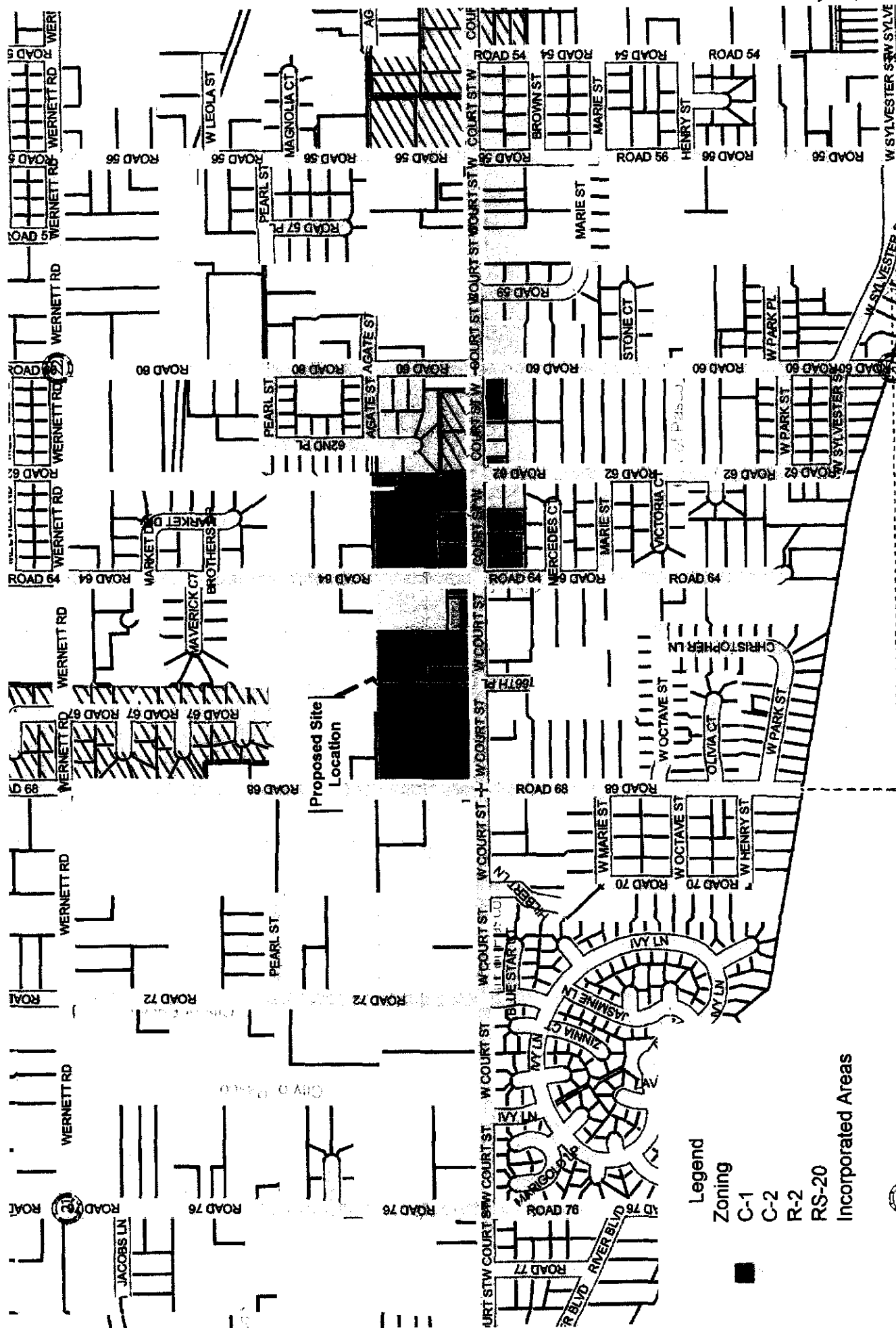
Three (3) exhibits are attached for consideration: 1) A zoning and parcel overly map of the general area; 2) A detailed aerial overlay map of the specific parcel in question; and 3) A detailed site plan of the proposed project.

I certify the above information is accurate and complete.



Jerrod MacPherson – Director of Planning and Building





**CUP 2012-02 - Puckett - Secure RV Storage Facility**

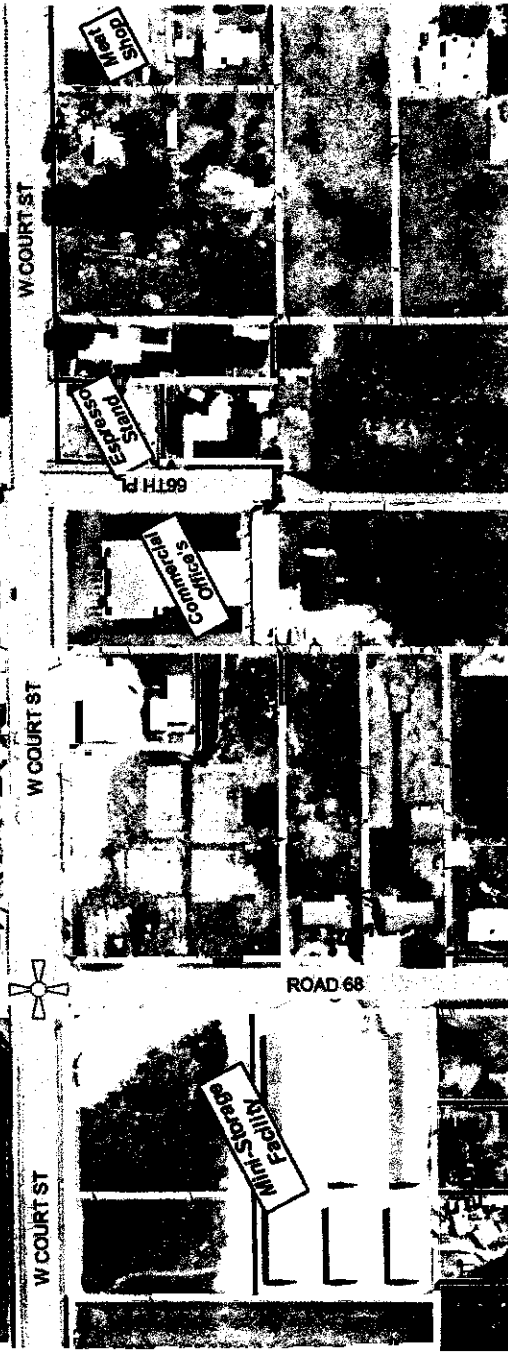
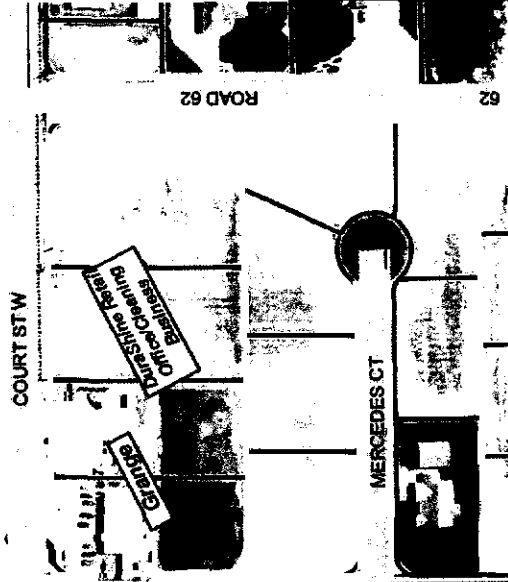
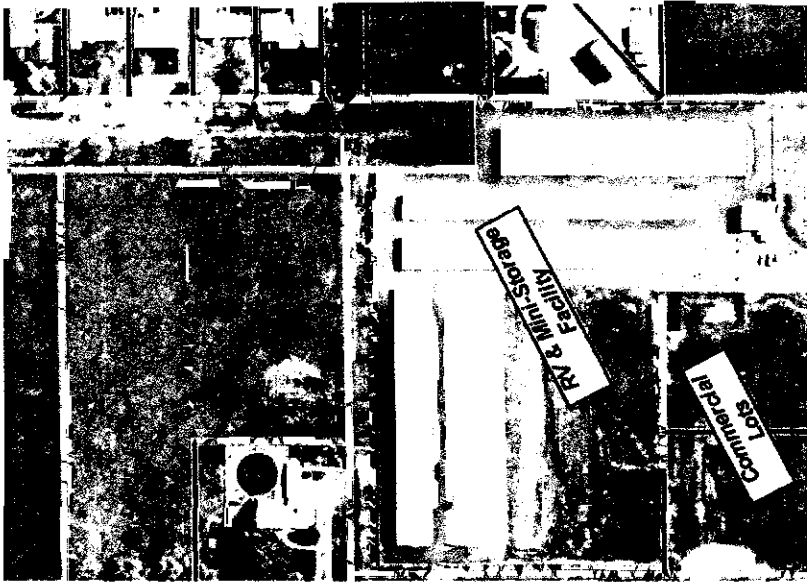
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 Pasco, Washington 99301  
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February 7, 2012

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- Legend**
- Zoning
  - C-1
  - C-2
  - R-2
  - RS-20
  - Incorporated Areas



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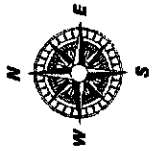
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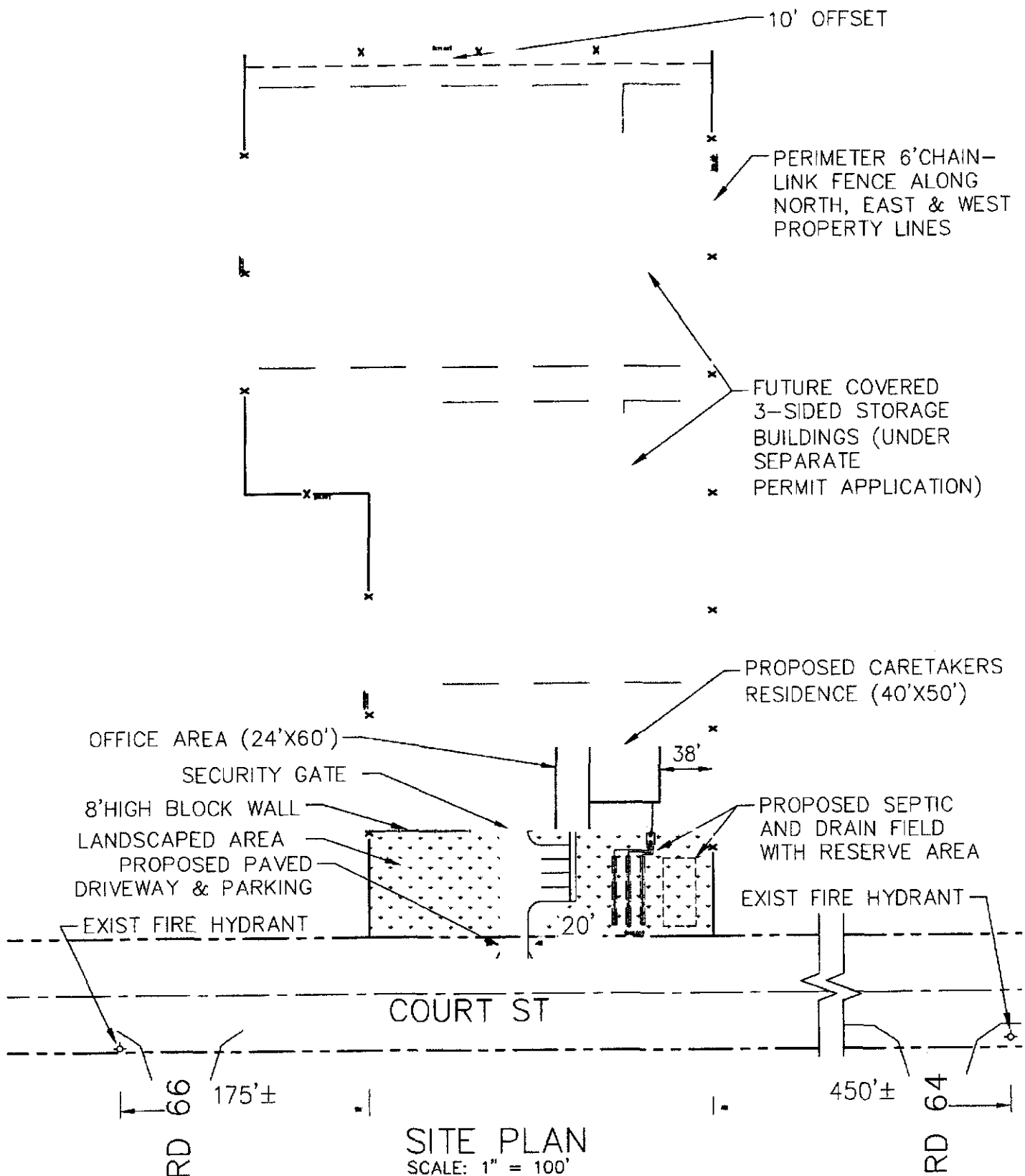
## CUP 2012-02 - Puckett - Secure RV Storage Facility

Franklin County Regional Information System  
2016 North 4th Avenue  
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Telephone: (509) 545-3585 Fax: (509) 546-5871

February 7, 2012

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gr@co.franklin.wa.us





**HARMS ENGINEERING, INC.**

1632 W Sylvester, Pasco, WA 99301  
 Phone (509) 647-2679 Fax (509) 647-3767  
 Web Site: www.HarmsEngineering.com  
 Email: info@HarmsEngineering.com  
 Designed By: J. JENSEN Drawn By: Z. JONES  
 File Name: Site 2 JI Plotted: Dec 29, 2011, 8:47:05 AM  
 File Path: P:\2011\10-095.1 Mor-Stor Mini Storage Conditional Use Permit\Drawings

Drawing Name

**THREE RIVERS RV STORAGE  
SITE LAYOUT**

RD 66 AND CT STREET, PASCO, WA

Client/Project Information

**ROB & MELINA RUCKETT**  
509-545-6785

Date

**12-29-2011**

Project Number

**10-095.1**

Sheet Number

**C1**

RECEIVED

FEB 22 2012

Franklin County Commissioners

**Franklin County**  
**Board of Commissioners**  
**Agenda Summary Report**

**DATE SUBMITTED:** February 21, 2012**PRESENTED BY:** Malcolm Bowie, Interim Public Works Director/County Engineer**ITEM:** (Select One) ☒ Consent Agenda☐ To Be Brought Before the Board. Suggested Date: February 29, 2012

Time needed: \_\_\_\_\_ minutes

**SUBJECT / ISSUE:***Reimbursement of Work between Franklin County and Benton County***FISCAL IMPACT:***The is for the reimbursement of expenditures for the cost of the installation of targets for the 2012 Digital Orthophotography Project.***ACTION(S) REQUESTED:***We respectfully request the Board's approval of the Engineer's recommendations for Reimbursement of Work from Benton County.*

**BACKGROUND:** *The reimbursement of work between Franklin and Benton Counties requires some administrative work from Franklin County with the majority of the cost for MaKay & Sposito (Contract #FC-PSS-10-001) to accomplish the installation of targets for the 2012 Digital Orthophotography project between the two counties.*

**COORDINATION:***This has been reviewed by the following individuals:*

- *Malcolm Bowie, P.E., Interim Public Works Director / County Engineer*
- *Matt Mahoney, Design Engineer*
- *Lynne DeSantis, GIS Specialist*
- *Mary Phillips, GIS Manager, Benton County*

**RECOMMENDATION:***We recommend the Franklin County Board of Commissioners approve the attached Request for Reimbursement of Work between Franklin County and Benton County.***HANDLING / ROUTING:***The signed documents will be handled and routed as follows:*Originals: Auditor  
Minutes

Cc: Public Works

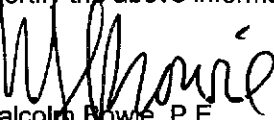
Originals: Minutes

Cc: Public Works

**ATTACHMENTS:***The documents included in this package are as follows:*

1. *Franklin County Request For Reimbursement Of Work*

I certify the above information is accurate and complete.

  
Malcolm Bowie, P.E.  
Interim Public Works Director / County Engineer

**FRANKLIN COUNTY REQUEST  
FOR REIMBURSEMENT OF WORK**

**To Franklin County:**

Pursuant to terms of an agreement between the Benton County and Franklin County, adopted and approved on June 8, 2009, the undersigned hereby requests the County to perform the work listed below at a time and in a manner convenient to the County. The undersigned further requests that the work be completed no later than April 1, 2012 and hereby guarantees reimbursement to the County for all work done up to a maximum of \$15,000.00.

MacKay & Sposito, Inc. (Survey Consultant Contract #FC-PSS-10-001) will be utilized for the installation of targets for the 2012 Digital Orthophotography Project in Benton and Franklin Counties. The consulting services for the target installation and administrative costs by Franklin County will be within the above limits.

All terms of said agreement shall apply, with the following exceptions:

Date: 2-15-12

Signature:



(County Representative)

Title:

Public Works Manager

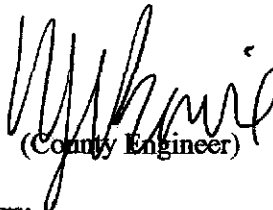
**To the Board of County Commissioners:**

I have examined the above request and make the following recommendations:

Date:

2-21-12

Signature :



(County Engineer)

**Action of the Board of County Commissioners:**

☒

The Engineer's recommendation is hereby approved.

☐

The Engineer's recommendation is not approved or modified as follows:

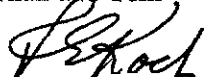
Board of County Commissioners  
Franklin County, Washington



Chair



Chair Pro Tem



Member

Attest:

  
Clerk of the Board

**Franklin County**  
**Board of Commissioners**  
**Agenda Summary Report**

**DATE SUBMITTED:** 02/17/2012**PRESENTED BY:** Fred Bowen**ITEM:** (Select One)       Consent Agenda  X   To Be Brought Before the Board. Suggested Date: 02/22/2012  
Time needed:           minutes**SUBJECT / ISSUE:** New Jail/Admin Building - Amendment to the Professional Services Agreement**FISCAL IMPACT:** Up to \$1,379,836**ACTION(S) REQUESTED:**

Pass Resolution, Approve Professional Services Agreement

**BACKGROUND:**

Franklin County contracted with LCA Architects to define the scope of a remodel and expansion of the existing jail and a new Administration Building to house the Sheriff's Department. Phase I of the project was to provide Franklin County with the defining scope of the remodel and expansion to meet the owner's budget. Phase I was completed in August of 2011. This request is to begin Phase II services: Prepare plans and specification for the construction of the New Jail/Renovation of the existing jail and Administration Building, assist in the bidding process, construction, construction inspection for compliance to the completion of the project.

**Amendments to the existing Agreement.**

Amend, add or revise the following articles as noted below.

**9.7 Delete Article 9.7 in its entirety**

Termination Expenses are in addition to compensation for the Architect's services and include expenses directly attributable to termination for which the Architect is not otherwise compensated, plus an amount for the Architect's anticipated profit on the value on the services not performed by the Architect.

**11.1 Self-Explanatory****11.6 Delete article 11.6 in its entirety**

When compensation is based on a percentage of the Cost of Work and any portions of the Project are deleted or otherwise not constructed, compensation for those portions of the Project shall be payable to the extent services are performed on those portions, in accordance with the schedule set forth in Section 11.5 based on (1) lowest bona fide bid or negotiated proposal, or (2) if no such bid or proposal is received, the most recent estimate of the Cost of Work for such portions of the Project. The Architect shall be entitled to compensation in accordance with this Agreement for all services performed whether or not the Construction Phase is commenced.

**12.4 Add article 12.4 as follows:** IRS 179 DEDUCTION: In accordance with the Energy Tax Incentive Act of 2005, Owner hereby designates the Architect as its primary designer of the Project and allocates, to the extent permissible, any deduction applicable to the Project.

**Explanation:** I have attached some information regarding this tax deduction program for you to review. In general, per section 3 Special Rule for Government Owned Buildings, government agencies including local agencies are not eligible for this tax deduction for buildings they own however they may allocate any possible deduction to the designer primarily responsible for designing the facility. In our case it would be LCA+PH Architects. This is needed so that the IRS can evaluate who this deduction would go to if they have multiple parties submitting for this deduction on the same building.

**COORDINATION:**

Fred Bowen, Sheriff Lathim, Rick Long

**RECOMMENDATION:**

Sign attached resolution and Notification of Amendment to the Professional Services Agreement

**ATTACHMENTS:**

Describe documents attached to this package.

1. Proposed Resolution
2. Notification of Amendment
3. Tax Deduction Document
4. IRS Document

I certify the above information is accurate and complete.



Fred Bowen



# FRANKLIN COUNTY

## PUBLIC WORKS DEPARTMENT

Tim Fife, P.E., Public Works Director/County Engineer  
Guy F. Walters, Assistant Public Works Director

March 1, 2012

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, March 1, 2012  
move that the following warrants be approved for payment:

<u>FUND</u>	<u>WARRANT</u>	<u>AMOUNT</u>
<b>County Road</b>		
- Payroll	62417 - 62436	30,952.07
- Direct Deposit (3275-3301)		38,514.62
		\$69,466.69
- Benefits	62437 - 62440	11,646.63
	<b>Total</b>	<b>\$81,113.32</b>
<b>Motor Vehicle</b>		
- Payroll	62441 - 62454	4,751.11
- Direct Deposit (3302-3306)		5,901.42
		\$10,652.53
- Benefits	62455 - 62458	1,834.11
	<b>Total</b>	<b>\$12,486.64</b>

in the total amount of **\$93,599.96** (\$81,113.32 + \$12,486.64). The motion was seconded  
by \_\_\_\_\_ and passed by a vote of \_\_\_\_\_ to \_\_\_\_\_.

APPROVED PER BOARD OF COMMISSIONS VOICE  
CONSENSUS ON 2/29/2012.

The attached payroll has been approved by the Public Works Director

Brad Peck, Chair

Whitney Osborn  
Payroll Prepared By